

DEFENSE BASE CLOSURE AND REALIGNMENT COMMISSION

2521 South Clark Street, Suite 600

Arlington, VA 22202

Telephone: 703-699-2950

Date: June, 2005**To:** Commissioners, Defense Base Closure and Realignment Commission**From:** Chairman Anthony J. Principi**RE:** Commission Prodecures and Schedule

As we approach the voting phase of the Base Closure and Realignment process I have found it useful to review our current situation regarding recusals and voting requirements. A discussion of the results of my review follows.

Matters as they now stand are that four commissioners have recused themselves from participation in matters relating to installations in their home states. Commissioners Coyle and Gehman recused themselves, in accordance with ethics agreements they signed during the nomination process, because of BRAC-related activity in California and Virginia respectively. Commissioner Bilbray recused himself because of his long-time representation of Nevada in the Congress and other public offices. Commissioner Hansen recused himself with regard to Utah for the same reason.

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With the exception of the seven-of-nine vote requirement, no guidance is provided in the BRAC statute for voting, such as what constitutes a quorum and majority. The Commission rules describe three situations in which **a majority of the commissioners serving** is required to conduct business. Only issues such as motions to extend meetings and adjourn are resolved by a simple **majority of commissioners present**. A majority of commissioners serving is therefore always five unless by resignation or other loss without replacement the total number of commissioners serving is reduced below nine.

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I know that you share my enthusiasm for this undertaking, but I also am confident that we all look forward to the successful completion of our work. We have conducted more than half of our initial site visits and public hearings, but two full months of focused effort remain. Hearings to receive testimony from the Department of Defense, Government Accountability Office, and others are scheduled for July 18 and 19. We will conduct our "adds" hearing on July 19. We will receive Congressional testimony on July 28 and 29, and testimony from the Secretary of Defense and Chairman, Joint Chiefs of Staff during the week of August 15. Final deliberations commence the week of August 22. At this point, we remain on schedule to deliver the Commission report to the President on September 8. Thanks to you all for your remarkable service.

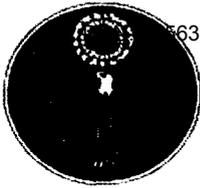
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August 9, 2005

The Honorable John Ensign
United States Senate
Washington, DC 20510

Dear Senator Ensign:

As we discussed in our telephone conversation last Saturday, the Commission will take immediate steps to provide the information requested in your letter of July 29, 2005 and Lucian Niemeyer's memorandum of August 5, 2005. We will expedite the posting of relevant information on the Commission website that is in the queue and ensure timely posting of reports of future meetings and other contacts about which you have expressed interest. I have also prepared and am enclosing a summary of meetings and telephone conversations I have had with Department of Defense officials since May 3, 2005. As noted on the list, it is as complete as I can make it. If more information about such contacts comes to light I will ensure you are informed. The Commission calendar is also enclosed

Your understanding of the workload and time pressures under which the Commission labors and the necessity for staying focused on the enormous task at hand is appreciated. We are in the final phase of the process in which the commissioners and staff are immersed in a sea of data. With three public hearings and four days of final deliberations this month and our report due to the President on September 8th, we simply cannot afford to divert our attention and energy from this critical endeavor.

We will work closely with your staff to fully comply with your request as soon after September 8th as possible. I remain confident that you will find the commissioners and staff members have scrupulously adhered to the spirit and letter of the law and allowed no breach of faith or trust.

Sincerely,

Anthony J. Principi

Enclosure:

- (1) Summary of meetings/telephone calls
- (2) BRAC calendar (May 9-July19, 2005)

Chairman: Anthony J. Principi

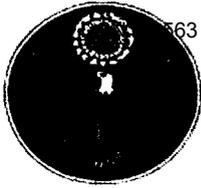
Commissioners: The Honorable James H. Bilbray, The Honorable Philip E. Coyle III, Admiral Harold W. Gehman Jr., USN (Ret), The Honorable Jim Hansen, General James T. Hill, USA (Ret), General Lloyd Newton, USAF (Ret), The Honorable Samuel K. Skinner, Brigadier General Sue Ellen Turner, USAF (Ret)

Executive Director: Charles Battaglia

QUESTIONS FOR THE RECORD

1. What impact do you believe the realignment and closure of Air National Guard activities will have on our ability to secure our Air Operational Domain?
2. According to the Department of Defense's *Homeland Security Joint Operating Concept*, published in February of 2004, there is a "seam" between pure Homeland Security and pure Homeland Defense missions. The concept further states that National Guard forces help bridge the gap between these two operational categories. Does DHS have an opinion regarding the impact DoD's BRAC recommendations will have on the problem of operating in this so called seam?
3. Can DHS formally provide the BRAC Commission with an assessment, in writing, of DOD BRAC recommendations with respect to the ANG and their impact on the Homeland Security/Homeland Defense mission? Comments should address DoD's ability to support DHS during Homeland Security as well as lead with support from DHS, during Homeland Defense.
4. Has DHS assessed the impact that DoD's focus on force protection, closing the fence line, will have on joint operability in the event of a Homeland Defense/Homeland Security incident?
5. Has DHS assessed the broader implications DoD's recommendations may have on the legal framework, such as the Posse Comitatus Act, regulating DoD's involvement in joint operations? Is DHS prepared in terms of equipment, CONOPS, for potential expansion of its current operational responsibilities?
6. Have you assessed the impact Guard-unit consolidations will have on the Guard's ability to operate under State Active Duty or Title 32 status? For example, how will the Air Force's recommendations affect a governor's ability to deploy C-130s in response to a catastrophic disaster?
7. The National Guard is currently forward deployed in 3,200 communities throughout the United States. This posture seems to reflect DoD's stated desire for a decentralized joint operational environment. Do you believe that DoD's BRAC recommendations reinforce or undermine this operational concept?
8. A decentralized posture has several clear operational benefits. Most importantly, decentralization allows commanders to compress decision cycles and act at the level of authority closest to a potential Homeland Defense/Homeland Security incident. Do you believe this concept is still operationally valid? If so, how do DoD's recommendations affect this?
9. Are there any signed documents that specifically address DoD's support to DHS, including requirements, MOUs, etc.?

10. Are there CONOPS developed to address how DoD will support DHS in terms of air sovereignty as well as airlift capability, pre-positioned, for mobility requirements for CSTs, FBI, etc.?
11. Did the DOD coordinate recommendations involving Air Sovereignty Alert sites with the Department of Homeland Security during its BRAC decision-making process?
12. In your view, did the Air Force adequately factor Homeland Security Air Sovereignty requirements into their BRAC recommendations?
13. Has DHS independently engaged USNORTHCOM or NORAD regarding Homeland Defense/Homeland Security mission requirements with respect to the Air National Guard? Did DHS provide site-protection and response-time requirements to DOD?
14. Has DHS assessed any potential impacts on its ability to carry out its responsibilities in regard to ports, shipping, and the coastlines, due to DoD recommendations, primarily Navy as well as Air Force?



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September 8, 2005

*The Honorable Michael W. Wynne
Chairman, Infrastructure Steering Group
3010 Defense Pentagon
Washington, DC 20301-3010*

Dear Secretary Wynne:

I am sending this letter for clarification of language contained in BRAC amendments 186-4a and 186-4d concerning DoD Tech-19, Create an Integrated Weapons & Armaments Specialty Site for Guns and Ammunition.

The purpose of amendments 186-4a and 186-4d was to leave existing energetics activities in place at Picatinny Arsenal, Naval Surface Weapons Center Indian Head and Naval Air Weapons Station China Lake. The language included in the Commission's recommendation for Tech-19 does not intend to consolidate these activities in any one location, nor is it the Commission's intent to create a separate "Center of Excellence" for energetics.

Picatinny Arsenal will become the DoD Gun and Ammunition "Center of Excellence" as described in the DoD Tech-19 recommendation and as modified by our recommendations.

Sincerely,

*Anthony J. Principi
Chairman*

Cc: Congressman Rodney P. Frelinghuysen

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September 29, 2005

General Michael W. Hagee
Commandant of the Marine Corps
Headquarters, U.S. Marine Corps
2 Navy Annex, Room 2118
Washington, DC 20380-1775

Dear General Hagee:

The 2005 Defense Base Closure and Realignment Commission has completed its first phase and submitted its report to the President. The report is now before the Congress and appears to be on course for final acceptance and the beginning of implementation of the Commission recommendations by late October. The BRAC process has been demanding, with little respite. The Marines have on two occasions come to the rescue, providing much needed morale support and inspiration.

On August 19th most of the Commission members and staff attended the Evening Parade at Marine Barracks, 8th and I. Master Sergeant Milo Lucio, USMC, Retired, the Barracks Protocol Officer, made all of the arrangements, missing no detail. The Marines were, well Marines, I need to say no more – we could not have asked for a more perfect evening or a more dramatic demonstration of pride and precision.

Last night, Master Sergeant Kurt Dupuis, USMC and four other Marine musicians from the U.S. Marine Band provided musical support at a Commission awards ceremony. They transformed the event into an especially memorable occasion, foremost with their music but also by their outstanding appearance and deportment.

Thanks to all of the 8th and I Marines, but please convey my special appreciation to Master Sergeant Lucio, Master Sergeant Dupuis, and the other Marine musicians.

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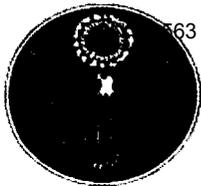
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Executive Director: Charles Battaglia

June 1, 2005

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MEMORANDUM FOR COMMISSIONERS,
BASE CLOSURE AND REALIGNMENT COMMISSION

From: Chairman Anthony J. Principi

Subj: COMMISSION PROCEDURES AND SCHEDULE

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