DEFENSE BASE CLOSURE AND REALIGNMENT COMMISSION (BRAC)

FINAL DELIBERATIONS

Friday, August 26, 2005

7:00 p.m.

Evening Session

Hyatt Regency Crystal City

2799 Jefferson Davis Highway

Arlington, Virginia 22202

COMMISSIONERS:

The Honorable Anthony J. Principi, Chairman

The Honorable James H. Bilbray

The Honorable Philip E. Coyle III

Admiral Harold W. Gehman, Jr., USN (Ret.)

The Honorable James V. Hansen

General James T. Hill, USA (Ret.)

General Lloyd W. Newton, USAF (Ret.)

The Honorable Samuel K. Skinner

Brigadier General Sue Ellen Turner, USAF (Ret.)

CHAIRMAN:

THE HONORABLE ANTHONY J. PRINCIPI

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EVENING SESSION

Chairman Principi: The commission hearing will come to order. Fellow Commissioners, we're going to build on what we started earlier today. In some instances, we will revisit actions already taken, doing so is consistent with our rules.

I want to ensure that we have properly recorded the intentions of the commission with regard to the Air National Guard and Air Force Reserve installations. And units that are before us for closure or realignment. You saw earlier the distribution of aircraft in the Guard and Reserves, you have those charts in front of you. We will now deal with the motions that, if approved, will produce the results reflected on those charts.

These are installations, units and issues that we have discussed individually with the staff many times. In many cases Commissioners and staff have visited the installations. Each of us has a binder with five Tabs behind which are motions.

Tab 1, Reserve and Air National Guard, KC-135 aircraft, Tab 2, Reserve and Air National Guard, A-10 aircraft, Tab 3, Air National Guard, F-15 aircraft, Tab 4, Reserve and Air National Guard, F-16 aircraft, Tab 5,

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Reserve and Air National Guard, C-130 aircraft. We will discuss each motion as necessary. We're not in a hurry if a vote is required for an individual motion we will discuss and vote on it. At the end of each group however we will vote on all of them together.

At Tab 1, there are eight motions which implement the lay down the staff has recommended for KC-135 aircraft. They are before us for consideration and voting. Each motion has a separate number which I will note when I identify it. So let's turn to Tab 1, and to motion 108-4(a). Portland International Air Guard station, Oregon Air Force 41. Are there any questions or discussion for staff on this motion?

General Newton: Mr. Chairman, can we just have the staff share with us on this particular motion what aircraft are moving in, what aircraft are moving out, very quickly. Mr. MacGregor if you would share that with us.

Mr. MacGregor: Yes sir. Within one of the portions of the motion there are Air Force Reserve tankers that will be distributed. There are also the F-15s, which initially were listed in here as will be discussed during the F-15 portion. The major portion as it relates to tankers is those primary authorized aircraft, will be distributed essentially at the discretion of the Secretary of the Air Force, in accordance with the BRAC recommended language.

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General Newton: Thank you.

Chairman Principi: Are there any additional questions or comments?

[No response].

Chairman Principi: Number 82. Motion 82-4(A). Beale Air Force Base, California. And Selfridge National Guard Base, Michigan, Air Force 10.

Number 83, March Air Reserve Base, California, Air Force 11. Motion Number 83-4(a).

Staff, if you have any comments to make please say so, if there's anything that's unclear, or that you feel that the commission needs to know, please do so.

Mr. MacGregor: Yes sir, one thing I would like to establish with the tanker recommendations as we will follow with many of the other recommendations. When you look at the aircraft that are being distributed away from a Base. The Commission tried diligently to get out of the tail number management business. That is, we did not want to direct an aircraft from Portland or Beale to another Base. We wanted to give that discretion to the Secretary of Defense in order to meet the Commission's intent.

Therefore when you go through many of these recommendations, what you're going to see is we, in accordance with the plan approved by the Commissioners, will strip all or a portion of the aircraft away, and they

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essentially go into what we just call the bucket, and then throughout the rest of these motions, as was briefed with Grand Forks this morning, we established a primary aircraft authorization and strength. We don't tell the DoD from where to where to put the aircraft, but when taken in the aggregate these tanker motions will account for all of the realignments out and the end strengths, the final end strengths of tanker units that were referenced in the BRAC for some form of action.

Chairman Principi: Very well. I believe that that is the absolute right approach to take. Okay. We will proceed with motion 116-4(a), Fairchild Air Force 51, and these are all displayed on the charts in front of us, correct? These charts.

General Newton: All of these that we're listing for existence? Fairchild Air Force Base wasn't listed in the chart and the answer to that is yes, it is.

Mr. MacGregor: Yes sir, and you'll see with some of these there are active Reserve, or Guard components at the same Base. So in that particular instance, it deals with an Air National Guard KC-135 unit, on an active duty Air Force Base, Fairchild.

Mr. Bilbray: Mr. Chairman, on Fairchild it's noted the state of Washington has no Air Guard planes at all. One of, I think, two states, now Washington and Connecticut

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that have no Air Guard flying missions.

Mr. Small: It's a case of do they possess aircraft. There's a little difference Washington and Connecticut. The Guard at Fairchild will associate with the 92nd Air Refueling Wing. It's a full strength Air Force Air Refueling Wing. The gentlemen in the Guard there will be at full strength, they will be flying, they will be working, and this unit in previous programs for the new tanker had been tagged up to be the Air Guard's lead, new tanker unit. There are a lot of reasons for it. I think it would be useful if somehow we expressed that that position ought to be continued since this unit has been extremely cooperative, even though they are losing their airplanes.

The other item I would like to note in the motion before you is that there are two small combat COM squadrons that are essentially dependent on this unit. We tweaked the words to cause them to move on the Fairchild Air Force Base, what we've deleted when we were doing the edit, was into -- the words into available facilities. In this particular case the available facility was a 1942 warehouse. And so I took out the word available facility to force the issue on the facility site.

Chairman Principi: Thank you.

Mr. Bilbray: For staff again Mr. Chairman, in doing

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this I understand that you worked constantly on finding planes. There was no immediate planes, or any, even a small amount, two, three, four units that could be provided for Fairchild, for the Washington National Guard?

Mr. MacGregor: Sir, what we did when we helped assess the force structure bed down as facilitated by the Commission's decisions is we started with the end strength that was provided by the Air Force, or the DoD's BRAC. In the case of the Guard 135s, the Air Force's recommendations left 172 KC-135s; we used that as our starting position. As we looked through the installations and facilities that we assessed, we essentially looked at what size unit, trying to optimize the PAA to keep the Active Guard and Reserve proportion the same and have a reasonable balance geographically.

When we utilize the notion of a finite pool of aircraft of 172 for the Guard specifically, if Fairchild were to continue to have aircraft looking at the list in front of you, or on the screen, in all likelihood somebody else there would not. And the decision to which bases to populate was made through the coordination of the Commissioners.

Mr. Bilbray: Somewhere I think there's an amendment out there that I have that I would bring up at the end of this. I was looking for it on Fairchild. I think I found

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it here.

Mr. Chairman, when would I offer this amendment, now? Or at the end of the KC-135 discussion?

Chairman Principi: Do you have a written amendment?

Mr. Bilbray: Yes, I think it's in here.

Chairman Principi: Well why don't we finish through all of this section and then at the end you can offer a motion.

Mr. Bilbray: Thank you.

General Newton: Mr. Chairman, I would like to comment on this particular one, because the question was asked, why not a small population of airplanes here. As we follow the criteria of determining where the Secretary may have deviated from that criteria that was the large part about what that drove us in these decisions and proposals by the staff.

The other thing I would say, is there were times when we were using some judgment and that judgment then came into play when we started looking at homeland security, and homeland defense. As well as what other assets were located in that particular region of the country.

So we've tried to consider the total national security and our homeland security and homeland defense when we were considering the criteria and evaluating the Secretary's recommendation against that criteria.

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Chairman Principi: Thank you.

Admiral Gehman: In support of the master plan that the staff is proposing to us which I think makes very, very good sense. I would offer to my colleague the following rational. There are one or two other states that do not have any manned flying mission, nor do they have a Reserve, or Active Wing that they can associate with. If we could create eight additional airplanes, the staff were to follow the guidance we gave them, the other states would get them before Washington would.

So trying to squeeze an airplane out here, or an airplane out there wouldn't fix your problem, because the priorities would be to put them in states which have no manned aircraft. And I don't know if that helps or not, but the staff has followed the guidance. And I support it. Thanks for the opportunity.

Chairman Principi: Thank you Admiral. Number 78, Birmingham International Airport, Air Guard Station, Air Force Number 5. 97, Key Field, Air Guard Station, Mississippi, Air Force 28. Number 101, Niagara Falls, Air Reserve Station, New York, Air Force 33. Number 87, Robins Air Force Base, Georgia, Air Force 16. Congressman Bilbray, would you offer your amendment at this time.

Mr. Bilbray: Yes Mr. Chairman, I think it is Motion 116-4(a). Is that the one I requested. I'm trying to read

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it, it has so many technical things in it. If staff could be sure this is the one I wanted.

Chairman Principi: Your amendment is to 116-4(a)?

Mr. Bilbray: That's correct. I move the Commission find that when the Secretary of Defense made Air Force recommendation 116, Fairchild Air Force Base Washington, he substantially deviated from the final selection criteria 1 and 3, and the Force Structure Plan. The Commission strike that the text of the entire recommendation and insert in its place realign Fairchild Air Force Base, Washington. Distribute the 141st Air Refueling Wings K-135 R/T aircraft to meet the primary aircraft authorizations (PAA) requirements established by the Base Closure and Realignment Commission of the Secretary of Defense, as amended by the Defense Base Closure and Realignment Commission. Establish 8 PAA KC-135 R/T aircraft at the 185th Air Refueling Sioux Gateway Airport Air Guard Station Iowa. The 185th Air Refueling Wing, KC-135E aircraft would be transferred to the Aerospace Maintenance and Regeneration Center (AMARC) at the Davis-Monthan Air Force Base Arizona for appropriate disposal as economically unservable. Establish 8 PAA KC-135 R/T aircraft at the 161st Air Refueling Wing in Phoenix Sky Harbor International Airport, Guard Station Arizona. If the state of Washington decides to change the organization,

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composition and the association of the Air Refueling Wing to integrate the unit into the Future Total Force, they would establish the 141st Air Refueling Wing as an associate flying wing of the 92nd Air Refueling Wing, Fairchild Air Force Base, Washington, with the 92nd, Air Refueling Wings Expeditionary Combat Support (ECS) elements remaining in place. Provide opportunity for the 141st Air Refueling Wing personnel to operate the future tanker replacement aircraft, as determined by the Secretary of Defense. That the 256th Combat Communications Squadron, and the 242nd Combat Communication Squadron, which are Air National Guard geographically separated units at Four Lakes and Spokane, are relocated to Fairchild Air Force Base. All other personnel are allotted to the 141st Air Refueling Wing, will remain in place and assume a mission relevant to the security interest of the state of Washington and consistent with the integration of the units into Future Total Force, including but not limited to air mobility, C4ISR, engineering, flight training, or unmanned aerial vehicles. Where appropriate, unit personnel would be retained in skills relevant to the emerging mission.

This recommendation does not affect or change the authorized end strength of the Washington Air National Guard. The distribution of aircraft currently assigned to the 141st Air Refueling Wing is based upon resource

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constrained determination by the Department of Defense. That the aircraft will better support National Security requirements and other locations, and not conditioned upon the agreement of the state. The Commission finds this change and recommendation as amended are consistent with the final selection criteria in force.

My question to the staff, is does it do what I want it to do?

Mr. MacGregor: Yes sir.

Mr. Bilbray: This was given to me by outside counsel.

Mr. MacGregor: Yes sir.

Chairman Principi: Is there a second?

Admiral Gehman: Second.

Chairman Principi: Are there any recusals?

[No response].

Chairman Principi: All in favor of the motion?

[A show of three hands].

Chairman Principi: No not yet, we're voting on Congressman Bilbray's amendment.

Mr. Bilbray: I appreciate that support Admiral.

[Laughter].

Chairman Principi: This is the same as motion 116-4(a) that is being considered by everyone, it's in your book. We're on the amendment by the Congressman. 116-4(a) all in favor?

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[A show of two hands].

Chairman Principi: All opposed?

[A show of seven hands].

Ms. Sarkar: Mr. Chairman, the vote is seven in favor - I'm sorry, excuse me, two in favor, seven against. No recusals, the motion is rejected.

Mr. Bilbray: I liked your first count better.

[Laughter].

Chairman Principi: Do I hear a motion on the staff recommendation for KC-135 aircraft, as discussed and contained in your binders? With the exception of 116, Fairchild Air Force Base Washington, which we voted upon. Admiral Gehman?

Admiral Gehman: I will make that motion. What we are voting on here is a group of individual recommendations which establish two Air National Guard, 135 flying squadrons, more than what the Secretary of Defense had in his plan. We are essentially putting two back that he recommended closed and the rest are in accordance with the plan. I think this is a good plan, it follows the guidance that we gave to the staff, and I move that all of the sections that the chairman has read off conform with the guidance and the criteria and that we accept them.

Mr. Hill: Second.

Chairman Principi: All in favor?

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[A show of eight hands]

Chairman Principi: All opposed?

[No response].

Ms. Sarkar: Beg your pardon Mr. Chairman, I couldn't read Commissioner Hansen's vote.

Chairman Principi: I'm sorry.

Ms. Sarkar: I beg your pardon Mr. Chairman, I couldn't read Congressman Hansen's vote.

Mr. Hansen: I abstain.

Ms. Sarkar: Thank you for your indulgence Mr. Chairman, the vote is eight in favor, none opposed, one abstention. The motion is approved.

Chairman Principi: Thank you. We will now proceed to the six motions which implement the laydown the staff has recommended for A-10 aircraft. If there are specific amendments to any of these six recommendations as you noted with Congressman Bilbray's amendment, they are very lengthy difficult to understand, we can dispense with the reading of the amendment subject to any objection to have it read in its entirety. It will be recorded as if it is read and the mover of the amendment can describe the amendment in common lay language so we understand precisely what is being done. Every amendment is contained in the binder. But again anyone who objects to a dispensing of the reading of the amendment we will read the entire amendment.

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Mr. Bilbray: Mr. Chairman, I was wondering when we do the A-10 basis on the Willow Grove, Pennsylvania, that's a very contentious position. I would like to see if we could have a separate vote on that particular item, before we vote on all the items.

Chairman Principi: Well we certainly will. Let me go through these six. And at the very end we can take up the separate vote on that and separate amendments. We will begin with number 85, Bradley International Airport Air Guard Station, Connecticut, Air Force 14. Number 81, Fort Smith, Air Guard Station, Arkansas, Air Force 8. Number 88, Boise Air Terminal, Air Guard Station, Idaho, Air Force 17. 91, NAS New Orleans, Air Force 22. Number 68, Naval Station Willow Grove, Pennsylvania, Navy 21. 95, W.K. Kellogg Airport Air Guard Station, Michigan, Air Force 27. Congressman Bilbray, do you have an amendment, on number 68, or do you just want to vote on that separately?

Mr. Bilbray: I just want to vote on it separately.

Chairman Principi: We will now take up a motion on number 68, Naval Air Station Willow Grove Pennsylvania. Is there any discussion on this motion?

Mr. Bilbray: Just a point Mr. Chairman, this is the one subject to the lawsuit that's going on in the Federal District Court in that area of Pennsylvania. And I think everybody should be aware of that.

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Chairman Principi: Is there any further discussion? Admiral Gehman.

Admiral Gehman: Mr. Chairman, what the motion that - before the Commission that we're going to vote on proposes to do, is to take all of the Air Guard and Reserve airplanes on this Willow Grove Air Station and sweep them into this bucket to be redistributed some other time by - in accordance with the plan. It also establishes at Willow Grove Joint Reserve Base, an enclave - correct me, and I'm trying to - it establishes an enclave, and that enclave will have Army Guard and a new Army Reserve Center which we approved, which we have already approved in another motion, Mr. Hanna, is that correct?

Mr. Hanna: Yes sir, that's correct.

Admiral Gehman: Thank you, thank you very much. And if that's clear to my Commissioners.

Mr. Hanna: As a point of clarification sir, the motion does not disestablish the A-10 organization, it removes the aircraft, and makes them available for other uses by the Governor, as the Governor sees fit.

Mr. Bilbray: I have one other question. Why under the A-10 Bases, A and G does it say closure after it. It's going to be an enclave, but if I could be clear it is not closure. I mean this is wrong?

Mr. Hanna: No sir, it closes - it's somewhat

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convoluted in that it is a Naval Air Station administered by the Navy, it's also a Joint Reserve Base on which our marine aviation assets Air Force Reserve organization lift asset, the aircraft have been transferred because of their age, and the Air National Guard the 111th Fighter Wing, A-10 organization, the motion closes the Naval Air Station, moves the Naval Reserve aviation assets to the joint base established at Maguire, Fort Dix, and Lakehurst, the Marine Aviation reserve moves likewise. The Marine Aviation organization located in Johnstown Pennsylvania, falls in on the other two organizations at the joint base in New Jersey.

The Air Force Reserve Wing had its aircraft taken away, that is moved. The A-10s that belong to the 111th are moved and put into this group of airplanes to be redistributed as appropriate. But the organization stays in existence with it's end strength maintained for definition of future missions. Also the enclave, for the Army Reserve to fall in, and consolidate several off post locations onto the formal ground - the grounds of Naval Air Station, Willow Grove.

Mr. Bilbray: Thank you very much.

Chairman Principi: Thank you.

General Newton: Mr. Chairman, I just want to be sure that we have it very clear here, and we've used a couple of

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terms that may confuse folks when we speak about these airplanes are in a bucket, what we've really done is exactly in this case, is exactly what the Secretary's recommendation said. We took the airplanes away, and we have reassigned them already to other locations. In that we took that total number of airplanes, which is 78, and we've reassigned them to locations. What we didn't do in our recommendation back to the Department, is we didn't tell them where to take the airplanes from. But we are telling them what numbers to put where and that total number will come out to 78, so the Secretary doesn't just have a bucket of airplanes that are sitting out here, the Secretary, if the President and the Congress passes this, you will distribute these aircraft as we have indicated?

Mr. Hanna: That is a more accurate and complete description sir.

General Newton: Thank you.

Chairman Principi: Secretary Skinner?

Mr. Skinner: I wonder if when you read them, I'm going to read these motion numbers off, and just to make sure that we've got the right numbers at the top that we're voting on. Why don't we do that one first. And then maybe you could read them. I just want to make sure I've got them both, and it looks very well organized. And I want to make sure that I've got the right motion in the book that

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we're voting on.

Chairman Principi: Motion 68-4(a).

Mr. Skinner: Thank you.

Chairman Principi: I make a motion to approve the recommendations for the A-10 aircraft. For - excuse me, for number 68 Naval Air Station, Willow Grove, Pennsylvania, DoN 21 as recommended by staff. Is there a second?

Mr. Bilbray: I second.

Chairman Principi: All in favor?

[A show of eight hands].

Chairman Principi: All opposed?

[A show of one hand].

Chairman Principi: I will now move -

Ms. Sarkar: Mr. Chairman, I would like to report the vote.

Chairman Principi: Yes please. I'm sorry.

Ms. Sarkar: The vote was eight in favor, one opposed, no abstentions, the motion is approved.

Chairman Principi: Thank you. Council, I will now move the approval of the staff recommendations for number 85, 81, 88, 91, 95, the remaining A-10 aircraft. Is there a second?

General Newton: Second.

Chairman Principi: Are there any recusals?

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[No response].

Mr. Skinner: Mr. Chairman, I want to make sure we do this right again. I hate to be picky like a lawyer. We're on voting on 85-4(a)?

Chairman Principi: That's correct.

Mr. Skinner: 81-4(a).

Chairman Principi: That's correct.

Mr. Skinner: 88-4(a).

Chairman Principi: That's correct.

Mr. Skinner: 91-4(a).

Chairman Principi: Correct.

Mr. Skinner: We've already voted on 68-4(a).

Chairman Principi: That's correct.

Mr. Skinner: And we're voting on 95-4(a).

Chairman Principi: That is correct. Basically all of the motions in Tab 2, with the exception of Willow Grove.

Mr. Skinner: Thank you.

Chairman Principi: All in favor?

[A show of nine hands].

Chairman Principi: All opposed?

[No response].

Ms. Sarkar: Mr. Chairman, the vote is unanimous, the motion is approved.

Chairman Principi: Thank you. Commissioners, we have before us three motions, which implement the laydown the

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staff has recommended for F-15 aircraft. These are contained in Tab 3, 94, Otis Airport, Air Guard Base, Maine, Air Force 25. Number 108, Portland International Airport, Air Guard Station, Oregon, Air Force, 41. Number 98, Great Falls International Airport, Air Guard Station, Montana, Air Force 30. Are there any questions?

Mr. Cirillo: I believe there's one more.

Chairman Principi: Okay. Let me add to this grouping an additional motion. Number 89, Mountain Home Air Force Base, Nellis Air Force Base, and Elmendorf Air Force Base, that is contained as - what's the motion number on that? Excuse me. 89-4(a), 89-4(a).

Mr. Bilbray: Mr. Chairman, how do we want to handle it on 89, these are planes that affect Nellis Air Force Base, Nevada. And I have to recuse myself from that.

Chairman Principi: Can we record your vote as a recusal for Nellis Air Force Base?

Ms. Sarkar: Mr. Chairman, one option you may want to consider, is to vote on Motion number 89-4(a) separately.

Mr. Bilbray: That's fine with me.

Chairman Principi: So we should vote on Nellis Air Force Base separately?

Ms. Sarkar: It's at your option, Mr. Chairman.

Chairman Principi: Okay. We'll do it that way, all right. I will move the approval of the staff

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recommendation. Number 94, 98, 108, and 89, with the exception of Nellis Air Force Base. Again, 94, 108, 98, and 89 with the exception of Nellis Air Force Base.

Mr. Bilbray: Mr. Chairman, I think what the Council is advising is that Section 89, just be voted on separately because they're all kind of intertwined. And that we vote on 94, 108 and 98.

Chairman Principi: Very well, Congressman Bilbray, we'll do that. So I would move the approval of the staff recommendations for number 94, 98, and 108. Is there a second?

Admiral Gehman: Second.

Chairman Principi: Are there any recusals?

General Newton: Mr. Chairman, when you get to the discussion I would like to make a comment please.

Chairman Principi: Certainly. All in favor?

Ms. Sarkar: Pardon me, Mr. Chairman was there a second?

Admiral Gehman: Yes, I seconded.

Chairman Principi: Is there any discussion?

General Newton: Thank you Mr. Chairman. Mr. Chairman, I wanted to say a comment on number 108-4, which is Portland International. Portland International Airport, Air Guard Station in Oregon. If you will notice that the Department and the Secretary recommend that those aircraft

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be removed. The study by the staff, and the Commissioners who visited the North West and our regional hearings that we had in that area, clearly pointed out to us that the community was concerned about national security, homeland security, and homeland defense. And after studying that, we saw where the staff recommended that criteria number 1 had been deviated from and therefore they recommended that we place aircraft back out at Portland Air Force Base, or Portland International Airport. And that's why you will note that we went from 0 to 15.

Chairman Principi: Thank you.

General Newton: I would also like to note Mr. Chairman that Barnes in Massachusetts also has F-15s. If you remember there were quite a bit of discussion about the North East and that the recommendations from the Secretary left the North East void of the capability to respond to a possible threat in that area. Air threats, in that area. And these aircraft and this location provided that opportunity. And so it was a staff recommendation that placing these airplanes at Barnes, and transitioning them to F-15s vice the Secretary's recommendation would be a better fit. And as a result that's why that proposal is there.

Chairman Principi: Admiral Gehman?

Admiral Gehman: Since General Newton's on a roll

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here, let me just continue with Great Falls, Montana, which the DoD recommendation had removing the F-16s and enclaving Great Falls. When we get to F-16s you will find that we recommend taking the F-16s out of Great Falls, but this recommendation puts F-15s in Great Falls. Essentially for the same reason General Newton just talked about.

Chairman Principi: Indeed.

Mr. Small: Mr. Chairman.

Chairman Principi: This is Ken Small.

Mr. Small: Just as an observation sir, you have already considered and voted on Motion 108-4. That was one of the first group, first line that appeared under the tanker distribution.

Chairman Principi: We will vote it again, thank you Mr. Small. Okay. I will move the approval of the staff recommendations for Motions 94-4(a), 108-4(a), and 98-4(a). Do I hear a second?

Admiral Gehman: Second.

Chairman Principi: All in favor?

[A show of nine hands].

Chairman Principi: All opposed?

[No response].

Ms. Sarkar: Mr. Chairman, the vote is unanimous, therefore the motion is approved. Thank you.

Chairman Principi: I will now move the approval of

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Motion 89-4(a), Mountain Home Air Force Base, Nellis Air Force Base, and Elmendorf Air Force Base. Is there a second?

Mr. Coyle: Second.

Chairman Principi: Are there any recusals?

[A show of one hand].

Chairman Principi: All in favor?

[A show of eight hands].

Chairman Principi: All opposed?

[No response].

Ms. Sarkar: Mr. Chairman, the vote is eight in favor, none opposed, one abstention, the motion is approved. Thank you.

Chairman Principi: Okay. We will take a very short 10 minute break to update the balance of the tabs and motions in the Commissioner's binders and we will proceed as soon as we complete that. I think this process is going along very well. My compliments to the staff, and to counsel for truly organizing this in a manner that is easy to understand and allows us to truly see what we're voting on, so we will recess for 10 minutes.

[Recess]

Chairman Principi: The hearing will come to order. We have before us 13 motions which implement the laydown the staff has recommended for F-16 aircraft. Number 113,

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Hill Air Force Base, Utah, AF-47. Number 107, Springfield-Beckley Municipal Airport Air Guard Station, Ohio, Air Force-40. 89, Mountain Home Air Force Base, Idaho, Air Force 18. Number 115, Richmond International Airport Air Guard Station, Virginia.

Mr. Small: Mr. Chairman, I would just like to note this is the organization that's aligning itself with the F-22s at Langley.

Chairman Principi: Thank you, that's good to know. Number 98, Great Falls International Airport Air Guard Station, Montana, Air Force 30.

Mr. Small: This was a redistribution to put the F-15s in Montana, it's an excellent place for them, sir.

Chairman Principi: Number 94, Otis Air National Guard Base, Air Force 25. Number 95, W.K. Kellogg Airport Air Guard Station, Michigan, Air Force-27.

Mr. Skinner: Mr. Chairman, that's not an F-16 Base, do we need something there?

Mr. Small: Gentlemen, and General Turner, you have voted on Kellogg previously when you considered the A-10s. I'm sorry sir.

Mr. Skinner: Go ahead. I think it's completed, action's been taken on it.

Mr. Small: Yes sir, to my understanding, I've reviewed the motion and I think it contained the language

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that you preferred this afternoon.

Mr. Skinner: Well, we'll vote on it in a few minutes.

Chairman Principi: We will withdraw number 95, number 111, Ellington Field Air Guard Station, Texas, Air Guard Station - yes Congressman Hansen?

Mr. Hansen: I wonder if it would be permissible to suspend with the Ellington Field. I have an amendment that is being prepared that should be done just momentarily.

Chairman Principi: We will certainly table that one.

Mr. Cirillo: I'm sorry Mr. Chairman, on 95, I think you don't want to withdraw that. We're going through this again. It is the motion, if you're comfortable with that motion, it is the motion that you offered this morning.

Mr. Skinner: Well, that's fine then. I thought we had already rolled it on 95-4 when we did A-10s a couple of minutes ago.

Chairman Principi: All right. We'll vote on it again. 81, Fort Smith Municipal Airport Air Guard Station, Arkansas, Air Force 8.

Mr. Small: This is a conversion from F-16s to A-10 in a excellent location right next to Fort Chaffee, and the ranges at Fort Chaffee.

Chairman Principi: Excellent. Number 90, Capital Airport Air Guard Station, Illinois, Air Force 20. Number 115, Richmond, Air Guard Station, Virginia, Air Force 50.

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Number 105 Hector International Airport, Air Guard Station, North Dakota. Number 38, Number 96, Duluth International Airport, Air Guard Station, Minnesota, Air Force 28. Are there any questions?

Mr. Skinner: I would ask we also just vote separately on 90-4(a) please?

Chairman Principi: Is that the Kellogg?

Mr. Skinner: No that's Capital Air Guard Station. If you just vote on all the others, then we'll vote on that separately, if that's all right.

Chairman Principi: Which number was that, Secretary?

Mr. Skinner: 90-4(a).

Chairman Principi: 90-4(a). Okay. I move the approval -

General Hill: Mr. Chairman, excuse me, can we have a discussion. Excuse me, you tabled, we're going to discuss separately, all right.

Chairman Principi: I move the approval of motion 113-4(a), Hill Air Force Base, 107-4(a) Springfield Beckley. 89-4(a) Mountain Home. 115-4(a) Richmond International. 98-4(a) Great Falls. 94-4(a) Otis. Kellogg we're going to vote on separately, correct?

Mr. Skinner: Kellogg can be included. 95-4(a) can be included. We're just voting separately on 94-4(a).

Chairman Principi: 95-4(a), 81-4(a) Fort Smith. 90-

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4(a) - no we're setting this one aside. We're voting on Capital separately. I'm going to table 90-4(a). 105-4(a) Hector. 96-4(a) Duluth. Is there a second?

Mr. Coyle: Second.

Chairman Principi: Are there any recusals?

[A show of one hand].

Chairman Principi: All in favor?

[A show of eight hands].

Chairman Principi: All opposed?

[No response].

Ms. Sarkar: Thank you Mr. Chairman, the vote is eight in favor, none opposed, one recusal. The motion is approved.

Chairman Principi: I now move motion 111-4(a) Ellington Air Guard Station, Texas.

Mr. Hansen: Mr. Chairman, I have an amendment. And I would move that we dispense with the reading of this entire thing and I'll just say where it plugs in, if that's all right with your permission?

Chairman Principi: Yes sir.

Mr. Hansen: Mr. Chairman, this is Ellington Air Guard Station in Texas, and just before the third dot going down on the left side, we insert the words establish 15 primary aircraft authorization PAA F-16 aircraft at the 147th Fighter Wing, Air National Guard at Ellington Air Guard

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Station, Texas and if I could speak to the motion briefly.

Let me say this, I was the member who visited that area, and, boy, my thoughts went back to 9-11 at the time. After we did a post mortem in Congress we kept saying, “why wasn't somebody there and available to do something when rogue aircraft were coming that way?” We finally met the young man who flew an F-16 toward Pennsylvania, and as I recall it was unarmed. But quite a mess, and as you go down there and you get into the Houston area, I was amazed to find that's the fourth largest city in America and also the industry there is petrochemicals. I mean we flew over in a helicopter, and that was just all there was. And as I was talking to the Secretary of State and the Mayor, and a few other folks there it would seem to me that if there's one place that I could put my finger on and say what's the number one place that if a rogue aircraft came in and you had trouble it would really cause a huge amount of trouble it would have to be Houston, Texas. Boy, that could just bring America to its knees almost. And those folks down there, they all brought that up and they pointed to those F-16s, and they - admittedly their old ones, their Block 25, they're not the new Block 50s or anything but they’re capable and their pilots are absolutely awesome.

These are guys who've won a red hat every time they fly, they're older pilots, most of them are airline pilots

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but they're very capable. Most of them have seen military action. And I really think that it would be kind of foolish for us at this point to leave Houston and that part of America down there in the Gulf to leave it without some type of protection. And so Mr. Chairman, I respectfully offer this amendment hoping we can help out in this area, that I think is very critical to the defense of this country.

Chairman Principi: Thank you. Any further discussion on this amendment.

General Hill: Yes, Mr. Chairman, I appreciate the area and the Houston ship channel and the Corpus Christi channel and all the petrochemicals in that region. As we look at the distribution of aircraft under this BRAC round and trying to place them in the right places, this particular case we put aircraft into Kelly Field, 18 F-16s that can respond. The other thing that I would like to say very clearly, is as we have placed aircraft throughout the United States in regional - in different regions - all of those aircraft in the air sovereignty role are controlled by, and assigned by the NORTHCOM Commander. They sit in different alert stages throughout the United States, in a very classified plan, and at different times and in different places under different conditions in order to meet the threat that Congressman Hansen is talking about

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today.

When we first began discussing the entire issue of this air sovereignty thing, my first question was, had the NORTHCOM Commander blessed this plan? And the answer was yes. And that is what we need to do. We need to continue to support the combatant commander charged with the air defense of the United States, Homeland and that is the NORTHCOM Commander.

Chairman Principi: Thank you. Is there any further discussion?

General Newton: Yes Mr. Chairman, I would like to make one point. I certainly want to align myself with Commissioner Hill, and the next point I want to make is if we look at the criteria and the military value numbers that you see on the chart before you. The other location which Commissioner Hill mentioned, Kelly Field, is ranked in military value higher than Ellington, and so that was one of the factors as well that we used. This was not a matter of casually taking a look at this. The staff studied this very, very thoroughly and we talked to a lot of people and as Commissioner Hill mentioned, we talked to NORTHCOM Commander, and we talked to the services as well. So I would support this. The aircraft remaining where they are, and thank you.

Mr. Hill: I would just like to reiterate one more

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time, in no way am I dismissing the concerns of the community of Houston or any other community around the country. I'm simply saying we can't have air frames in every local, and we simply have got to develop a consensus plan and that is done by the NORTHCOM Commander.

Chairman Principi: Thank you. Is there anything further?

[No response].

Chairman Principi: I move - no we have a motion. We are voting on the motion, the amendment, I apologize. The amendment by Congressman Hansen. Is there a second? I second? All in favor?

[A show of two hands].

Chairman Principi: All opposed?

[A show of seven hands].

Chairman Principi: Okay. I now move - I'm sorry?

Ms. Sarkar: Mr. Chairman, may have Commissioner Turner's vote one more time?

General Turner: Against.

Chairman Principi: Counsel, I keep forgetting. You can just interrupt me, don't worry about it, just shout it out.

Ms. Sarkar: Thank you for your indulgence, Mr. Chairman.

Chairman Principi: Thank you very much for your

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patience with me.

Ms. Sarkar: The vote Mr. Chairman, is two for, and seven against, there were no abstentions. Therefore the motion is rejected.

Chairman Principi: You're going to have patience for another hour or two. I now move the Motion 111-4(a) Ellington Air Guard Station, is there a second?

Mr. Coyle: Second.

Chairman Principi: All in favor?

[A show of nine hands].

Chairman Principi: All opposed?

[No response].

Ms. Sarkar: Mr. Chairman, the vote was unanimous, the motion is approved.

Chairman Principi: Okay. I now move to motion 81-4(a) Fort Smith, is there a second?

Mr. Skinner: I think the one left is 90-4(a) Mr. Chairman.

Chairman Principi: I now move to motion 90-4(a), Capital Air Guard Station, is there a second?

Admiral Gehman: I second.

Mr. Skinner: I have a question Mr. Chairman, for Counsel to explain this a little bit more, this motion realigns aircraft at the Capital Air Guard Station in Springfield, Illinois, and the Hulman Indiana Air Guard

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Station in Indiana assigns them to the 142nd Fighter Wing, in Fort Wayne International Air Guard Station in Indiana. As you look at the rankings and those aren't the only criteria you put into play on military value. The Capital Airport ranks higher than Hulman, and Hulman ranks higher than Fort Wayne. The Secretary made his recommendations. He anticipated there would be 24 aircraft in Fort Wayne, and Fort Wayne was able to handle that. It's now down to 15 aircraft, I would ask - but having said that, I'm advised by Counsel and I want to make sure this is correct, that if I were to make a motion to amend and replace the Capital Airport, I mean replace the Capital Airport in place of the Fort Wayne that it would be out of order because the Capital Airport and the Hulman Airport are designated for realignment, but the Fort Wayne Airport is not - has not been by the Secretary, designated for realignment. So therefore we could not substitute those two in that particular - is that correct, Mr. Hague?

Mr. Hague: That is correct, you've asked and answered your own question correctly.

Mr. Skinner: That's because you gave me good legal advice before I came up here. But I want to make it clear, so that everybody understands that while military value is close, the highest ranking in this case would have been Capital or Hulman, but the recommendation by the Secretary

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was presented to us, we cannot and do not have authority under the BRAC statute to take away or diminish the number of aircraft at Fort Wayne. So my motion would be out of order if I made it, so I won't make it. Thank you.

Chairman Principi: Is there a second?

Mr. Skinner: There's no motion, because it's going to be stricken anyway. Rather than going through the formality of making the motion and having it seconded and then having Counsel declare it out of order, why don't I just not make the motion.

Chairman Principi: I'll just call for a vote. Are you recused on this?

Mr. Skinner: No. But I think you can tell how I'm going to vote.

Mr. Bilbray: This is a vote on the motion of approval, is that correct?

Chairman Principi: Yes. 90-4(a). All in favor?

[A show of eight hands]

Chairman Principi: All opposed?

[A show of one hand]

Ms. Sarkar: Mr. Chairman, the vote is eight in favor, one opposed, no recusals, therefore the motion is approved.

Chairman Principi: Thank you. There are 14 motions at Tab 5, which implement the laydown the staff has recommended for C-130 aircraft. We have them up on the

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board now. 106 Mansfield Lahm Municipal Airport Air Guard Station, Ohio, AF 39. 117, General Mitchell International Airport, Air Reserve Station, Wisconsin, AF-52. 101, Niagara Falls Air Reserve Station, New York, AF-33. I ask that that be voted on separately, as I have an amendment. 68, NAS Willow Grove ARB Pennsylvania, and N-21. General Mitchell, Air Reserve Station, Wisconsin, AF-52. 86, New Castle County Airport Air Guard Station, Delaware, AF-15. 92, Andrews Air Force Base, Maryland, AF-23. 88, Boise Air Terminal Air Guard Station, Idaho, AF-17.

Mr. Small: Sir, could I make a comment at this place on the Boise Guard, the C-130's at Boise, there's been a discussion that has rattled around informally and basically not accurate that the 130s at Boise were for fire fighting, or should be therefore fire fighting. I think it's reasonably important that the Air Guard does provide that service. They have four units specially trained and do have airplanes. There is a kit that provides the fire bombing or water bombing capability, those kits are not in Boise. They're distributed by another agency, the Guard just provides the ability to deliver. I just wanted to make that comment, there is no direct connect to fire fighting and the Boise Air National Guard C-130s, the connection you hear, is that the Forest Service runs the interagency fire center in Boise for the Western Region.

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Chairman Principi: 92, Andrews Air Force Base, AF-23. Number 88, Boise Air Terminal, Air Guard Station, Idaho, AF-17. Mansfield Lahm, Municipal Airport Air Guard Station, AF-39. 93, Martin State Air Guard Station, Maryland, AF-24. Number 99, Reno Tahoe International Airport Air Guard Station, Nevada, AF-31. 110, Nashville International Airport Air Guard Station, Tennessee, AF-44. We've done Kulis.

Mr. Small: We have done Kulis.

Chairman Principi: We'll vote it again.

Mr. Small: I'm sorry, that's no problem.

Chairman Principi: 80, Kulis Air Guard Station, Alaska. AF-7. 102, Schenectedy County Airport Air Guard Station, AF-34. Number 103 -

Mr. Small: Excuse me sir, could I just put a point of information here, that Schenectedy C-130s has a combination of ski birds, and what they call wheel birds. These are the aircraft that service Antarctica, and the Arctic and Greenland. That's a combination of National Science Foundation airplanes and Air National Guard planes. The crews are Air National Guard.

Chairman Principi: Thank you. Pope, we did Pope. Should we do it again?

Mr. Small: I don't think it's necessary sir.

Chairman Principi: All right. Those are the motions.

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Mr. Bilbray: Mr. Chairman, on the item on the Reno-Tahoe, Section 99, Air Force 31, I would request a separate vote on that, as I have to recuse myself from voting on that issue.

Chairman Principi: Thank you. I would like to offer an amendment to this motion. To motion 101, an amendment on 101-4(a) realign Niagara Falls Air Reserve Station and I will dispense with the reading of my amendment, and explain what it accomplishes. I recognize that there are not sufficient aircraft to assign to the Air National Guard in Niagara Falls. However, I would like your consideration to create an enclave at - for the 107th Air Refueling Wing.

Mr. Flinn: Mr. Principi, if I might interrupt for a second. We've addressed this issue with the KC-135 and we struck the original recommendation so that the C-130s there remain in place. The personnel remain in place, and we inserted the language that the aircraft of the 107th, the personnel of the 107th Air National Guard, would associate with the 914th, Air Wing there to form an Air National Guard/Reserve Associate Unit. That was the intent.

Chairman Principi: So the people of the 107th remain in place?

Mr. Flinn: That is correct, yes sir.

Chairman Principi: I think this is very important and I'll state why. I was never affiliated with the 107th, but

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I know it well apart from its great history from World War II, it's been called up in every war that this nation has fought. They're again called up, they were very instrumental, the men and women were instrumental in 9-11 down in New York City. It's, believe it or not, the second largest employer in the western part of New York. And maybe the largest employer if another company goes under, which New York dreads, but from an economic impact, but also more importantly from a military value, I believe they're very important and certainly in command and control. But if this is taken care of in what we have done, then I'm satisfied and I will withdraw my amendment.

Mr. Flinn: Yes sir, that was the intent. And I agree with your assessment. We found several deviations in the original recommendation.

General Newton: Will you get closer to the mike. I'm not getting all of what you're saying. Just answer one question for me and I think you can clear it up for me very clearly. Back on the language on the 135th, for Niagara Falls, did we leave it in an enclave status?

Mr. Flinn: We struck the entire recommendation sir, so that the C-130s remain in place. And we inserted the language to address the movement of KC-135s and the men and women, personnel of the 107th Air Refueling Wing, will stay in Niagara Falls and associate with the 914th Reserve,

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Airlift Wing to form an Air Reserve National Guard Unit and we also stipulated that they would receive the necessary training to support the 914th Air Wing.

Chairman Principi: I'm very satisfied and I withdraw my amendment. Thank you very much.

Admiral Gehman: Mr. Chairman, may I?

Chairman Principi: Yes, you may sir.

Admiral Gehman: If we refer to the chart there in front of us, we run our fingers down on the left hand side to Niagara Falls New York, and we see that the Department of Defense recommended going to zero, and the plan we're voting has 8 C-130s at Niagara Falls. And that's what I'm looking at, that's what we're voting on, and that happened in accordance with the guidance and the policy direction we gave to the staff, without any amendments on your part, or anything else. So the system worked. The other, by the way there are three other cases, where using our system we have put C-130s, squadrons in places that the Secretary of Defense recommended taking C-130s out of and enclaving them. So in the aggregate we have established more flying units than the Secretary's recommendation, but we still could not get a flying unit in every state of the nation. But we went much further in that direction than the DoD's recommendation. Niagara Falls just happened to be one of them.

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Chairman Principi: I am very grateful. Thank you Admiral, thank you Mr. Flinn.

Mr. Skinner: Can I make an observation, I want to make sure that anybody watching understands our goal is to look at all states, to not have Air National Guard Units. Almost all states have Guard Units, but all of them don't have Air National Guard Units. And what we've tried to do here is to make sure to the degree possible, every state that had an Air Guard Unit, continued to have some kind of Air Guard Unit, and we were pretty successful, not completely, but pretty successful. But there are some states that don't have an Air Guard Unit now, and won't have one when this is done. But they've not had a history of having Air Guard Units in recent history.

Chairman Principi: All right. I'm prepared.

General Newton: Mr. Chairman, I would like to add some comments to Secretary Skinner as well. We followed the criteria to ensure that we could follow the strict procedure that the Secretary deviate from the criteria and that is through that process that we found those deviations as the staff evaluate that and as a result then, we were able to move airplanes around to fill their requirement which we saw at various of these locations. And as it turns out, it allowed us then, because again, if you notice several times I've gone back to homeland security and

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homeland defense, because that played the biggest role. The requirement and responsibilities that many of our states have, and along with the Department of Defense as well as other agencies. So we really used the criteria, that drove us then to have the results which you see in front of you. Thank you.

Mr. Flinn: May I expand on that?

Chairman Principi: Yes.

Mr. Flinn: I just want to by way of summary, the total of C-130 recommendations, BRAC recommendations addressed, involved 21 different installations and approximately 156 aircraft. And it also - the C-130 E, and C-130 J issues that played into this, so it was a very complicated situation.

Chairman Principi: Thank you, very much.

Mr. Bilbray: Mr. Chairman, Section 99, is going to be voted on separately, is that correct? That's the Reno-Tahoe airport, because I must recuse myself?

Chairman Principi: Yes, we'll vote on that one separately.

Mr. Skinner: And Mr. Chairman, we did Willow Grove earlier separately, maybe we ought to do that separately again.

Chairman Principi: We've already voted on that. We already did 68. What I will do now is I will call for a

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vote on Number 99, that is motion. What's the motion number?

Mr. Bilbray: To approve?

Chairman Principi: To approve, correct. Which one Admiral?

Admiral Gehman: 99.

Chairman Principi: 99, Reno Tahoe International Airport, AF-31 is there a second?

Mr. Coyle: Second.

Chairman Principi: All in favor?

[A show of eight hands].

Chairman Principi: All opposed?

[No response].

Chairman Principi: I believe we have one recusal.

Ms. Sarkar: That is correct Mr. Chairman, the vote is eight in favor, none opposed, one recusal. The motion is approved.

Chairman Principi: I will now move the approval of the following motions. 106-4(a) Mansfield-Lahm, 117-4(a) General Mitchell, 68-4(a) no. I pulled 68-4(a) we voted on that.

Mr. Bilbray: No we did not. We didn't vote on that.

Chairman Principi: 101, where's 101?

Mr. Flinn: We voted on 101, with the KC-135, you've already voted on?

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Chairman Principi: I apologize. 101-4(a) Niagara Falls. Let me see where I am, 117-4(a) General Mitchell. 86-4(a) Newcastle. 92-4(a) Andrews. 88-4(a) Boise. 106-4(a) Mansfield Lahm. 93-4(a) Martin State. 110-4(a) Nashville. 102-4(a) Schenectedy. Is there a second?

Mr. Coyle: Second.

Chairman Principi: All in favor?

[A show of nine hands].

Chairman Principi: All opposed?

[No response].

Ms. Sarkar: Mr. Chairman, the vote is unanimous, the motion is approved. Thank you.

Chairman Principi: Thank you. We have completed the actions on the Air National Guard and the Air Force Reserve. The motions that were passed tonight will be posted on our website as soon as possible, tomorrow if we can. We will stand in recess for 10 minutes.

[Recess]

Chairman Principi: The Commission will come to order, we have several amendments, issues that we want to resolve this meeting. We'll first take up motion 5-4(c) a motion to amend Army recommendation 11 Fort Monmouth, New Jersey. Commissioner Coyle?

Mr. Coyle: Thank you Mr. Chairman. This is a clarifying amendment, to make clear how the certifications

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that we called for in our votes the other day would actually be accomplished and indicates that those certifications would be provided to the Congressional Committees of jurisdiction for their review. That's basically the change. Any discussion Mr. Chairman?

Mr. Bilbray: I second the motion Mr. Chairman.

Chairman Principi: Is there any discussion?

[No response].

Chairman Principi: Hearing none. All in favor? I'm sorry. Mr. Coyle, could you please very briefly describe the nature of your amendment?

Mr. Coyle: Yes. The purpose of this amendment is to make it clear how the language that we included in an amendment to this action, Army recommendation 11, Chapter 1, Section 5 of the Bill that we voted on the other day. The purpose of this amendment is to make it clear how that would be accomplished. And it explains that it will be to the Congressional Committees of jurisdiction that this certification will go, the original language as we provided it explain to whom the certification would go.

General Newton: Some how, Mr. Chairman, I'm missing -

Mr. Dinsick: Mr. Chairman, I believe the first one we want to talk about is 5-4C that has to do with breaking out the people at Fort Belvoir, who are going to Aberdeen, the second amendment that follows is a perfecting amendment is

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what Mr. Coyle just said.

Mr. Coyle: I beg your pardon Mr. Chairman, I got them in reverse order. The first one indeed is to make it clear that the project manager for night vision will stay with the night vision lab, and that the project manager for other chief or ISR activities would go to Aberdeen. These changes fall below the BRAC threshold as far as the number of people involved. But the Army felt that it would be helpful if we would clarify that these moves are not constrained in any way by the language we adopted the other day on Fort Monmouth.

Mr. Skinner: And that's motion 5-4C.

Mr. Coyle: Yes, 5-4C. I'm sorry I got them out of order.

Chairman Principi: Hearing no further discussion, all in favor of the amendment by Mr. Coyle, please indicate.

[A show of eight hands].

Chairman Principi: All opposed?

[No response].

Admiral Gehman: And one recusal.

Chairman Principi: And one recusal.

Ms. Sarkar: Mr. Chairman, the vote is eight in favor, none opposed, one abstention. The motion is approved. Thank you.

Chairman Principi: Thank you. I now offer an motion

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number 193-4A(v)(1) regarding Oceana Virginia. I apologize I thought we were completed.

Mr. Skinner: We've approved an amendment to recommendation 11, that is contained in motion 5-4C, Mr. Coyle, I think, has another motion which is to make regarding Fort Monmouth and maybe we could continue on with the Fort Monmouth motions and that 5-4(d).

Mr. Coyle: That is correct. Thank you Commissioner Skinner. As I was starting to say a few minutes ago this second clarifying amendment with respect to Fort Monmouth makes it clear how the certifications that we called for in our actions the other day would be carried out. We were silent about that in the vote that we took the other day and to make it clear how those certifications would be carried out. We have a motion here that makes it clear that the Secretary would certify, to the President and provide copies of such certification to the Congressional Committees of jurisdiction, just to make it clear how those actions would be concluded.

Mr. Bilbray: I'd like to second that motion.

Mr. Skinner: I would like some discussion on that motion. This one really gets to a consistency, we've directed the Secretary to do a number of things and I don't think we have asked the Secretary to certify anything, any actions. And I question whether this is a precedent that

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we want to go forward. I think we can assume that the Secretary will comply in good faith and I think having him certify to Congressional committees on something like this, and also to the President, goes a little far. And I would not support that.

And it's not that I don't understand where Mr. Coyle is coming from, I just think it would be inconsistent with the BRAC statute as it relates to the Secretary of Defense only.

I'm hoping to hear from others that have a lot of experience as to what they think, that is just my initial inclination. This is the first time I've seen this motion. I'm open to be educated.

Mr. Coyle: I might just add a further comment. The Commission has voted on a number of different - voted on and passed a number of different motions, where we've required actions by the Secretary of Defense or a service Secretary where we have made it clear how those actions would be concluded. We have not done that in this particular instance. And so this language is not intended to constrain the Secretary of Defense in any way, simply to make it clear how it is brought to conclusion.

Mr. Skinner: Well maybe I'm just troubled by the word “certification.” So maybe if we said, “will advise.” I just -- I guess I'm a little troubled by “certification.”

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Maybe, “shall report to the Congress, and to the President and the Congress,” something like that I probably could live with. But the certification language is what disturbs me.

Mr. Bilbray: If the gentlemen would yield. I would ask a question of Commissioner Coyle, does the present language we have there already require certification? It doesn't tell anybody where to certify that information, is that correct?

Mr. Coyle: Mr. Dinsick, can you clarify that point?

Mr. Dinsick: We believe it does not say “certify.”

Mr. Coyle: What does it say?

Mr. Hood: The current amendment says the Secretary cannot move anything from Fort Monmouth until certain conditions have been met. But it does not tell him that he has to certify that to anyone before he can do it.

Mr. Coyle: I don't know whether it changes anything to say report, or certify. I think the effect would be the same Commissioner Skinner. But I'm flexible about the wording. I'm certainly no lawyer.

Chairman Principi: Would you feel comfortable with the word “report?”

Mr. Skinner: I would like to hear what other Commissioners have to say, really this is the first time we've dealt with that. And I think what Mr. Coyle is

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trying to do is to make sure that the activities that have been requested, that if they have in fact been requested and he decides to make the move, that they be done. I guess I'm a little - that almost says that he wouldn't do it, and he would operate in bad faith, and I'm not ready to assume that that says that he wouldn't move them unless he did that. And I know Congress loves to do that, but I give the Secretary the benefit of the doubt that he won't operate in bad faith. This kind of assumes that he will and we ought to make sure that he doesn't and I guess that's why I'm troubled with it.

Mr. Bilbray: My question is, if you say he shall report, who does he report to if he doesn't report to somebody, who would you envision he report this to?

Mr. Skinner: All of this reporting is relatively new in this amendment, I have no problem with the first one, but the second one, I just wonder because then where does it stop? Did he report on this, did he report on that? We probably could go back and find 150 things we've asked the Secretary to do, is he going to report and certify on each? I think that's a little bit beyond the BRAC. But maybe to satisfy everybody that the Secretary doesn't operate in bad faith, maybe somebody could come up with a better suggestion.

Chairman Principi: Well I would like to speak to

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this, I understand your concern about the word certify. Certainly as the Secretary and I think probably the same for you Mr. Secretary, I was asked to report to Congress on various issues more than I wanted to on various matters, provide a report on this issue or provide a report on that issue. I think if we can modify this language to say the Secretary of Defense shall submit a report to the President and copies of such report to the oversight committees, that the direction of the BRAC have been fulfilled. I think that that would be - well -

Mr. Skinner: Well why don't we do a report to the oversight committees of the Congress? “Shall submit a report to the Oversight Committees of the Congress.”

Chairman Principi: Mr. Coyle would that be acceptable to you if we had the Secretary submit a report to the oversight committees?

Mr. Coyle: Yes Mr. Chairman, it would be and if you'd like I could read the full amended as suggested.

Chairman Principi: If you would please.

Mr. Coyle: Mr. Chairman, I move that the Commission find that when the Secretary of Defense made Army recommendation 11 Fort Monmouth New Jersey, he substantially deviated from final selection criteria, 1, 2, 3, 4, 5, and 7. And the Force Structure Plan. That the Commission add to the recommendation language, quote " The

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Secretary of Defense, shall submit a report to the President and provide copies of such report to Congressional Committees of jurisdiction that movement of the organizations functions, or activities from Fort Monmouth, to Aberdeen proving ground will be accomplished without disruption of their support to the global war on terrorism or other critical contingency operations. And that safeguards exist to ensure that necessary, redundant capabilities are put in place to mitigate potential degradation of such support. And to ensure maximum retention of critical work force." And that the Commission find this change and the recommendation as amended are consistent with the final selection criteria, and Force Structure Plan.

Chairman Principi: Mr. Coyle, I think what was asked is that the Secretary of Defense would submit the report to the Oversight committees of jurisdiction or Congressional Committees of jurisdiction, however you wish to say it, and not to the President. Obviously most reports would go through the Office of Management and Budget. In any event, would that be acceptable?

Mr. Coyle: Of course. And perhaps I misunderstood how many places the word certify was to be changed.

Mr. Skinner: All.

Chairman Principi: It shall read the Secretary of

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Defense shall submit a report to the Congressional Committees of jurisdiction.

Mr. Coyle: Thank you Mr. Chairman.

Chairman Principi: Secretary Skinner is that acceptable?

Mr. Skinner: I will second the motion with that amendment.

Chairman Principi: We have a second. Are there any recusals.

General Hill: Mr. Chairman just as a matter of record. I didn't like this yesterday but I went along with it. And I don't like it today, but I'll go along with it because it is in fact what the Secretary would do anyway to ensure that he worked with the Congressional oversight committees to get the action completed in the first place. But it does in fact in my mind impugn the Secretary and is unnecessary.

Chairman Principi: Thank you. All in favor of motion 5-4D, as amended.

[A show of eight hands].

Chairman Principi: All opposed.

[No response].

Chairman Principi: One recusal.

Ms. Sarkar: Thank you Mr. Chairman, the vote tally is eight in favor, none opposed, and one abstention, therefore

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the motion is approved. Thank you.

Chairman Principi: I now offer an amendment to motion 193-4(a)(v)(1). Regarding additional recommendation 193 Naval Air Station Oceania. In paragraph A will be the wording: It shall be deemed that the actions prescribed to be taken by the Commonwealth of Virginia, and the Cities of Virginia Beach, and Chesapeake respectively, by the end of March 2006 have not been taken in their entirety, unless the comptroller general of the government accountability office certifies in writing to the President and oversight committees of Congress, by June 1, 2006.

And in paragraph 11, will be the words at the end of that paragraph: It shall be deemed that the actions prescribed to be taken by the state of Florida and the City of Jacksonville respectively by the end of 31 December 2006 have not been taken in their entirety unless the Comptroller General of the Government Accountability Officer, certifies in writing to the President and oversight committees of Congress, by June 1, 2007.

Is there a second?

General Newton: Second.

Chairman Principi: All in favor?

[A show of seven hands].

Chairman Principi: All opposed?

[No response].

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Ms. Sarkar: Mr. Chairman, the vote is seven for the amendment, none opposed, and two abstentions. Therefore the motion is approved.

Chairman Principi: Thank you. General Hill?

General Hill: Yes Mr. Chairman, as a matter of specificity when we did this motion and it's the sixth dot, the paragraph starts: Enact state and local legislation in order to establish a program to condemn and purchase all the property. That sentence is more correctly read, purchase all the non conforming property located within all the accident potential Zone 1. We're asking way to much of them if they purchase all the property. It should be in fact, all the non conforming property, in fairness.

Mr. Skinner: So we're going to amend by adding the word nonconforming?

General Hill: That is correct. Just add nonconforming.

Mr. Skinner: I second the motion.

Chairman Principi: All favor?

Mr. Bilbray: Mr. Chairman, we're not supposed to discuss when we recuse, but non conforming as to what?

General Newton: Why don't you go ahead, Bill?

Mr. Fetzer: Mr. Chairman, in the AICUZ manual and also the JLUS, the terms are incompatible use rather than nonconforming. So I think in order to make it clear to

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those who have to sort out what that means I would say incompatible use, rather than non-conforming.

Chairman Principi: General Hill?

General Hill: Terrific.

Chairman Principi: All right, so we have incompatible uses, is there a second?

General Newton: Second.

Chairman Principi: All in favor?

[A show of six hands].

Chairman Principi: All opposed?

[A show of one hand].

Ms. Sarkar: Mr. Chairman, the vote is six in favor, one opposed. Two recusals.

Mr. Bilbray: I think we need seven votes for that if I recall.

Chairman Principi: Change please.

Ms. Sarkar: The amended vote. The amended vote Mr. Chairman, is seven in favor, none opposed, and two abstentions. The motion is approved.

Chairman Principi: Very good. I have one further motion. I failed to include it when we were approving the Air Guard recommendations. It was not in the book. We covered it. It's motion 115-4(a). Richmond Air Guard Station, and Des Moines International Air Guard Station.

Mr. Skinner: Second.

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Chairman Principi: All in favor.

[A show of nine hands].

Chairman Principi: All opposed.

[No response].

Ms. Sarkar: Mr. Chairman, the vote is unanimous the motion is passed.

Chairman Principi: Okay. I have a small additional motion. A motion to amend Navy recommendations 76 Navy Reserve Centers DoN-37. I move that the words “Bangor, Maine” contained in Navy recommendations 76, Navy Reserve Centers, DoN-137 appearing at Chapter Two, Section 76 of the Bill be deleted. That the Commission find this change is consistent with the final selection criteria and Force Structure Plan. I assume this is something that has been agreed upon? Can you explain?

Mr. Hanna: Yes sir, If I may. When we closed the Reserve Centers, that particular one was supposed to move to Brunswick Naval Air Station. Brunswick, we later closed Naval Air Station Brunswick. So we're leaving it open.

Chairman Principi: Thank you. Is there a second?

General Newton: Second.

Chairman Principi: All in favor.

[A show of nine hands].

Chairman Principi: All opposed.

[No response].

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Ms. Sarkar: Mr. Chairman, if I may report out the vote. The vote was unanimous. The motion is approved. And for further clarification, did you have a second to this motion?

Mr. Coyle: I seconded.

Mr. Cirillo: The title of the paragraph is, Naval Reserve Centers.

Ms. Sarkar: Thank you Mr. Cirillo. Do you have suffix, 76-something you're introducing this amendment as?

Chairman Principi: Say again?

Ms. Sarkar: Mr. Chairman, are you introducing this amendment simply as amendment number 76, or have you assigned a number to it, 76 – something?

General Hill: 76-3 is what we just voted one.

Ms. Sarkar: Thank you very much.

Chairman Principi: I ask the approval of the Commissioners to authorize all eminently capable staff, and they are truly eminently capable to make corrections of a technical nature to the record of our proceedings. These are all of a technical nature, and to conform the substantive issues and resolve conflicts.

Admiral Gehman: I second that.

Chairman Principi: All in favor?

[A show of nine hands].

Chairman Principi: All opposed.

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[No response].

Ms. Sarkar: Mr. Chairman, the vote is unanimous your motion is passed.

Chairman Principi: That really completes -

Mr. Cirillo: There's one more Mr. Chairman, I believe, with regard to section 186, which is tech 19.

Chairman Principi: What is the amendment? I thought create an integrated weapons and armaments specialty site for armaments and ammunition.

Mr. Van Saun: For clarification, I can give you a quick run down for the motion. This creates an integrated weapons arm and specialty site for guns and ammunition. It's a clarifying motion, you passed the amendment yesterday, the language that we passed was unclear as to exactly the moves intended by the Commission and the staff. The amendment before you clarifies that language to make sure that the right pieces end up in the right places. It's three components that were removed from the DoD recommendation in that amendment. One component was the special operations gun folks. And in Crane Indiana, one component was a large gun over water piece at Dahlgren, and the other component was the energetics specialties. The energetics need to stay, a large component stays in China Lake because they make big explosions there. A small part existing in Indian Head needs to stay in Indian Head, and

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the part of energetics in Picayune New Jersey, needs to stay in Picayune. The rest of the motion was carried to create the integrated weapons and armament specialty site for guns and ammunition.

Chairman Principi: Is there a second?

General Newton: Second.

Chairman Principi: All in favor.

[A show of nine hands].

Chairman Principi: All opposed?

[No response].

Ms. Sarkar: Mr. Chairman, the vote was unanimous, the motion succeeds.

Chairman Principi: Are there are any further motions or amendments to come this evening?

Mr. Cirillo: That would be all that we have.

Chairman Principi: Are there any other motions?

[No response].

Chairman Principi: The Commission will stand in recess until 9:00 a.m. tomorrow morning. For those Commissioners who can be here, we will close out the business of the Commission and offer closing statements and we should be completed.

General Newton: Mr. Chairman I'd like to have just one comment, and I want to align myself with you and just really say thanks to the staff, this is probably the last

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opportunity we may have in public to say thanks to the entire staff, they've done an extraordinary job for all of us and for the nation. And certainly have kept us on track during this process and I just want to say thanks to them on behalf of all of colleagues.

[Applause].

Chairman Principi: Thank you General Newton, your thoughts are shared by everyone. I plan to go on at some length tomorrow to thank the staff. I would expect they will all be here tomorrow morning. I hope as many Commissioners as can be, but I know some need to return to their homes. Are there any other closing comments by any Commissioners?

Mr. Skinner: Yes Mr. Chairman, I will not be here tomorrow, so I just want to take this opportunity to thank you for your leadership. You have been called to duty again after four wonderful years of service, in the last four for our country, and you certainly lead the Commission and the membership as well as the staff, and I think all of us in this country owe you a round of applause as well. Thank you.

[Applause].

Chairman Principi: Thank you very much. Thank you. I thank my fellow Commissioners. It's been an extraordinary privilege to serve with you on this

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Commission, it truly has been. Thank you all. Good night.

Tomorrow morning, 9:00 a.m.

[Whereupon the meeting adjourned at 9:40 p.m.]

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