

2005 BRAC COMMISSION REGIONAL HEARING

THURSDAY, JULY 7, 2005

1:30 PM

SHERATON NATIONAL HOTEL

ARLINGTON, VA.

STATE TESTIFYING:

VIRGINIA

COMMISSIONERS PRESIDING:

The Honorable Anthony J. Principi, Chairman

The Honorable James H. Bilbray

General Lloyd W. Newton, USAF (Ret)

Brigadier General Sue Ellen Turner, USAF (Ret)

Charles Battaglia, Executive Director

Rumu Sarkar, Associate General Counsel

CHAIRMAN:

The Honorable Anthony J. Principi

WITNESSES:

The Honorable Mark R. Warner, Governor of Virginia

The Honorable John W. Warner, U.S. Senator, VA

The Honorable George F. Allen, U.S. Senator, VA

Congressman Jim Moran, VA-8

Congressman Tom Davis, VA-11

Jay Fiset, Arlington County.

General Paul Kern, USA (Ret.)

Ed Sheehan, Night Vision Laboratory

Congresswoman Thelma Drake, VA-2

Congressman Robert C. Scott, VA-3

Mayor Ross A. Kearney, Hampton, VA

Mayor Joe S. Frank, Newport News, VA

Reported by:

Megan McKenzie, RPR

UNCERTIFIED

OPENING STATEMENT OF ANTHONY J. PRINCIPI, CHAIRMAN,
DEFENSE BASE CLOSURE AND REALIGNMENT COMMISSION

CHAIRMAN PRINCIPI: Good afternoon.

I'm Anthony Principi, and I will be the chairperson for this regional hearing of the Defense Base Closure and Realignment Commission.

I'm also pleased to be joined by my fellow commissioners, Congressman Jim Bilbray, who represented Nevada in the House; the Honorable Phillip Coyle; General Lloyd Newton, United States Air Force, retired; General Sue Turner, United States Air Force, retired. I'm certainly pleased to welcome the distinguished governor, Senator Warner, Senator Allen, members of the Congressional Delegation of Virginia.

As this commission observed in our first hearing, every dollar consumed in redundant, unnecessary, obsolete, inappropriately designed or located infrastructure is a dollar not available to provide training to win a soldier's firefight or fund advances that could ensure continued dominance of the air or seas or provide a training that might save a Marine's life.

The Congress entrusts our Armed Forces with vast but not unlimited resources. We have a

responsibility to our nation and to the men and women who bring our Army, Navy, Air Force and Marine Corps to life, to demand the best possible use of limited resources.

Congress recognized that fact when it authorized the Department of Defense to prepare a proposal to realign or close domestic bases. However, that authorization was not a blank check. The members of this commission accepted the challenge and necessity of providing an independent, fair and equitable assessment and evaluation of Secretary Rumsfeld's proposals and the data and the methodology used to develop that proposal.

We committed to the Congress, to the President, to the American people that our deliberations and decisions would be open and transparent and that our decisions would be based on the criteria set forth in the statute.

We continue to examine the proposed recommendations set forth by the Secretary of Defense on May 13 and measure them against the criteria for military value set forth in the law, especially the need for surge manning and for homeland security.

But be assured we are not conducting this review as an exercise in sterile cost accounting. This commission is committed to conducting a clear-eyed reality check that we know will not only shape our military capabilities for decades to come but will also have profound effects on the communities and on the people who bring our communities to life and certainly our military installations to life.

We also committed that our deliberations and decisions would be devoid of politics and that the people and communities affected by the BRAC proposals would have site visits and public hearings, as we are today, a chance to provide us with direct input on the substance of the proposals and of the methodologies and assumptions behind them.

I would like to take this opportunity to thank the thousands of involved citizens who have already contacted the commission and shared with us your thoughts, concerns and suggestions about the base closures and realignment proposals. Unfortunately, the sheer volume of correspondence that we have received makes it impossible for us to respond to each and every one of you in the

short time within which this commission must complete its work and submit a report to the President on September 8.

What we want everyone to know, the public inputs we receive are appreciated and are taken into consideration as a part of our review process; and while everyone in this room will not have an opportunity to speak, every piece of correspondence received by the commission will be made a permanent part of our record, as appropriate.

Today we will hear testimony from the State of Virginia. The state's elected delegation has been allotted a block of time, determined by the overall impact of the Department of Defense closures and realignment recommendations on the State of Virginia.

The delegation members have worked closely with their communities to develop agendas that I am certain will provide information and insight that will make a very valuable part of our review, and we would greatly appreciate your adhering to the limited timelines that we have available to the commissioners.

I now request our witnesses for the State of

Virginia who will be testifying today to stand for the administration of the oath required by the Base Closure and Realignment statute. The oath will be administered by the commission's designated federal officer, Rumu Sarkar.

(Whereupon, the witnesses were sworn.)

CHAIRMAN PRINCIPI: Governor Warner?

TESTIMONY OF THE HON. MARK R. WARNER,
GOVERNOR FOR THE COMMONWEALTH OF VIRGINIA

GOVERNOR WARNER: Thank you, Mr. Chairman and members of the commission. My name is Mark Warner. I'm governor of the Commonwealth of Virginia.

And before I start, let me just express on behalf of all of the speakers today and all of us here our grief, concern and our thoughts and prayers for the victims of the terrorist bombings in London earlier today.

We condemn the murderers who commit such acts. We are firmly united with our president in our national efforts to defeat terrorists both at home and abroad. I know the resilience with which the President speaks, we will ultimately win this struggle.

I want to also personally thank the members

of the commission. We once had a chance to meet with Chairman Principi a little bit earlier in this session, and I want to personally thank all of you for taking on this enormous responsibility. We know you do not have an easy job; but the President has entrusted you with something that is terribly important; and we view you as a body that we look forward to working with.

Let me briefly describe to you the agenda for our oral presentations today. In my remarks, I will provide an overview of the BRAC issues that affect all portions of the Commonwealth. Senator Warner will then address the BRAC process and specific issues associated with legislation created to implement at BRAC. Senator Allen will follow him and will speak to the unique benefits and synergies in Virginia to the military and its very, very critical missions. Following Senator Allen, we will have a panel of speakers on issues that coincide with Northern Virginia, followed by a panel that will address issues in Hampton Roads and, if time permits, the Fredericksburg region as well.

In addition, we have submitted for the record and in great detail the important written material

which we believe will be crucial to your deliberations.

In our remarks today, we want to emphasize to you four key points:

First, Virginia remains committed to its centuries-long tradition of supporting the needs of America's military. Because of our unique concentration of military bases in Virginia from all branches of the service, we are uniquely positioned to provide common security, to support the transformation efforts initiated by the Secretary, and to be accessible to both the Pentagon and other National Capital Region agencies. We truly have the Virginia military advantage.

Second, Virginia and its communities, and there are many from the communities affected, are well equipped to handle the proposed expansions at Fort Belvoir, Quantico, Fort Lee, Norfolk Naval Base and Shipyard.

Third, let me acknowledge that we're not saying that every recommendation of closing and moving was wrong in Virginia; but we do believe there were certain recommendations that we'd like to point out some additional facts, specifically

the decision to close Fort Monroe, to shift missions and personnel from Fort Eustis and Dahlgren. We believe we can make the case that these were not supported by sound strategic analysis.

And fourth, and we'll spend some time -- and I will come back and revisit this subject after Senator Allen has finished. The recommendations to vacate over eight million square feet of leased space in Northern Virginia is unnecessary for the security of our military forces, inordinately expensive, and inconsistent with the BRAC legislation and inconsistent with the treatment of leased space in other areas of the country. In particular, we will spend a great deal of time on this subject.

DoD's recommendations to move five extramural research commands from Northern Virginia to Maryland is flawed because it's failed to consider lower-cost alternatives available in close proximity to the current locations of those agencies, close-by alternatives that would not provide the disruption that the proposed move would ensure, and close-by alternatives that will actually save DoD more money than their proposals.

These points will obviously be elaborated.

Let me start with first, the Virginia advantage. The Commonwealth of Virginia and the host of community leaders all across this room consider the needs of the military in Virginia to be one of our highest priorities. This has been a historic fact.

As a matter of fact, that commitment of Virginia to our nation's military goes a long way back. One of the bases you have scheduled for closure, Fort Monroe, back in 1821, Virginia actually gave the land to the U.S. Military to create Fort Monroe. Virginia continues today to provide unique location, strategic and quality-of-life advantages for America's military forces. Senator Allen will spend some time addressing these issues.

Let me now turn to my second point, our ability to support the recommendations for base expansions in Virginia. Virginia's communities are ready, willing and able to support the proposed expansion at installations throughout Hampton Roads, Central Virginia and Northern Virginia. We have already more than 250,000 defense-related workers already that live and work

in Virginia. As a result, we know well what our military needs and wants are in terms of community support, public infrastructure, and quality of life.

Simply put, Virginia's a state where BRAC-recommended growth and future non-BRAC growth can be solidly planned for and accommodated. In fact, we've already engaged in the process of planning for the transportation improvements that will be needed if and when the BRAC recommendations are implemented.

For instance, I have recently directed the commissioner of transportation to update our six-year transportation plan to address the new military needs as the BRAC recommendations are finalized.

Let me give you a couple of examples of what we're looking at. Transportation movements around Route 1, around Fort Belvoir and also around the gated Quantico. I-564 inter-modal connector and Chambers Field interchange at Norfolk Naval Station and similar installations around the state.

I've also asked our state's Department of Education to work closely with local school issues

that may be effected by the impact of the additional personnel moving into the communities. The school systems will be ready.

Military families that transfer to Virginia will be greeted with the highest quality of life. They'll quickly discover why over 700,000, the highest per capita in the nation, military retirees and their families have chosen to stay in Virginia and call it home.

Let me now turn to some specific observations about the expected significant growth at Norfolk Naval Station and the Shipyard. Norfolk Naval Station has phenomenal access and quality of life. The infrastructure inside and outside the fence allows us to absorb more than 6,000-plus new workers. In addition, we have adequate berthing to accommodate all of the submarines, if they were to so choose, moving down from New London. As this example, specifically on Norfolk, indicates, we are well equipped to handle this expansion.

On base closures, let me turn to that issue. We have chosen to focus on a couple of specific instances. Fort Monroe, for example. We believe that the environmental cleanup costs of Fort Monroe will be as much as four times the amount

estimated by the DoD BRAC calculations. For that reason, among others, we ask you to re-examine the case.

In terms of Fort Eustis, the City of Newport News offered to construct at the city's expense a new facility to house the Surface Deployment and Systems Command. DoD's cost-savings analysis is inaccurate because it's not taking into account the substantial savings of the city-backed proposal.

In a similar fashion, we don't think the proposed move of the Navy's large gun weapon and ammo testing from Dahlgren to New Jersey takes into account the significant differences between the Army and Navy in terms of how they test and evaluate large guns and ammunition.

Let me touch briefly on Oceana. I understand the commission is potentially looking at that, and I hope that the commission will deal not with some of the misinformation and myths about Oceana but about the facts.

Oceana and its surrounding area continued to co-exist well. We have more than 3,600 acres of restricted easements outside the fence and 8,700 acres of restricted easements in the Fentress.

In addition, the City of Virginia Beach has committed more than \$200 million during the past decades to improve transportation around the base. And while we hear from some folks who complain, in a recent scientific poll, 86% of the residents of Virginia Beach firmly support Oceana staying in that community. Obviously DoD has already made that determination of the value of having those air wings based close to the carriers. In addition, we stand ready if the outlying field in North Carolina does not proceed to provide Virginia alternatives.

Finally, in turn and most troublesome, is the question of the leased space issue in Northern Virginia. Eight million square feet proposed for change. DoD's recommendations on leased space clearly deviate from the criteria established by law. Senator Warner spent some time on this.

We believe that the National Capital Region is one of the best-protected places on earth. We can never guarantee, as we saw in London earlier today, 100% risk-free; but achieving appropriate levels of security, DoD and every American requires a reasonable approach and one that reassures our citizens.

My colleagues, we'll touch on both of these issues; and I will come back again after Senator Allen's comments to follow up on some of the particular concerns related to the research facilities in Northern Virginia as somebody who spent 20 years in the RND field and high-tech field before transformation to government. I think there are serious disruption issues that we need to bring to the table.

So with that, I will turn over the balance of my time to my colleague, Senator Warner, to address some of these issues. Senator Warner.

TESTIMONY OF THE HON. JOHN W. WARNER,
U.S. SENATOR FOR THE COMMONWEALTH OF VIRGINIA

SENATOR WARNER: Thank you very much, Governor; and I want to commend you and the commission you established with my good friend, the former congressman over here and Secretary Reeder joining him.

We put together exactly what was needed to have a coordination of all the assets in our state, the governments, city council, all the other elected officials to bring together facts that we will present today in what I believe is a very, very strong case.

I join you, Governor, in expressing deep regrets to those who lost their lives in this most recent terrorist attack and those suffering from injuries and the families. But I am mindful of the fact that today this great nation is holding this open assembly, attended by hundreds of people; and I thank every person who's taking the opportunity to depart from their daily routine to join in this room today. We can only do that by maintaining a free nation.

And on the first news of this tragedy as I awakened this morning, my thoughts went to our own men and women in the Armed Forces, wherever they are in the world, and their families because it's only because of their willingness to serve and their sacrifices are we able to enjoy that measure of freedom we have here in our great nation.

I thought that my most valuable contribution -- given that the Governor's covered a good deal of the state, my good friend George Allen will cover other parts, members of Congress, Congressman Davis and Moran and Drake and Scott will cover their individual districts -- is to talk about the fact that I have been on every one of the teams that drew up the law on BRAC since

1988.

I first had familiarity with BRAC with the Secretary of the Navy. In those days a service secretary could close a military facility, and I exercised that authority. But then it was soon recognized by the Congress that that system couldn't work and that we had to enact a law, a law which said Congress has a role; the President has a role with the Department of Defense; and the local communities have a role. And we tried our very best to strike a balance and set forth clearly and succinct those criteria to be followed by this distinguished commission.

I, again, join my governor and others for thanking you for your service. I have personally known a number of the individuals on this commission for many years, and I have absolute confidence in them to make fair and objective decisions in the best interest of the country.

But I'm going to absolutely be very clear. I know the law, particularly this last one because I was privileged to be chairman of this committee. And I regret to say that I find in this situation in our state that with the best of intentions, the Department of Defense, through the secretary, made

its recommendations; but those recommendations are not predicated on the criteria as set forth in the law. And I believe as you go through, you will find substantial deviation from the decision-making process and the decisions made and the actual words of the law.

Now, I have prepared -- as a former lawyer, I rather enjoyed it. In 27 years -- 27 years I've served in the Senate, and I've had no opportunity to draw up a legal brief. But there's a 36-page legal brief up here, and I drew up every word of it. Mr. Chairman, I ask you to read that brief.

(Laughter.)

CHAIRMAN PRINCIPI: I will.

SENATOR WARNER: Mr. Chairman, in the Armed Services Committee, I wield that gavel and say, "We'll admit that to the record, and it will be part of the record."

I do hope -- and I say this most respectfully because I've tried hard; and I think I am as well qualified as anyone, having drafted the law that's before us today and enacted by the Congress and signed by the President. I know that law, and I know what Congress intended.

Now, there may well be situations that were

before the Department of Defense in which they feel in the transformation and modernization of our forces, which is absolutely essential, that certain actions have to be taken; and I'll address some of those specifically here in this Northern Virginia area.

And had the Department of Defense come to the Congress and say, we need not only the authority to do such and such but the authority to handle the uniqueness of the situations here in Northern Virginia, it is my judgment we would have incorporated that in the law. But I've gone back; and I've looked at all of the communications between the Administration and the Congress, committees of the Armed Services, of the House and the Senate; and there's none to be found. And therefore, I feel that in fairness as you would go through these deliberations, you'll find where you'll have to reject certain requests by the Secretary of Defense.

This -- I'm going to read this because it is very complicated. And it's all out there on the website. Copies of it are available, but this is the highlight.

When my colleagues and I wrote the

legislation that authorized the Defense Base Realignment and Closure round for 2005, we specifically addressed issues of openness, transparency and an independent review of critical decisions in order to preserve the integrity of and the public trust in the BRAC process.

The BRAC process is absolutely essential, ladies and gentlemen; and that's why I put so much of my career behind it. In these many years -- 17 years I've dealt with this process because we've got to keep the American Armed Forces on the cutting edge of technology. We cannot be utilizing funds to be expended on keeping old infrastructure in place when we need new infrastructure.

So BRAC is essential, but we've got to do it in a way that maintains the trust and the confidence of the men and women of the Armed Forces and the public. We did our best to do that. We directed the Secretary of Defense to make recommendations based on those criteria and those criteria alone.

For example, Section 2913(f) of Title 10 of the United States Code states:

"The final selection criteria specified in

this section shall be the only criteria to be used, along with the force-structure plan and infrastructure inventory referred to in Section 2912, in making recommendations for the closure or realignment of military installations inside the United States under this part in 2005."

The BRAC law simply does not provide the legal basis for the department to take actions or implement decisions as part of the BRAC process that are not in accordance with the BRAC criteria.

However, based on an extensive review of supporting documentation, along with the experience that I have had over these 17 years in drafting legislation and participating in these rounds of BRAC, I most respectfully call to the attention of the commission a number of the department's recommendations which, in my view, quote, as the law says, deviates substantially, end quote, from the BRAC legislative requirements in three important areas.

First area, certain recommendations were justified by factors and priorities other than the selection of criteria in violation of Section 2914(f).

Two, certain recommendations were based on

data that was not certified as required by Section 2903.

Three, certain recommendations did not contain accurate assessments of the costs and savings to be incurred by the Department of Defense and other federal agencies as required by Section 2913(e).

I will support my position with three legal briefs; and I have them right here in addition to a 37-page legal brief which covers it more thoroughly; and there they are.

I ask that they be entered in as part of the record, together with my principles.

CHAIRMAN PRINCIPI: Without objection.

SENATOR WARNER: Thank you.

The first brief pertains to the criteria related to military value. The law states the Department of Defense must use the criteria as the framework for the department's BRAC analysis.

Now, I will say in fairness to the process that the emphasis on military criteria was not one requested by the department and the President as he sent draft legislation to the Congress; but the Congress has the right to put that down as the top criteria; and we did that ever so clearly in this

statute.

Yet on September 8, 2004, acting under Secretary of Defense Wynne, announced that a series of 77 transformation options would, and I quote, constitute a minimal analytical framework upon which the military departments and Joint Cross Service Groups will conduct their respective BRAC analysis, end quote.

There is no record that these options were ever formally approved. However, these options were extensively used by the military department and the Joint Cross Service Groups in their BRAC deliberations.

The department BRAC red team -- now that's the team that was looking at it to see that it was done properly -- raised concerns about the use of their transformation options during a meeting on March 22, 2005.

And I quote from their actual minutes, quote, since transformation is not one of the final selection criteria, transformational justifications have no legal basis and should be removed, end quote.

However, as slated July 1, 2005, the director of the Technical Group informed my office that --

and I quote him, transformation options guided recommendations, end quote.

Clearly, Mr. Chairman and members of the committee, a substantial deviation from the law. The Headquarters Group used two OSD imperatives to guide their recommendations. One, significant reduction in leased space in the NCR. Two, reduce DoD presence in the NCR in terms of activities and employees.

Yet acting under Secretary of Defense Michael Wynne's guidance on military value principles dated October 14, 2004, does not have any discernible correlation between military value as determined by the Congress and transformation options, including the goal of reducing leased office space in the NCR or reducing DoD's presence in the NCR.

An OSD official involved in the BRAC process went so far as to dictate respective BRAC recommendations on a meeting January 5, 2005.

I quote, the OSD member met with Mr. DuBois and gave him an NCR update. Mr. DuBois stated the leadership expectations include four items: One, significant reduction of leased space in the NCR. Two, reduce DoD presence in the NCR in terms of

activities and employees. Three, MDA, DISA, and the NGA are especially strong candidates to move out of the NCR, end quote.

I cannot recall in my 17 years of association with the BRAC process when installations within a specific region were targeted by the Department of Defense for specific scrutiny and recommendations for realignment or closure. Congress intended the legislative criteria and force structure requirements to be evenly applied to all military installations. OSD imperatives targeting a certain region should not have been used to guide BRAC recommendations. In fact, these imperatives violate Section 2903(c) of the BRAC laws, which require that all installations within the United States be treated equally.

My time has expired, and I'll submit the balance for the record. It gets stronger as I go on.

(Laughter.)

(Applause.)

CHAIRMAN PRINCIPI: Senator Allen.

TESTIMONY OF THE HON. GEORGE F. ALLEN,
U.S. SENATOR FOR THE COMMONWEALTH OF VIRGINIA

SENATOR ALLEN: Thank you, Mr. Chairman,

members of the commission. Let me state, as my colleagues have, to our friends in Britain that their friends across the Atlantic here stand with them. They stand with -- we stand with them. We feel like we were attacked just as much as we did in Madrid, whether it's London, whether it's New York City or the Pentagon.

And this just should reinforce all our resolve that free and just societies, where we do have freedom of expression, freedom of religion, a free-enterprise system and the rule of law, will prevail over such vile hate-filled terrorists.

And I thank our men and women in the armed services for protecting us as well as those in homeland security, intelligence and a variety of other agencies.

Now, Mr. Chairman and BRAC commissioners, I thank you for your tireless efforts on these issues that have such great importance to the future of our national security. I sense, following some of this BRAC commission this round, that there will probably be more changes than any other previous commission's changes in DoD recommendations.

This BRAC commission here, I would say to the

chairman and commission members, has to recognize that Virginia's been on the forefront of our national defense for many years. Virginia's the home to the men and women of our military in all the armed forces, Army, Navy, Marines, and Air Force and their families.

Virginia actually operates as a commonwealth, as an integrated military installation that focuses its sovereign efforts on attending to the very diverse and interconnected needs of the military, including the essential partnership between government and the civilian contract personnel.

The Virginia Delegation is united. The governor, Senator Warner, myself, and our members of Congress, Congressmen Scott, Davis, Moran and Drake as well as local leaders and other experts, we're here today to show beyond a reasonable doubt that a number of the recommendations provided by the Secretary of Defense as they relate to leased office space in Northern Virginia and Fort Monroe in Hampton deviates substantially from the legislative mandates of the Base Realignment and Closure Commission statutes.

My colleague had part of his brief explained

to you here in great detail. I don't believe that a full or accurate consideration was given to many of these recommendations to determine if they were honestly viable options. It appears that in many cases, military value was ignored and unsubstantiated arguments were conducted to justify an agenda that has little to do with the proper BRAC criteria.

First, one, to speak on the Secretary's recommendations in the Hampton Roads area very briefly, particularly Fort Monroe and Fort Eustis, Fort Monroe is clearly one of our nation's oldest military bases. It is safe to say that this fort, which actually has a moat surrounding it, is one of the most unique and secure in the nation. Its military values not just are subjective comments here. It's been proven throughout history, and it is a premiere location for TRADOC.

Now, because the Secretary's recommendation does not contain a cost estimate for the environmental remediation and cleanup, it surely appears that this criteria was quickly glanced over or completely ignored.

Initial estimates for the cleanup were around \$300 million; but I'd like to note for the record

that when I was governor going through the 1995 BRAC process, the BRAC commission considered an analysis that was conducted by the 1993 BRAC commission which reported, according to a study conducted by the Naval Explosive Ordnance Facility in 1980, that the cost of cleaning up the base would be approximately \$635 million.

The Navy's survey covered only one fourth of the base. It was the unoccupied quarter of the base at that. So you factor in inflation, and it is clear that the comprehensive remediation for the entire facility would easily exceed \$1 billion.

Now, considering these costs, one can confidently assert that any potential savings from closing Fort Monroe will be so far into the future that you cannot quantify them; and there won't be savings. And, in fact, the bottom line is that the closure of Fort Monroe would lead to arguably the most convoluted, complicated, costly and controversial closings in our nation's history.

Now, with respect to Fort Eustis, please, I would urge the members of the commission to look specifically at the weak economic basis for the proposed move of the Aviation Logistics School.

The move to close that component would cost nearly \$500 million for a savings of about \$77 million over a 20-year period, which doesn't make a great deal of sense for the taxpayers or the defense mission.

Please, I would urge you. We all endorse the comments that we'll hear from the mayors of Hampton and Newport News as they lay out very cogent, logical statements on the unique values of these two forts.

Now, also stated by Governor Warner, late last week we received notice that there's an inquiry as to closing of the Master Jet Base at Oceana. The justification or reasoning behind this inquiry stems from, allegedly, encroachment associated with Oceana.

That's not a unique or an unusual situation. There are air bases all across the country where encroachment is an issue. But I'll tell you this, members of the commission, if we were having a conversation outdoors in Virginia Beach, and it was interrupted by the sound of a jet flying overhead, the remark you'd always hear is, "That's the sound of freedom."

The point is is that Virginia Beach strongly

supports Oceana; and Oceana, those naval families have a wonderful place for their families to live in the Virginia Beach area.

Now, with respect to Northern Virginia, adding to Senator Warner's expert legal brief that I know you'll carefully examine because this is like one of the original authors of all of this, so he knows this better than anyone else; but I would like to make three key points here.

You're aware that the military is very different today than it was ten years ago. That's why there are a few vital issues that need to be considered.

Number one is the changing nature of the military. Two, the essential teamwork between civilian and military personnel. And three, the fundamental importance of preserving the synergy of our nation's foremost scientists and researchers.

Now, to achieve these goals we must avoid substantial disruption in the essential efforts or lose essential personnel. These highly skilled well-educated men and women are, indeed, our most valuable assets for these very high-tech military functions.

As governor and now on the Committee on Science and Innovation Competitiveness in the Senate, I've always advocated how important technology and leadership and innovation was to our civilian economic competitiveness as well as our military superiority. I believe what you would find with these proposals is a very detrimental effect.

In fact, what we ought to be doing instead of separating and putting up barriers between the private sector, and whether those are enterprise solutions or civilian contractors and the military or homeland security or intelligence, we ought to be tearing down barriers; and we would have, I think, then more innovative communications, technology, enterprise solutions and software systems that are necessary for us to prevail against our economic as well as military competition.

It's for that reason I'm very concerned about the adverse consequences that will flow from the current recommendations for the military science and technology command agencies DARPA, ONR, AFOSR, and AOR.

I join my colleagues in stating that very

careful analysis in reviewing these recommendations for these commands show rather than strengthening our national security if adopted, they will actually lead to mission degradation and increased cost.

You have to understand that Northern Virginia has an extraordinary synergy of universities, contractors, civilian and military research agencies that represent a creative collaboration for perfective ideas and knowledge that enables new capabilities, also in close proximity to the Pentagon. Your commission should not render asunder this convergence of national defense foresight that enhances military effectiveness.

However, I'm going to submit my statement for the record since I'm the same as Senator Warner's. But on ready access, research agencies are dependent on ready access; and they have to have that access to a large pool of highly educated contractors who surround them in Northern Virginia and, in particular, Arlington.

In the case of DARPA, nearly three-quarters, three-quarters of the agency's internal 828-person staff are civilian contractors. Another 900 contractors are within walking distance of the

DARPA offices.

Now, as you heard -- I know you did, Mr. Chairman -- at our earlier meeting in Arlington a few months ago, DARPA has very serious concerns about the willingness and ability of these contractors to move either to Bethesda or the Anacostia annex sites, particularly given the requirement that most of them would then have to then add a crossing over the Potomac River, over the very few but very highly congested bridges.

Please recall Ron Kurjanowicz's statement. He is the program manager with DARPA. He clearly stated it was a very harmful proposal which would result in the loss of creative scientists, engineers and technologists. Also at that meeting, members from the Missile Defense Agency, Office of Naval Research, and DISA also stated that the proposed recommendations would have them lose people and risk mission.

These are among the most highly trained and sought-after technical experts in the nation. They are manpower resources who can and will find alternative employment that will not require them to move from home or to substantially increase their commutes.

Remember that the director of DISA said the proposed move had implications of a 50% loss of personnel plus the difficulty of constituting or reconstituting a security-cleared personnel force which are so valuable in the private sector.

Talking to Bobbie Kilberg with the Northern Virginia Technology Council, the more security clearance someone has, the more they'll get paid in the private sector. Also, the National Science Foundation is within walking distance of the defense research agencies. Since the NSF operations are so closely intertwined with research agencies, the proposed recommendations will rupture their close working relationship as well.

I would like to put in the record also, Mr. Chairman, members of the commission, a letter dated June 29, 2005, from Dr. Hans Benedict, who is the director for the Center for Technology and National Security regarding the BRAC recommendations on the defense labs. And I'll put that as part of my statement and into the record.

Let me just state pertinent parts of this. Dr. Benedict writes, "The future will be characterized increasingly by the globalization of

science and technology. While the United States will continue to be a major force in science and technology, a share of the world's program will decline; and in such a world, the DoD would be wise to move toward greater engagement in diversity regarding science and technology."

The BRAC recommendations indicates some worrisome trends in this regard. For example, the co-location of DoD Science and Technology Funding Organization at Bethesda and the removal of DoD contingents from other government localities -- locations would reduce diversity of DoD Science and Technology with efforts funded with other government agencies. Such an outcome would not be in the best long-term interests of DoD. Moreover, the director raises the same exact concerns that are shared with the leaders of DARPA, DISA and MDA, that people are unwilling to move should these recommendations be enacted.

Director Benedict states the figures vary from location to location. Data from the last BRAC round indicates an average of 25% to 30% of scientists and engineers assigned to relocate actually do so, and many who do relocate subsequently leave the government. This would be

a very serious loss of technical talent.

I note, Mr. Chairman and members of the commission, that Northern Virginia has a very vibrant hot high-tech economy. These skilled men and women, most with security clearances, are going to be in great demand, will not have to uproot their families or ruin their quality of life. Just ask any employer in the area. I hope you'll closely scrutinize all of these.

Exercise your best judgment. I'm fully aware that you're being asked to correct illogical and undesirable DoD proposals from Alaska to South Dakota to Virginia; but I respectfully ask you to exercise your own best judgment based upon the facts and the law; and if you do so, Virginia, but more importantly America, will have a stronger defense, a more efficient defense with smarter leadership in innovation.

We're counting on you, and we thank you for your vital leadership to our nation.

(Applause.)

GOVERNOR WARNER: I would like to both thank Senator Warner and Senator Allen.

Somebody should point particular emphasis on these research facilities in Northern Virginia.

As Senator Warner was just getting warmed up on all of the legal reasons why the leased space criteria was not appropriate, and particularly not only was the leased space criteria not appropriate but the differentiation on how this space is treated in the National Capital Region versus the rest of the country. I'm sure the senator's brief will make that point very, very strongly.

Senator Allen I think made the point; and I can emphasize this as someone who, over the last 20 years, has been part of this creating of the high-tech community in Northern Virginia. These folks have other alternatives; and if they're asked to move and move from a commute that may be only a couple moments where they can live, work and play in the Ballston corridor to an area outside that region, they're not going to move; and the very efficiency and effectiveness of those commands will be undermined; and we heard that loud and clear from each of the commands as they made presentations in May.

And finally, and this is terribly important. We understand that the confidentiality process involved in BRAC didn't allow the DoD folks to really seek out other alternatives inside the

community or be able to work with private sector owners about how we can meet the very real concern the DoD had.

For example, in Skyline in Fairfax County or the Army Materiel Command in Alexandria were both examples where local property owners are more than prepared to step up and meet the security concerns but were never able to make that kind of input.

Let me move specifically to where we have put enormous focus, and I want to give kudos to the folks from Arlington on their efforts on the extramural research facilities. We have DARPA, OMR, Army Research, and Air Force Offices of Scientific Research.

In a little less than a month, Arlington, working with the state, has come forward with two separate proposals, both within Arlington. The one in Ballston is almost co-located. One at the Arlington Hall site that offers the ability to stay in the community, no disruption of workforce. And because of very aggressive actions that Arlington and the state were taking, both sites fully meet all of DoD's security; they meet all of the fenced-in requirements. One site is 485,000 square feet. The other I think is 465,000 square

feet. We can provide those facilities in a secure environment at a cost that is cheaper than what even DoD has said they will save by moving to Maryland.

So not only can we outdo what DoD's proposed in terms of cost savings, but we can do it without the very real disruption that Senator Allen and Senator Warner have spoken to and others will speak to that could undermine the efficiency of the mission.

Many folks, I know, are coming to you and are concerned about job losses. The case we have tried to make to you today that you will hear from our colleagues in Hampton Roads, in Northern Virginia, we know you've got to make tough choices. We're not saying, look at us in terms of what this will do in terms of disruption to our community. We're going to have to take some of those hits because we will also get some of those gains; and our communities are ready to work with you to make sure we can adequately address the gains in the communities I mentioned earlier.

But when it comes down to not evaluating costs like at Fort Monroe, like at Fort Eustis in terms of the city-backed proposal, like it not

recognizing concerns in terms of Army, in terms of Navy, in terms of costing at Dahlgren, when it comes down to the fact that in a little less than a month, Arlington County comes up with two proposals that are cheaper and less disruptive, we believe that what we offer you are alternatives that will meet the military mission and in the long run, save our nation important, important costs.

We're going to now vacate these archives; and we'll turn first over to Northern Virginia and then Hampton Roads; and then we will come back at the end; and Senator Warner will make a few more closing comments. If you're not fully convinced, he's going to read you the rest of that brief.

Thank you all very much.

(Applause.)

CHAIRMAN PRINCIPI: Congressman Moran, we'll start with you, sir.

TESTIMONY OF CONGRESSMAN JIM MORAN, VA-8

CONGRESSMAN MORAN: Thank you, Mr. Chairman and members of the commission.

The BRAC recommendations, as they apply to Northern Virginia, can be found -- can be shown to be more expensive, unjustified and, in fact,

harmful.

They're more expensive because they eliminate office space. We've got leased office space regardless of the much higher cost of rebuilding on DoD-owned land. They're unjustified in the inconsistent way in which they apply building security standards as the justification for closure; and in fact, we believe that they can be harmful to the mission of the DoD agencies affected as the recommendations will, in fact, result in a brain drain of the most talented and dedicated DoD professionals.

The BRAC report specifically states that eliminating leased space was part of the strategy, yet there was no effort made to determine the actual costs of leased space. In fact, the General Accounting Office in their report last week underscored that point. And further, GAO noted that while the new DoD building security standards were a fundamental basis for the BRAC recommendations concerning leased space, the department made no effort to determine whether the facilities they recommended for closure were, in fact, compliant with those standards.

For example, the Office of Naval Research

just spent \$12 million in concert with DoD to make Arlington's Liberty Building security compliant; but now they're told that they're moving instead from Ballston to Maryland.

DISA headquarters in Baileys Crossroads, the facilities designed by DoD just a few years ago are almost entirely compliant with the new standards. With little time or effort, they could be fully compliant; and yet DoD is going to spend \$166 million to move DISA to Fort Meade.

Likewise, the National Geospatial Agency's facility in Reston is wholly compliant with all of DoD's building security standards but at a cost of \$300 million is going to move to Fort Belvoir.

Strangely, DoD plans a study on whether facilities are compliant with these building security standards after the BRAC process is completed.

DoD also failed to account accurately for military value in assessing leased space. The BRAC report specifically states leased space is less desirable than government-owned space on DoD installations and is devalued in scoring plans.

We had a scoring of 1 to 100. Leased office space began with minus 67. The maximum they could

get was 33; and so they were ranked alongside the least desirable military bases even though they would rank very highly on many criteria, such as distance to a major airport, percent of bachelor degrees are higher, among any number of criteria.

So in conclusion, because I'm being told that we have -- this two-minute allotment is about up, Mr. Chairman, we believe the Secretary of Defense's selection process set out at the onset to eliminate leased space in Northern Virginia but had failed to collect and compare actual data to justify this conclusion. And because it did not justify these conclusions, we believe it was arbitrary and, in fact, most of the recommendations are inconsistent with the requirements of the law.

Thank you, Mr. Chairman.

CHAIRMAN PRINCIPI: Thank you.

Congressman Davis.

(Applause.)

TESTIMONY OF CONGRESSMAN TOM DAVIS, VA-11

CONGRESSMAN DAVIS: Mr. Chairman, members of the commission, thank you for your patience and your time and allowing us to be here today. I associate myself with my colleague's

remarks and the senators and governor as well.

The speakers will come after me.

I want to address one particular area, and that's the lack of analysis and the loss of brain power that's going to result from some of these transfers.

We live in a highly congested region with the traffic being the second worst in the country behind Los Angeles. Our most critical asset at the Department of Defense is our people; and I'm very concerned that some of these transfers are going to leave us -- people are not going to want to change, move their families; and that's what some of the analyses show.

If DoD's recommendations are accepted, a significant portion of impacted employees in Northern Virginia are going to choose not to leave; and here's why:

Number one, our unemployment right now hovers around 2%. There are a lot of jobs out there for highly skilled people that they can walk across the street and make sometimes more money than they're making at the federal level.

Secondly, most of these impacted employees -- I'm talking about DISA, Night Vision Lab,

operations at Naval Research, DARPA, they are all security clearances.

Right now companies are paying \$5,000, \$15,000 bonuses for people with security clearances. Our committee that I chaired, the Governor's Committee in the House, has worked behind a 500,000-person backlog we have in getting security clearances now.

People with security clearances can make more money. Many of their spouses are employed. This is a two-wage-earner area. So if their spouses are employed, it makes a move much more difficult for them as well. Their kids are in some of the most highest-performing school systems in the country.

I ask my complete statement be put in the record. But we need to take a look at employees surveyed in these areas show a vast majority of these employees are not going to go. They're not going to go to Aberdeen, Maryland to the Night Vision Laboratory. We'll be lucky if we can get 25% of the people up there.

Let me just say this about the Night Vision Lab: Barry McCaffrey declared the greatest mismatch was our night vision capability. We were

able to see them. They couldn't see us. We'd devastate some of these other high-tech areas if we make these moves and the people don't follow. They have alternatives, and I think we've made a mistake.

CHAIRMAN PRINCIPI: Thank you,
Mr. Davis.

(Applause.)

TESTIMONY OF MR. JAY FISSETTE, ARLINGTON
COUNTY

MR. FISSETTE: Good afternoon. I want to add my thanks to be here. It's very nice to be able to host you.

I also want to say thanks to all the elected officials who are here today. It's actually quite refreshing to see the unity of purpose and points of view among the different political perspectives.

And a special thanks, an extension of personal thanks as well to Senator Warner. It's really his integrity and commitment to the BRAC process and his tone of statesmanship that has really mentored all of us through this.

Arlington has prepared a comprehensive report a little longer than Senator Warner's briefs, but

we encourage you to read it. It documents everything you've heard today in great detail.

One, that the DoD BRAC recommendations deviate substantially from the congressionally approved criterias. And Senator Warner said that better than anyone could.

And secondly, that Arlington has alternatives for the extramural research functions that provide -- will provide greater military value, fully prepared anti-terrorism centers and do so at a substantial savings to the U.S. taxpayer, bringing private sector, local and state dollars to the table.

I want to say two things now. One, Arlington is home to the Pentagon and is deeply linked to the military and national defense of this country. As much as we may want to keep every DoD facility that's currently here, we only want to do so when it's in the best interests of the nation.

For example, if Senator Warner said to me, Mr. Fiset, Arlington need to accept this for the nation, we wouldn't be here. If General Kern or other leaders of the DoD functions, the DoD agencies had said, wait, these moves are important for military effectiveness, we would have simply

moved on; but what we have done is confirmed that there is no military reason for these moves.

The primary motivation for the relocation of DoD from leased space is the stated imperative -- I quote, imperative, to simply get out of leased space, ostensibly for reasons of cost and anti-terrorism.

Secondly, I want to address anti-terrorism and force protection. Arlington was one of two communities in the United States affected on September 11. Arlington provides fire and rescue services for the Pentagon and had control responsibilities and command responsibilities on 9/11. For Arlington, terrorism is more than a theoretical notion.

I am as concerned about the force protection of the 20,000 DoD employees under discussion here as anyone. I am also, however, equally concerned about the safety and protection of the other 180,000 workers in Arlington, the 200,000 people that live here and the millions who visit this community every year. Many of those employees working in GSA approved anti-terrorism building standards -- buildings.

So while we can simply, you know, lift

Arlington or place it behind a fence, that wouldn't work. It would be the ultimate win for the terrorists.

Through the BRAC process, I'm consistently reminded of the President's words after 9/11, urging us to return to normalcy, not let our lives be disrupted and not to overreact. For if we do, the terrorists have won. For these reasons we've worked tirelessly since 9/11 to improve our own capabilities.

In the alternatives that we have developed for the research activities, we show conclusively that any anti-terrorism standard can be met in Arlington, preserving military value, synergistic relationships preserved, brain power preserved; and in both options, we do so at a lower cost.

It is not a time in our country's history to be distracted based on seriously flawed analysis. So in conclusion, we are not asking for you, the commission, to actually select one of our site alternatives. We are merely asking for the opportunity to work with DoD and other parties to explore alternatives that can better meet DoD's needs.

The commission, in your final actions, should

ensure the consideration of better and cheaper alternatives are not precluded. If you do not renew leased space from the BRAC consideration that we recommend, at least open the door to those alternatives; and those details are here. And we believe that working together, we can better meet the needs of the nation.

Again, thank you very much. And thank you for your service to the United States.

CHAIRMAN PRINCIPI: Thank you.

(Applause.)

TESTIMONY OF GENERAL PAUL KERN, USA (RET.)

GENERAL KERN: Mr. Chairman, I am General Retired Paul Kern. I am a member of the group that has been working with Arlington County to study what better alternatives might be available.

But I'd like to speak right now on behalf of 37.5 years of serving in our army, and I have two great passions that have come out of that. One for soldiers, and I include airmen, Marines and other members of the service as part of that. And secondly, for the science. And these are two cultures which are hard to bring together in a community, such as Arlington has accomplished.

I also find it very warming and encouraging today that I am sitting here with Senator Warner as our general counsel for this hearing.

(Laughter.)

I commend you, Senator, for having done an excellent job of setting up the right standards. It's much better to be testifying with you than in front of you.

(Laughter.)

The second point that I would like to make, though, to be serious about that is I think there is a very solid analysis which has been made would be, leased space was not treated fairly in this particular part of the BRAC.

I'm a believer in the Base Realignment and Closure. I think it's absolutely necessary. I think we have to do everything we can to be more efficient and effective; but in this particular case, we're talking about a different set of circumstances which are not installations; and therefore, they are both difficult to assess and, in our belief, as the analysis has shown, not correctly assessed with respect to what their contribution to military value actually is.

Ironically, in February I was sent this book,

"Endless Frontiers." I'm not going to ask you to read it. The note that came with the book was from a professor at MIT who has been working with the Department of Defense; and it pointed out the roll that Vannevar Bush played in the 1930s and '40s which led to the creation of the National Science Foundation and the Office of Naval Research, organizations that play a great part in how we put together science and military.

What you will take away from this book is the great difficulty that he had in achieving that synergy more than 60 years ago. We have built a great center of excellence today with the Pentagon, DARPA, the service research facilities and the National Science Foundation, something which simply did not exist as we entered into World War II and had to be built from scratch.

So there is a great deal that we have to lose after 60 years of building this great capability that I think we need to think very seriously about as we move ahead.

One of the things that I have noted, though, from this book is that with open discussions between organizations, you can do a great deal to overcome the cultural differences.

Academics in the university believe in a great freedom, great access; and in the military we believe in great discipline and minimal access. And so bringing these pieces together is something which has taken great effort on many parts of our government for many years.

In my own career, I started out as a platoon leader and troop commander in Vietnam; and in the 1991 Gulf War served as one of General McCaffrey's brigade commanders.

My passion for soldiers has been great in dealing with how we fight our wars. Equally, though, as the commander of the Army Materiel Command responsible for our own research laboratories within the Army and in a previous job as a military deputy for Acquisition, Logistics and Technology, I spent a great deal of time working with DARPA, the Office of Naval Research, Naval Research Lab, the Air Force Research Labs, and bringing the synergy of all of these facets together so that we could achieve the very best capabilities for our soldiers.

As a commander of the 4th Infantry Division, we worked on the information technologies so we could integrate those capabilities. You've seen

them on the battlefields in Iraq and Afghanistan today. That takes a great, great deal of work between research communities and military communities so the cultures and organizations can effectively work together.

I've worked closely with three DARPA directors, the director of Defense, Research and Engineering as well as the other research leaders within our armed services. Each have contributed to this dialogue by breaking down these cultural barriers between research scientists and our military.

You have heard many of the things that we have done; but I would like to point out that DARPA has brought to us fire and forget, has brought us the DARPA Net, the Alphanet as it was originally conceived. These are great network capabilities that we have today. They have worked on detecting explosive devices, a project called The Dog's Nose, things we are seeing produce results today. We've worked on unmanned ground and air vehicles, Stealth Technology, all of these pieces which don't fit naturally into the work but have come out of the great work which it has done cooperatively.

It is a unique capability which exists around the synergy built by the National Science Foundation, bringing in our academic university research work. Defense Advanced Research Project Agency and the services in the Pentagon being located with an easy access and commuting distance from one another.

In two months Arlington has put together an analysis from what the Department of Defense presented, looked at the alternatives and found, as you have heard, two good alternatives to what has been proposed, alternatives which were not considered by the Department of Defense which we think warrant a very careful consideration.

We also believe that if you studied further many of those facilities, other alternatives would appear. In this case, force protection was met. No disruption of the value of the military services working was met. The leased cost space that would be used would cost \$31 million up front versus more than \$150 million in the Department of Defense alternatives, and the savings were greater.

Again, I think that's a very commendable job in a very short period of time; and we should

search for other alternatives that perhaps would give us greater returns as we look closely and work together with the Department of Defense.

Leased space is not part of an installation. There are no fences around the buildings in Arlington today. Academic research wants access. Putting a fence up would preclude much of that access that is working so effectively today, access which has taken us more than 60 years to achieve by a number of people working with our Congress, with our communities and together with the Department of Defense.

What I ask the commission to look at is that we support the alternatives being considered, and we look seriously and treat leased space on the same footing as we treat our installations.

Thank you.

CHAIRMAN PRINCIPI: Thank you, General.

(Applause.)

TESTIMONY OF MR. ED SHEEHAN, NIGHT VISION
LABORATORY

MR. SHEEHAN: Mr. Chairman, ladies and gentlemen, I am Ed Sheehan. I'm the former director of the Army's Night Vision Laboratory that is slated to move from Fort Belvoir to

Aberdeen, Maryland.

I am here on behalf of Dr. Fenner Milton, who cannot be here today because he's back at the laboratory preparing for Commissioner Coyle's visit. So I'm here to help him out.

Dr. Milton has spent at least 30 years in the electro-optics work, both in industry and in government. His last job before becoming director of the laboratory was as the chief scientist in the Army. He is very familiar with what it takes to build and maintain a quality laboratory under civil service constraints.

He would affirm that the Night Vision Laboratory is one of the finest laboratories in the Department of Defense with in-house expertise. The lab was more focused on critical military missions, serving a multi-service community with electro-optics, infrared image intensifier, sensor technology and counter-mine -- counter-programs.

His primary concern is that moving it will destroy it due to the loss of irreplaceable human capital. Many of the civilian experts have deep roots in Northern Virginia, and the best can easily find other jobs in the DC area. He predicts a serious loss of experienced scientists

and technology managers that will soon start after September 8, coming up, and hinder our current efforts to support the warfighters and protect them from roadside bombs in the ongoing war.

Previous BRAC laboratory relocations have all lost more than 60% of their personnel. Reconstitution will be extraordinarily difficult. Senior technologists require many years of training beyond their formal education.

Hiring high-quality technologists with civilian service salaries and delays is always a challenge. Just one example, the graduate students in physics and engineering at nearby universities of John Hopkins and the University of Maryland are almost two-thirds foreign nationals and, therefore, are ineligible for the required security clearances needed at Night Vision Laboratory.

Moving the Night Vision Laboratory will destroy the current culture of excellence and risk losing the human capital we need to fight the war on terrorism. It only costs the taxpayers money, but it's worked.

Fort Belvoir is really not closing, and the Belvoir Laboratory facilities will have to be

rebuilt at taxpayers' expense at Aberdeen.

Dr. Milton sees no complementing synergy to be gained by the move. There's no sensor work at Aberdeen and no need to co-locate with the rest of service.

That's what Dr. Milton said. Now I'd just like to give a couple of words what I have to say.

I agree with everything he has said. The BRAC is putting in jeopardy this national treasure. The U.S. Armed Forces are second to none in night operations in the world. This is due in large part to the efforts of the people at Night Vision Laboratory at Fort Belvoir.

The first 30 years of my career were at the Night Vision Laboratory, beginning as a project engineer and working my way up to the director's position. Every system that's now in the Army inventory as a night vision device, I worked on, designed or tested.

My career was continued then at DARPA. I was the assistant to the director for transferring technology to the services. I am presently an advisor to some Pennsylvania universities in the field of technology management.

It makes no sense to move the Night Vision

Laboratory. For sensors, the synergy that someone is trying to create already exists right here in the DC/Northern Virginia area. DARPA, the Army, the Naval Research Labs, the Institute for Defense Analysis, the Marine Corps Research Center at Quantico, and the last partner in federal law enforcement and intelligence agency are all here.

The PEO and the PMs, the customers for the lab sensors and counterintelligence technology are mostly here as well. Davidson Army Airfield, Quantico, Fort AP Hill, Blossom Point, and Indian Head all serve as local test facilities for the Night Vision Laboratory. There is no real synergy by putting NVL together with Fort Monmouth assets at Aberdeen.

NVL has been administratively separate of Fort Monmouth for 45 years of its existence; and although NVL works effectively with Fort Monmouth at a distance, its combination really is a marriage of administrative convenience.

Our warfighters, first responders, law enforcement, and intelligence professionals need and deserve the very best. There is no reason to disrupt and potentially destroy an organization that provides that capability, and every reason

not to do it.

Thank you very much.

(Applause.)

CONGRESSMAN DAVIS: We'd like to make one point that I don't think came out that is on the office space leases. If that is eliminated from the BRAC, the Secretary of Defense loses nothing.

At the end of each lease they have the option to not renew or deploy elsewhere. Doing it as part of the BRAC, you actually lose flexibility because you are making decisions now that you might want to revisit three, four years down the road when these leases expire.

Eliminating these provisions from the BRAC continues to give you flexibility, but you have the full option to move them at the end of that time instead of including them in the BRAC.

CHAIRMAN PRINCIPI: Thank you very, very much.

Good afternoon, Congressman Drake. I believe we'll begin with you first.

TESTIMONY OF CONGRESSWOMAN THELMA DRAKE, VA-2

CONGRESSWOMAN DRAKE: Thank you, Mr. Chairman. Let me begin by thanking the

commission for holding this very important hearing.

I will only take a few minutes, deferring most of my time to the local officials who are the real officials on how the decisions made here will affect our communities.

Commissioners, I want to be very clear on one point. Although I am the only member of Congress from Virginia with a military base slated for closure, I fully support the BRAC process as a cost-saving measure intended to save the American taxpayer money.

However, as the commission may be aware, Fort Monroe has been targeted for closure in previous BRAC rounds; yet it was subsequently removed due to the cost and ramifications of the necessary environmental cleanup.

Throughout this process, I have voiced concerns regarding the Pentagon's failure to factor in the cleanup cost to the cost-benefit analysis of this environmentally sensitive area. The commission needs to understand that once these costs are realized, the short-term savings to the American people will disappear.

I have also voiced concerns regarding four

commands. Namely, the Army Audit Agency field office, the Joint Task Force, Civil Support, the Defense Contract Management Agency, and the Naval Service Warfare Center Carderock Division that have not been reassigned. These four commands represent 259 jobs that, as of today, are unaccounted for. I strongly urge the commission to review this issue and request this information from the Army.

Even with the closure of Fort Monroe, the Hampton Roads region stands to gain a net increase of jobs primarily due to the expected growth of the Naval Station Norfolk.

I am very pleased that the Defense Department understands the potential of Naval Station Norfolk to handle a larger segment of U.S. protection forces.

I am concerned, however, with recent press statements likening the naval base to Pearl Harbor and misstating their ability to harbor additional naval surface ships and submarines.

It is important to remember that at one point when our naval force numbered over 600 ships, there were well over 20 submarines home ported in Norfolk. Today there are 12. Clearly these

figures indicate there is no danger of Naval Station Norfolk becoming congested.

In regards to NAS Oceana, I would like to emphasize that the Navy believes and has fully assessed that the location of Oceana best meets the mission of our navy.

Again, I would like to thank all of you for your dedication to this process.

CHAIRMAN PRINCIPI: Congressman Scott.

TESTIMONY OF CONGRESSMAN ROBERT C. SCOTT,
VA-3

CONGRESSMAN SCOTT: Thank you, Mr. Chairman; and thank you for the opportunity to testify today.

First I would want to associate myself with remarks made by statewide office holders in extending condolences to the victims of the terrorist attack this morning in Great Britain.

Mr. Chairman, as you've indicated now, the DoD has issued their recommendations for base closures. It is our responsibility to look at the data and ensure all of the appropriate factors have been taken into account.

In beginning my comments, I want to first speak briefly about the Transportation School at

Fort Eustis slated to be relocated at Fort Lee.

When the Army Vision Task Group was asked about their recommendation, they answered it was not their intention for the whole school to move. However the found recommendations, the entire school was moved. Their intent not to move certain aspects was not documented in that report.

Unfortunately, making the recommendation, the task group did not consider rail training and the relationship of integral training resources to other courses at the school, such as cargo specialists.

Fort Eustis has \$33 million worth of railroad tracks, a \$31 million land ship and a port, all of which are unlikely to be re-created at Fort Lee. Furthermore, Fort Eustis has virtual ships; and in training, a student can go right from the virtual ship right to the real ships. They can't do that if the school is moved to Fort Lee.

Second concern, Mr. Chairman, is the relocation of the Aviation Logistics School to Fort Rucker, Alabama. This move was made to consolidate the Aviation Logistics School with the Aviation Center and School at Fort Rucker. There is no need to combine these two facilities. The

Aviation School is responsible for training helicopter pilots while the Aviation Logistics School is responsible for training mechanics.

And so this move brings me many questions. For example, what's going to be the effect on training during the move? Will there be degradation of training during the move? And where will they get the civilian instructors? Does Fort Rucker have the infrastructure, power requirements and necessary fiber optic backbone to handle the new equipment? And can the training devices actually be moved safely?

Recently a training device was moved by the Aviation Logistics School; and it's been 18 months ago; and during those 18 months, the thing has not worked.

In order to train on a device, each one of these things has been bolted to the ground; but during a move, it will break. Now, if it takes an average of 18 months to get the device working again, what timeframe will be used when you move the entire facility?

DoD -- and also, Mr. Chairman, many of the instructors are civilians living in Hampton Roads. By moving to Fort Rucker, DoD will lose the

expertise of these men and women. No cost has been associated with the loss of knowledge and experience.

Now, DoD estimates that the cost of moving the facility will be almost \$500 million with the recruitment time of 13 years. This estimate does not include any of the equipment that will break nor does it include the loss of the expertise in the workforce.

These things have to be included; and when you include those -- the \$500 million and 13 years recruitment didn't make much sense anyway to make the move. When you add in the real cost, after what the real costs are going to be.

Now, the last point regarding Fort Eustis would be the Surface Deployment Distribution Command. Mayor Frank from the City of Newport News will be speaking to that in greater detail. I will point out that the 1995 BRAC Commission recommended consolidating the facility in one location, and they chose Fort Eustis. Nothing has changed.

Last comment, I'd like to add my support for Fort Monroe. Every round of base closures has included Fort Monroe. Every round of commissions

has found that the figures do not add up to justify the closures.

Several commands have not been justified for. If you do, they could be moved most easily to Fort Eustis with the least disruption; but you don't need to close the base.

Mayor Kearney will go into more detail about that. But let me just point out two weeks ago -- I don't know if you've gotten this last report, but two weeks ago CRS estimated the cleanup costs for Fort Monroe to be \$200 million.

Now, Governor Warner mentioned that there's a reverter clause. If you close it, it goes back to Virginia; and you've got to clean it. If you close it, you clean it; and the whole point of this thing is saving money. You're going to open up the checkbook of the Treasury of at least \$200 million or who knows what.

I hope you would not have to explain to somebody why you ended up spending more than you could possibly save. Because the cleanup costs, as Governor Allen has mentioned, could be a billion dollars, CRS \$200 million; but if you close it, you have to clean it.

Thank you for the opportunity of testifying

today.

(Applause.)

TESTIMONY OF MAYOR ROSS A. KEARNEY, HAMPTON,
VA

MAYOR KEARNEY: Mr. Chairman, thank you again so much. I would like to publicly thank Governor Warner, our two United States senators for their help and their staff's help in preparation of the City of Hampton during the past year and their efforts trying to fight the BRAC and showing that Fort Monroe is a vital installation.

In addition, Thelma Drake and Bobby Scott and Jo Ann Davis have been there to help us time and time again and lead Hampton through in our efforts here in the hills of Washington. Because we are down in the swamps of Tidewater. You know, we have a hard time when we get up here in these hills.

Knowing the difficulty you were having with these reports, we did a CD-ROM for you that y'all could watch at your leisure. It's only four minutes long; and I hope you will look at it, which outlines the points we would like to make. In addition to that, we have our written report in

there. If you do run out of reading material that's provided by the illustrious group before me, you can add to it.

I would like to talk about the cost considerations that we have alluded to here. I think the Chairman and General Newton were aware of the difficulties with the post.

The 508 acres of land, as really you can see right now with the picture; and that's the only graph we're going to show you. The fact is, right in the center of this is a moat. The moat does not cover the 500 acres of land. It covers the 72 acres of land in the very center, but the entire area that you look at is a historical area.

We have 152 homes which have been classified by the National History Museum as historical areas, and one of them they refer to as the Lincoln home.

We talk about buried ordnance that we have here. Some of that ordnance is buried under these historic homes. One of them you'd have to deal with is the Diocese of Richmond, the Catholic Church because that St. Mary's Star of the Sea, which celebrated 108 years of history just recently, has divided itself on three property

deeds; and if you go to relinquish that -- and going back to the reverter clause on which part belongs to whom and who's going to divide it, I don't think the United States government wants to take on Pope Benedict at this particular time.

(Laughter.)

So taking religion out of it and going back to the cost, as we mentioned, there are three things that we have highlighted; and I think that the senators and the governor have highlighted, as our Congress people have.

You have unexploded ordnance. As a southerner, I must remind you this was done by the Union Army.

(Laughter.)

You have this unexploded ordnance there. It's going to have to be removed. And as the colonel did in his presentation to us a few moments ago, the best use of this 508 acres of land is to remain as a military post because then it is not disturbed; it stays in tact; and the post operates as it is and has effectively over these years.

Once you seek it into the economic realm of a beautiful area to be developed into housing or

condos or be what it may, you'd then open up a whole new area that has to be cleaned up; and when it is cleaned up, the cost ranges from \$200 million on the record to well over \$1 billion. And I just don't see, with our young men and women today fighting in Iraq, where our government has that money as a taxpayer to go after it. So logic would tell you to keep it as a post.

You know, it's in the center, as you do know, it's in the center of four four-star commands; and the only one missing is FORSCOM, which used to be there when it was a Continental Army Command.

Now, we're willing in the City of Hampton to bring them back, and they can take over Fort Monroe. And as we have said in our video and our presentations to you earlier that the City of Hampton, through our Industrial Developments Department and our recently developed Federal Authority as signed by the governor, are willing to go in and enter into a partnership with the Department of Defense and actually to build those buildings they need on the 98 acres of land which are undeveloped and be able to design them for their use at their specifications, bringing back to them at the cost.

And we can do it for less than \$13 a square foot which, as you know, is almost \$40 a square foot cheaper than what you find in many urban areas of the country. So we're delighted at what we have offered. We think we offered the post a vibrant future.

We realize that its history is so much a part of our nation and so much a part of the culture of our community, especially the Commonwealth of Virginia.

And lastly, I discovered this past week that there are supposedly two cemeteries that are located on the post. One contained the contraband slaves that came there during the war and the second, an American Indian gravesite that's yet to be located. My heavens, we have opened up a whole new area of litigation.

Thank you so very much.

(Laughter.)

(Applause.)

CHAIRMAN PRINCIPI: Mayor?

TESTIMONY OF MAYOR JOE S. FRANK, NEWPORT NEWS, VA

MAYOR FRANK: Mr. Chairman, members of the commission, first I have to say, I don't envy

you, your jobs; and we're deeply grateful for your commitment to this country and for doing it.

Governor Warner, Senator Warner, Senator Allen, members of the Congressional Delegation, your leadership and your support and your understanding of these critical issues, as they impact our national defense and our communities, is certainly exemplary; and we're deeply grateful to each of you for your leadership and for the help you've provided.

I think an overarching comment I'd want to make before we begin, we in Hampton Roads are deeply committed to the military. They've been part of our family and part of our community and friends and neighbors throughout our history. History of America starts 1607 in Jamestown, and it has been part of our military history ever since.

If we thought that the recommendations that we were making, comments and criticisms we were making were an antagonistic mission in the military of our country, we wouldn't be here nor would the governor nor would the senators or representatives from Congress. But we believe that the work of the Department of Defense is in

many cases flawed, and it's flawed in ways that we'd like to point out to you very specifically.

First of all, the cost estimates we think are grievously understated. We think that if the Government Accounting Office took a hard look at these estimates, that they would demonstrate very clearly that the numbers are not realistic in terms of the cost of relocation and certainly having taken into account the real cost, including the indirect cost to the government in making these recommended moves.

I would like to focus, however, on our support for important pieces of the recommendation, also three realignment recommendations that we believe deviate from BRAC criteria.

First, regarding the decision to remove the Army Training and Doctrine Command to Fort Eustis. I want to clearly and unequivocally say that we strongly support efforts to keep Fort Monroe open and to keep TRADOC there. I think that's been well documented and spoken for by Mayor Kearney and others, and we certainly support that.

However, should you accept the Secretary of Defense's recommendation and close the

installation, military value can be maintained by keeping TRADOC on the Virginia Peninsula; and the Secretary recommended transferring it to Fort Eustis.

TRADOC will then remain in close proximity to the Joint Forces Command, the Air Combat Command and other military commands in the TRADOC region. Additionally, this move will not create a disruption in the TRADOC workforce; and therefore, recruiting new employees will not be an issue.

Moving TRADOC to any location other than Fort Eustis would generate cost in three areas. Personnel relocation, recruitment and training, and loss of intellectual capital.

I should also say early on that in terms of TRADOC or any other mission brought to Fort Eustis, the City of Newport News is prepared to do all that it can to make the transition as smooth as possible both for the military and civilians who will be working at Fort Eustis.

We expect that most TRADOC employees will not need to relocate because of Fort Eustis's close proximity to Fort Monroe, but it is important to let you know that we want to help eliminate any issues regarding any mission transition to Fort

Eustis.

And finally, with regard to the TRADOC move to Fort Eustis or, for that matter, the movement of any organization into the region, we have prepared to enter into agreements with the Department of Defense to ensure buildings have been constructed to the military's specifications.

In summary, the decision to move TRADOC to Fort Eustis correctly accomplishes the military value and cost-efficiency goals of the BRAC criteria and limits adverse impacts on the workforce.

There are three other alignments out of Fort Eustis that I would like discussed. The movement of the Surface Deployment Distribution Command, known as SDDC, to Scott Air Force Base. The realignment of the Army Transportation Center School at Fort Lee and the movement of the Aviation Logistics School, or USAALS, to Fort Rucker, Alabama.

The recommendation to relocate SDDC operations, including transportation engineering activity is, frankly, illogical. SDDC is responsible for DoD's surface transportation and logistics. These facilities were consolidated at

Fort Eustis from California and New Jersey as a result of BRAC '95. It's a substantial expense and workforce disruption. Recognizing the advantages of Fort Eustis, where the operational and engineering mission was already functioning successfully, the Army authorized consolidating SDDC headquarters from Northern Virginia to Fort Eustis just last year.

In fact, in 2004 Major General Dunwitty, the former commander of SDDC and currently the commander of U.S. Army Command, Combined Army Support Command at Fort Lee, stated that it was the intent of SDDC to consolidate at Fort Eustis.

We were led to believe that the Army elected to wait for BRAC 2005 and move proceedings so that the cost of the realignment could be paid for with BRAC funds rather than with NLCOM funds. It was part of the intent of relocation of SDDC to Fort Eustis. The city then agreed to construct a headquarters complex through a cooperative agreement that would accommodate all elements of SDDC at Fort Eustis.

The package of recommendations related to SDDC should be carefully examined, and we believe overturned. Moving SDDC to Scott Air Force Base

can be accomplished; but the inherently better choice in terms of military value, military construction, lack of disruption to the workforce and cost effectiveness is Fort Eustis.

The consolidation at Fort Eustis meets the operational needs of the Army and U.S. TRANSCOM by locating the mission within a region well known for joint military activities and major commands. Consolidation at Fort Eustis would create minimal workforce disruption, as a large portion of SDDC is already located in the area.

Additionally, the skilled workforce being moved out of Northern Virginia, Fort Eustis presents a much more feasible relocation option. Data show that less than 40% of the current SDDC workforce would be willing to move to Scott Air Force Base, a substantial workforce reduction.

In addition, all the people from Fort Eustis would be required to move to Scott if you followed the Secretary's recommendations. It would be difficult to replace the operation's research and engineering positions currently already located at Fort Eustis.

If the desire were to create a synergistic environment for all three service elements at U.S.

TRANSCOM, then why would only two of these elements, Air Mobility Command and SDDC locate at Scott, an installation with a lower military guidance score than Fort Eustis?

Following this logic, would not the Secretary of Defense insist that Military Sealift Command be relocated to Scott as well? But the Secretary did not make that recommendation. So the claims are relocating all of SDDC began organizational synergy are brought into question.

Consolidating SDDC at Fort Eustis would eliminate the need for \$40 million in new construction at Scott. The consolidation would also achieve the reduction of 180,000 square feet of leased space that DoD is looking to accomplish, only impacting those personnel in Alexandria and not those located already in Newport News and on the peninsula.

In summary, locating the entire SDDC operation to Fort Eustis would eliminate concerns of force protection, enhanced military synergy, reduce military construction costs significantly, and still provide the ability to institute personnel reductions, thus sell you the part and resources it was seeking in the consolidation at

Scott.

We believe the Secretary of Defense deviated substantially from the BRAC criteria by reducing readiness as well as not properly valuing the cost associated with this recommendation. The department uses the main reason for the realignment the need to vacate leased office space. You've already heard discussion about that and to apply force protection criteria to the analysis.

These two goals are important criteria but are not part of the BRAC criteria as approved by Congress and are equally well achieved with a Fort Eustis relocation.

Next, the decision to relocate the transportation school and send it to Fort Lee also requires careful review. As was subjectively described by Chairman Principi and General Newton in their site visit, this realignment recommendation is clearly flawed. Because of the unique facilities located Fort Eustis, including an airfield, a port, deep-water port and active railroad network, approximately one-third of the current training water craft cargo specialists and real training must stay at Fort Eustis even if the

recommendation is instituted, otherwise DoD would need to invest approximately \$70 million to \$100 million in new facilities at Fort Lee, which has not been calculated in the BRAC recommendations or the COBRA analysis.

These investments, in addition to being costly, are highly infeasible. They would include having to construct a manmade river and a multimillion dollar rail line at the new location. It is our understanding the Pentagon has already been made aware of these oversights, and it should be communicating this to you soon.

If one accepts the premise that a major portion of the training must stay at Fort Eustis, a legitimate question to the commission is: What savings or efficiencies are achieved by moving elements of the school to Fort Lee while leaving significant training facilities and missions at Fort Eustis?

In other words, doesn't it make more sense to maintain the entire transportation school and center at Fort Eustis instead of busing personnel 90 minutes from Fort Lee based on this new information that at least one-third of the functions and all the hands-on training will need

to remain at Fort Eustis?

Final realignment recommendation that should be overturned involves the Army Aviation Logistics School. On the surface, consolidating helicopter repair training with Army Aviation Logistics at Fort Rucker seems rational.

However, moving helicopter repair training to Fort Rucker provides no additional synergy to the Army's aviation programs. Helicopter repair and helicopter flight training are two distinct missions, and their co-location does not create synergy.

Secondly, as a training activity of high importance, helicopter maintenance requires the availability of a skilled civilian and uniformed workforce. Fort Eustis is optimally located to tap into a retiring military labor market that includes approximately 15,000 military personnel who muster out and stay in the Hampton Roads area every year.

USAALS is currently ideally positioned in joint service helicopter repair training, being located in one of the largest concentrations of national military assets in America. And at Fort Eustis, they are already training Air Force and

other units in helicopter maintenance. Fort Rucker is primarily an Army facility and does not have the same opportunity for joint training. The mission cost of moving to Fort Rucker is estimated at \$492 million with a 13-year payback and a 20-year net present value of only \$77 million.

The 13-year payback on such a long-term savings -- such little long-term savings certainly doesn't seem much of return on the investment. We believe the Secretary deviated substantially by adversely impacting training and readiness with the recommendation.

Mr. Chairman, my time's running out. We understand that you may not be able to take action on all of these issues. Therefore, since the DoD BRAC recommendations specifically stated that freeing up space at Fort Eustis would allow for other missions to be transferred to the base, I would also like to mention two missions that we believe could be accommodated at Fort Eustis. They're the Army Materiel Command and the Missile Defense Agency, and I've outlined the details of that in the materials I have submitted. I won't take time to fully explore those now.

There is no question that Fort Eustis is a

base of high military value. Hopefully my remarks today have emphasized that value and highlighted those realignment recommendations that merit further study.

We at Newport News are proud of our long tradition of supporting our military forces and families at Fort Eustis, and we believe the future holds many opportunities for strengthening those ties.

Thank you very much.

CHAIRMAN PRINCIPI: Thank you, Mayor.

GOVERNOR WARNER: Recognizing that our time is running, we're going to even keep talking on the fly here.

CHAIRMAN PRINCIPI: Senator Warner is not going to read the brief?

(Laughter.)

GOVERNOR WARNER: He's not going to read the brief. We wanted to make sure -- I know this doesn't go against our time, but a couple of quick points. I'm going to ask Senator Allen to make a quick comment, and then we'll have our closer with Senator Warner.

We hope that we've made the case that Virginia stands ready to deal with the additions

of the BRAC process. Our communities stand ready; our transportation department is prepared to work with DoD; our schools are ready to work. We are aggressively welcoming these additions.

We are -- we do have concerns, having followed your other BRAC hearings, and questions and issues raised. If there are questions about Oceana, we hope that you will raise them with us. We think we can address those. We think there is some misinformation out there about Oceana. The overwhelming members of the community support Oceana. We'd like to try to address that.

Along with that, we heard as recently as yesterday some concerns coming out of New England about the capability of Norfolk to absorb the additional subs. In my testimony I think we've laid out very clearly that we have tremendous excess capacity. We can absorb all that; but if there were questions there, we hope you will pose them to us.

You've heard very articulately from our colleagues from Hampton Roads, both the value of Eustis, the value of Monroe. I think that the mayor particularly added now not willing to take on litigation with the Catholic Church and a host

of other issues. If you want to take on the challenge both of the members of Congress laid out, I think very well, other installations. Again, I think our case has been made.

We're going to probably again all reiterate some of our concerns about leased space. The senator, better than anyone, has laid out the legal arguments; but on top of the legal arguments, I want to point to the fact that since DoD, with the confidentiality requirements, could not allow us to look at alternatives, none of that got factored in.

In the short period of time since the BRAC recommendations have come out, you've seen the local community, in combination with the state, be able to come up with at least two alternatives already to fully meet DoD security requirements, that fully can be transferred to full federal government ownership, that has state backing in terms of adding AAA triple-bond rated financing rates to build additional facilities on these two sites and can be done at a much cheaper price than the -- in accepting DoD's cost savings and moving the research facilities to Monroe. And that doesn't even start to address the issues that

Senator Allen I think so well raised about disruption of the brain drain.

So I'll close and turn quickly to Senator Allen and then Senator Warner to close out.

SENATOR ALLEN: Thank you, Governor. And thank you again, members of the commission.

Here's the sailing point I think we need to understand in the larger picture: The greatest asset we have in this country are our people, their minds. If this country's going to compete and succeed in the future, we need more engineers, more technologists, more scientists.

You've seen the clear evidence that the synergy, the jointness, the collaboration, particularly in the Northern Virginia area between all these different defense research agencies as well as with private contractors, as hard as it is to find those folks, why we would want to dismember it? Why be disruptive? Why actually become a hindrance rather than a help in that whole effort?

And the fact that so many of these have security clearances -- let me remind you, as Congressman Davis said, is that there's -- I believe he said it; but regardless, the number is

over -- there's over 328,000 in the backlog for security clearance.

So there's a lot of -- also these contractors are trying to work with homeland security. They're going to hire these folks on as a premium; and we're going to lose them; and that's going to be harmful for our country. In fact, we're importing people. We have to have high-tech visas in this country.

So I mean, every objective indicator is this country needs to do a much better job in graduating more women, Latinos and African-Americans in technology and in engineering. That's where you're going to get the design and development of the new innovations and inventions in intellectual property.

Again, for our national security, keep this teamwork going. It's a winning team. It's essential for our security, and it is really hard to find such qualified teammates.

I'll yield the rest of my time to our expert here, Senator Warner, on the legalistic aspects of all of this.

SENATOR WARNER: The legalistic aspects are before the commission in a detailed brief.

I'll just speak a few words from the heart from a man who has lived a good deal on planet Earth and had marvelous opportunities, thanks to the help of so many.

But I remember as the constitution -- the convention in America in 1787 to write its Constitution; and as Ben Franklin emerged tired, weary, a reporter asked him, "What have you done?" And he said, "We've created a republic if we can keep it."

This session and others across the nation remind me of that. With three branches in government co-equal in authority, our president wisely and correctly said we needed to remove from the military, the national defense, our excess structure, structure no longer needed to keep us on the cutting line of defense.

And quite frankly, with a sense of humility, I say that the Congress of the United States did its job. We passed the BRAC law after listening carefully to the administration.

I have to tell you, the year after we passed it, there were efforts to annul it and take it off the books. But Congress, once again, withstood those pressures and kept it, the law.

Now the Secretary of Defense, with whom I work daily, with whom I have a great deal of respect, and his team did what they felt they had to do; and I most respectfully tell you that the law was not followed.

Now where does that leave us? Two branches of government have acted, the legislative and the executive. We carefully, in the Congress, created this commission as an independent commission with quasi-judicial authority to look at the actions of the executive branch and determine for yourselves if they followed the law.

I have confidence in each of you that you will do that, and it is very important that you do so because we frankly do not desire to have the third branch of the government, the federal courts, revisit this situation. Because seriously, folks, we've got to move ahead as a nation and keep our military strong and marshal our dollars where they're needed.

And to drag this into the federal courts, which some jurisdictions may feel they have a compelling case to do so, would, I think, result in a loss of time; and we've got to stop to think a few words about this community in which I have

spent so much of my life.

I remember when you crossed the Key Bridge into Rosslyn, there was a Dairy Queen, a Hot Shoppies, as it was known then, and a pawn shop. The reason I remember the pawn shop, I bought my first .22 rifle there back in 1934 or '35.

Today that region, as well as other regions in Northern Virginia, have grown as a consequence of a lot of hard work, not just because of the many public employees of the federal government and many in the Department of Defense, but by the private sector, in risking their capital to build a magnificent structure, a structure that's not unlike a diamond.

It was called by the General here a center for excellence; but I look upon this as a diamond; and believe me, in my 27 years in the Congress and five in the Pentagon, I have visited every defense area of this country. There is nothing like it to be found anywhere in America, of the bringing together, as my two colleagues have said most eloquently, the finest minds to protect this country, to protect this country from threats that are beyond imagination.

We awakened this morning. We awakened this

morning to learn how fragile life is, wherever in the world the terrorists wish to strike.

This is a nation at war. I say to you most fervently, we cannot take any missteps. Good luck.

CHAIRMAN PRINCIPI: Thank you.

(Applause.)

This concludes today's regional hearing of the Base Realignment and Closure Commission.

I want to thank all of the witnesses who testified today. You have brought us very thoughtful and insightful information; and I assure you, your statements, your testimony will be carefully considered.

I also want to especially thank all the elected officials and community members who have assisted us during our recent base visits throughout Virginia and in preparation for this hearing. In particular, I want to thank my former boss, Senator Warner.

(Laughter.)

I promise you I'll read your brief. And his staff. In particular, Lucian Niemeyer who has been such an invaluable asset to this commission throughout the months since we received the list

from Secretary Rumsfeld; and I want to thank him for all of his efforts and his friendship.

Finally, I want to thank all of the citizens of this great state who are represented here today and have supported the members of our armed forces for so many years, making them feel welcome in your towns and in your communities. We are very grateful for you.

It is that spirit, in my opinion, that makes America so very great. Thank you all.

This hearing is closed.

(Whereupon, at 3:30 p.m., the hearing was adjourned.)

UNCERTIFIED