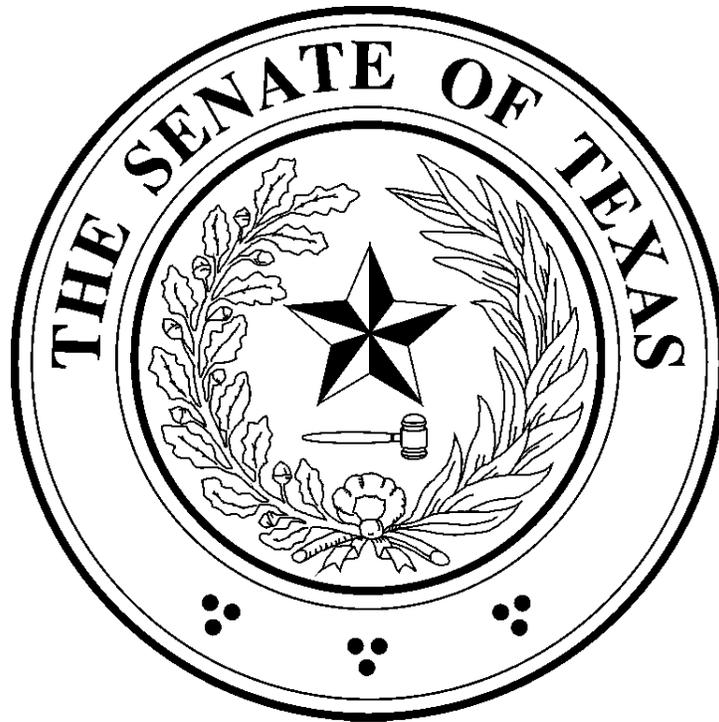


**The Senate Subcommittee on
Base Realignment and Closure**



**Report and Recommendations
to the
81st Texas Legislature**

December 2008

December 2008

The Honorable David Dewhurst
Lieutenant Governor
P.O. Box 12068
Austin, Texas 78711

Dear Governor Dewhurst:

The Senate Subcommittee on Base Realignment and Closure (BRAC) of the Senate Veteran Affairs and Military Installations Committee respectfully submits its interim report on issues surrounding Texas' defense communities and the impacts of the 2005 BRAC round. This report presents the current environment and developments surround the Department of Defense's recent BRAC round and addresses the subcommittee's charges to study and report on:

- analyze the implementation of legislation passed during the 80th Regular Session; and
- monitor Base Realignment and Closure (BRAC) developments.

In accordance with your request, copies of this report have been distributed to the appropriate parties.

Respectfully submitted,



Senator Eliot Shapleigh, Chair



Senator Craig Estes



Senator Chris Harris

Base Realignment and Closure

A Report and Recommendations to the 81st Legislature

Senate Veteran Affairs and Military Installations Committee,
Senate Base Realignment and Closure Subcommittee

Senator Eliot Shapleigh, Subcommittee Chair
Senator Craig Estes
Senator Chris Harris

December 2008

**Base Realignment and Closure
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A Report and Recommendations to the 81st Legislature

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Base Realignment and Closure December 2008

A Report to the 81st Legislature

Executive Summary

The Senate Subcommittee on Base Realignment and Closure (Subcommittee) was directed with two specific tasks during the interim of the 80th Legislature:

- analyze the implementation of legislation passed during the 80th Regular Session; and
- monitor Base Realignment and Closure (BRAC) developments.

The Subcommittee diligently worked to address the Interim Charges and to work with state and local leaders to help Texas and Texas' defense communities respond to the BRAC 2005 round. During the 80th Legislature, efforts culminated in the passage of SB 962 (relating to school districts affected by troop reassignments at military installations), SB 1237 (relating to defense base development authorities), SB 1724 (relating to the Texas Military Facilities Commission), SB 1743 (relating to the Red River Redevelopment Authority), SB 1956 (relating to areas affected by defense restructuring), and HB 3879 (relating to defense base development authorities). This legislation, coupled with subsequent efforts by leaders across the state, have positioned Texas' defense community to adequately respond to the changes effected by BRAC 2005.

As a result of BRAC 2005, Texas was impacted significantly, including the closure of three major Texas installations: Naval Station Ingleside, Brooks City-Base, and Lone Star Army Ammunition Plant. The BRAC Commission also recommended four major realignments in Texas: Red River Army Depot, Naval Air Station Corpus Christi, Lackland Air Force Base, and Sheppard Air Force Base. Many other Texas military facilities were impacted as well, including the realignment of Fort Sam Houston, Fort Bliss, and Fort Hood, amongst others.

Specific Subcommittee activities undertaken during the interim include:

- four hearings held in defense communities across the state that allowed local experts to share information and concerns with the Subcommittee about BRAC-related impacts; and
- meetings and communication with local, state, and national leaders on how Texas can best respond to BRAC 2005.

Base Realignment and Closure December 2008

On May 13, 2005, the United States Department of Defense (DoD) released the preliminary BRAC list for the 2005 round of BRAC.¹ The list was then sent to the BRAC Commission for a thorough study and review.² An independent body responsible for reviewing the DoD's recommendations for BRAC 2005, the BRAC Commission delivered its recommendations to the President on September 8, 2005. President Bush concurred with the Commission's recommendations and sent the Commission's report to Congress for legislative review. Congress had 45 legislative days in which to accept or reject the report in its entirety, and, by statute, the Commission's recommendations officially took effect once the period lapsed on November 9, 2005. By law, all of the changes outlined in the Commission's report must be complete by September 15, 2011.³

The most far reaching BRAC ever proposed, BRAC 2005 impacted more than 800 installations worldwide, many of which are located in Texas. The DoD's initial recommendations to the BRAC Commission included the following closures and realignments:

Installation	Action	Net Gain/(Loss)		Net Mission Contractor	Total Direct
		Mil	Civ		
Army National Guard Reserve Center #2 Dallas	Close	(90)	0	0	(90)
Army National Guard Reserve Center (Hondo Pass) El Paso	Close	(106)	0	0	(106)
Army National Guard Reserve Center California Crossing	Close	(47)	0	0	(47)
Army National Guard Reserve Center Ellington	Close	(14)	(45)	0	(59)
Army National Guard Reserve Center Lufkin	Close	(10)	0	0	(10)
Army National Guard Reserve Center Marshall	Close	(15)	(1)	0	(16)
Army National Guard Reserve Center New Braunfels	Close	(106)	0	0	(106)
Brooks City-Base	Close	(1,297)	(1,268)	(358)	(2,923)
Defense Finance and Accounting Service, San Antonio	Close	(32)	(303)	0	(335)
Lone Star Army Ammunition Plant	Close	(2)	(18)	(129)	(149)
Naval Station Ingleside	Close	(1,901)	(260)	(57)	(2,218)
Navy Reserve Center Lubbock	Close	(7)	0	0	(7)
Navy Reserve Center Orange	Close	(11)	0	0	(11)
Red River Army Depot	Close	(9)	(2,491)	0	(2,500)
U.S. Army Reserve Center #2 Houston	Close	(2)	0	0	(2)

Leased Space	Close/Realign	(78)	(147)	0	(225)
Carswell ARS	Gain	8	104	0	112
Dyess Air Force Base	Gain	310	64	0	374
Fort Bliss	Gain	11,354	147	0	11,501
Fort Sam Houston	Gain	7,648	1,624	92	9,364
Laughlin Air Force Base	Gain	102	80	0	182
Naval Air Station Joint Reserve Base Ft. Worth	Gain	276	36	2	314
Randolph Air Force Base	Gain	(412)	531	63	182
Corpus Christi Army Depot	Realign	0	(92)	0	(92)
Ellington Field Air Guard Station	Realign	0	(3)	0	(3)
Fort Hood	Realign	(73)	(118)	0	(191)
Lackland Air Force Base	Realign	(2,254)	(770)	(116)	(3,140)
Naval Air Station Corpus Christi	Realign	(926)	(89)	(10)	(1,025)
Sheppard Air Force Base	Realign	(2,468)	(156)	0	(2,624)
	Texas Total	9,838	(3,175)	(513)	6,150

Source: Defense Base Closure and Realignment Commission⁴

The BRAC Commission reviewed the DoD recommendations and made changes to some of the closures and realignments in Texas. The Commission's final recommendations included the closure of three major Texas installations: Naval Station Ingleside, Brooks City-Base, and Lone Star Army Ammunition Plant, thus not accepting the DoD's recommendation of closing Red River Army Depot. The Commission also recommended four major realignments in Texas: Red River Army Depot, Naval Air Station Corpus Christi, Lackland Air Force Base, and Sheppard Air Force Base. Many other Texas military facilities were impacted as well, including the realignment of Fort Sam Houston, Fort Bliss, and Fort Hood, amongst others.⁵

Previous BRAC Rounds

In 1988, after receiving Congressional authority, Congress authorized and the DoD conducted four rounds of BRAC in 1988, 1991, 1993, and 1995. These actions were ultimately reviewed by an independent commission and approved by both the President and Congress. The resizing of the base structure to the changing needs of a smaller force and reorganization of military functions to reduce redundant and overlapping capabilities achieved an aggregate net savings of \$17 billion through fiscal year 2001 and annual recurring savings thereafter of about \$7 billion according to the DoD.⁶ The 2005 BRAC Commission estimated that their proposals would result in an a total savings of \$35.6 billion by 2025.⁷

Since BRAC 1995, the national security threat has changed, and the DoD's operational doctrine and business practices have evolved leading to the call and approval of an additional round of closures and realignments. In 2001, Congress authorized an additional BRAC round in 2005.

Texas' Past BRAC Experiences

BRAC 2005 was not Texas' first encounter with potential closure, transformation, or realignment. Prior to BRAC 2005, over 20 military installations were closed or realigned in Texas since 1988. The following table outlines Texas' past BRAC closures and realignments.

PREVIOUS BASE REALIGNMENTS AND CLOSURES IN TEXAS

Since FY 88, ten major Texas military installations and activities have been closed or realigned.

- Naval Station Galveston (Galveston): CLOSED 1988
- Fort Bliss (El Paso): REALIGNED 1988
- Bergstrom Air Force Base (Austin): CLOSED 1991
- Carswell Air Force Base (Fort Worth): CLOSED 1991
- Goodfellow Air Force Base (San Angelo): REALIGNED 1991
- Naval Air Station Chase Field (Beeville): CLOSED 1991
- Naval Air Station Dallas (Dallas): CLOSED 1993
- Kelly Air Force Base (San Antonio): CLOSED 1995
- Reese Air Force Base (Lubbock): CLOSED 1995
- Red River Army Depot (Texarkana): REALIGNED 1995

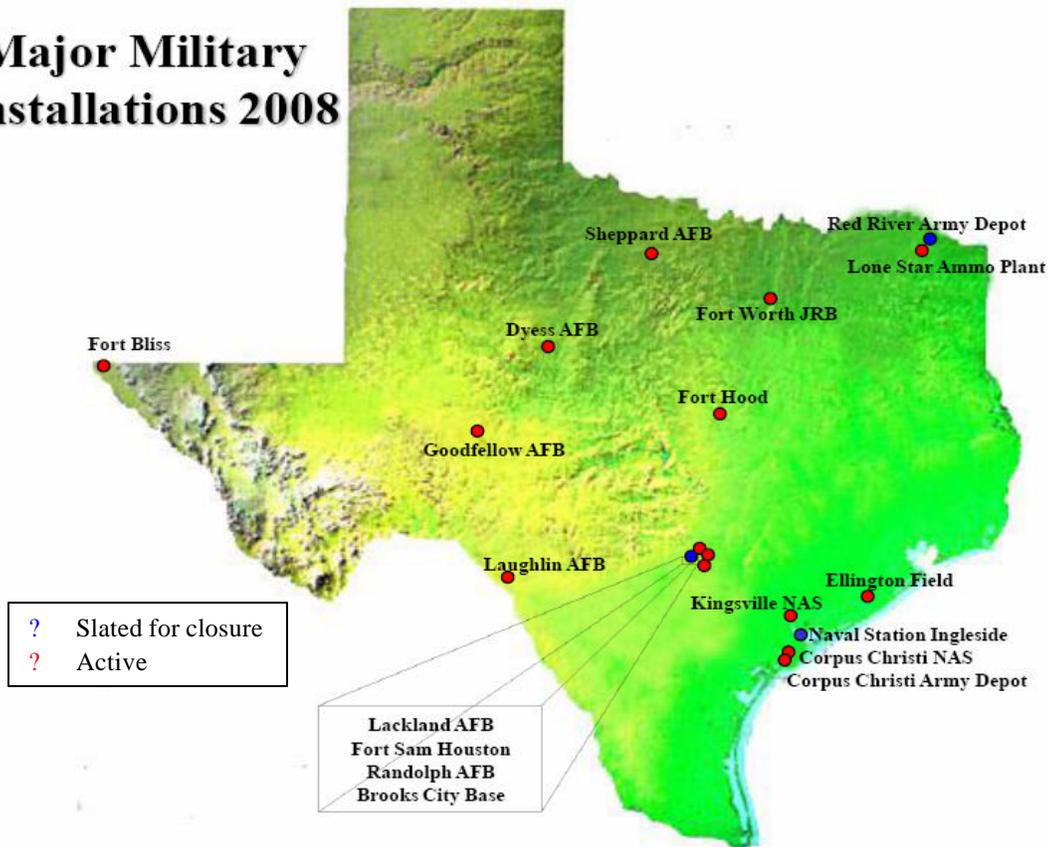
A number of smaller installations and activities were also closed:

- Air Force Data Processing Center Computer Service Center (San Antonio):
CLOSED 1993
- Carswell Air Force Base:
REDIRECT 1993
- Data Processing Center Air Force Military Personnel Center, Randolph AFB:
CLOSED 1993
- Data Processing Center Navy Data Automation Facility, Corpus Christi:
CLOSED 1993
- Abilene Navy/Marine Reserve Center (Abilene):
CLOSED 1993
- Bergstrom Air Reserve Station (Austin):
CLOSED 1995
- El Dorado Air Force Station (El Dorado)
CLOSED 1995
- Laredo Naval Reserve Facility (Laredo):
CLOSED 1995
- Longhorn Ammunition Plant (Jefferson, Marshall):
CLOSED 1995
- Midland Naval Reserve Facility (Midland):
CLOSED 1993
- Naval Weapons Industrial Reserve Plant (McGregor):
CLOSED 1995

Texas' Defense Community

Texas has long held an important role in the stability and success of national defense efforts and the military. Texas is home to an array of defense installations, defense-dependent communities, and defense industries. In fact, with Texas' 18 presently active military installations, there were approximately 233,593 DoD personnel located in Texas in 2006.⁹ Texas' various installations provide substantial capability in almost every military mission. The below map shows the location of Texas' 18 presently active major installations. As a result of BRAC 2005, Brooks City-Base, Naval Station Ingleside, and the Lone Star Ammunition Plant are scheduled for closure by 2011.

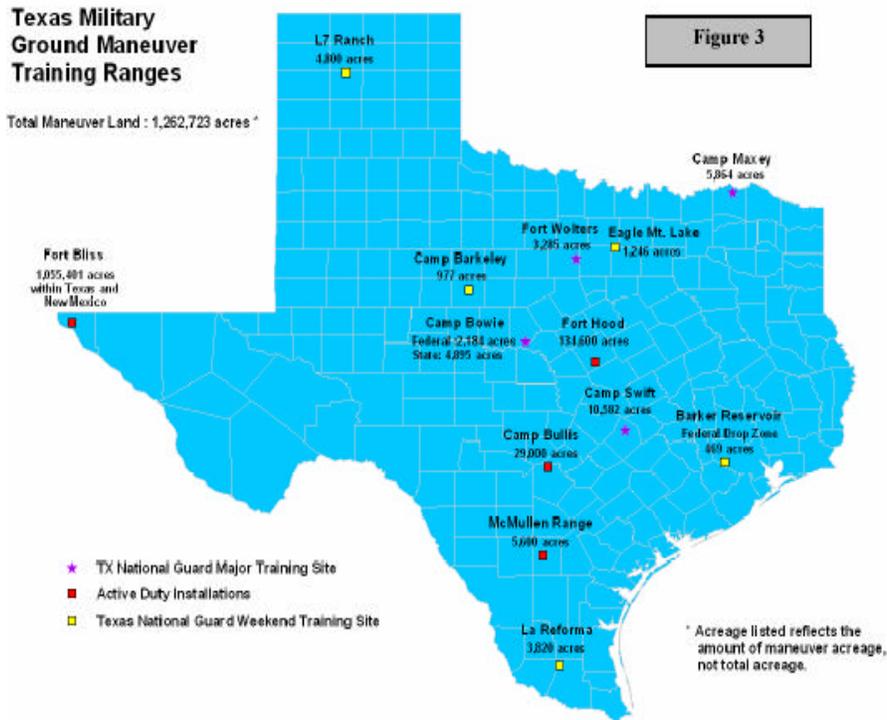
Major Military Installations 2008



Source: Texas Military Preparedness Commission¹⁰

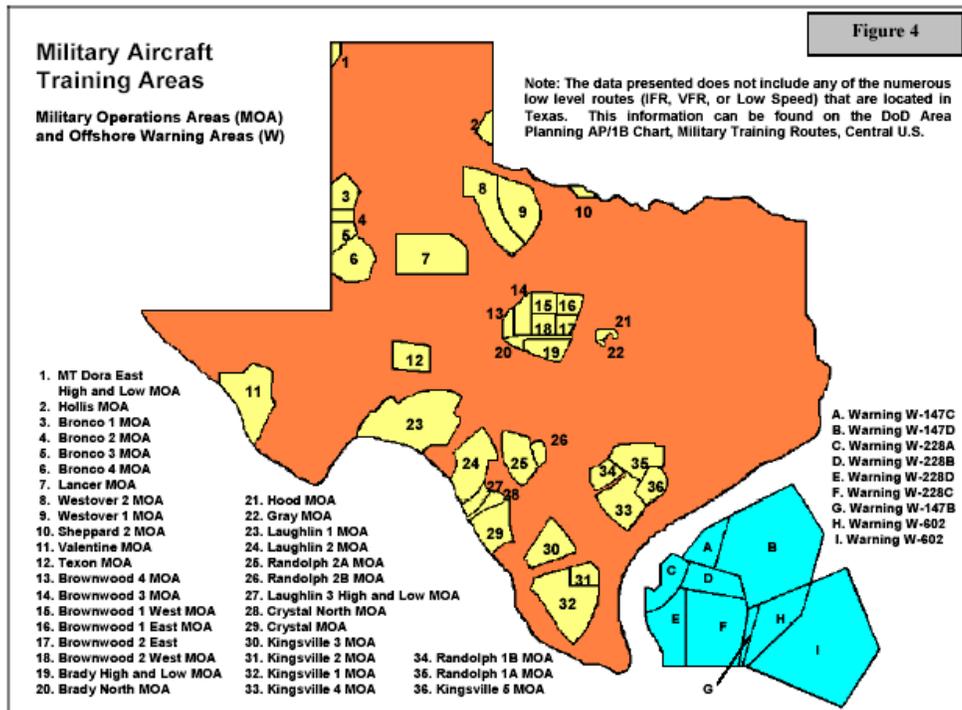
Additionally, Texas possesses a significant number of smaller facilities and a number of air, land, and sea training areas. These areas are considered critical to provide a wide variety of realistic training conditions for military installations located throughout the state, as well as units located in other states. The below maps illustrate the location of Texas' numerous facilities and training and maneuver areas.

Texas Ground Training Ranges



Source: Texas Military Preparedness Commission¹²

Texas' Air Training Areas



Source: Texas Military Preparedness Commission¹³

State Assistance for BRAC-Affected Defense Communities

The State of Texas currently offers three economic development programs to assist defense communities affected by BRAC:

- 1) Texas Military Value Revolving Loan Fund;
- 2) Defense Economic Readjustment Zone Program; and
- 3) Defense Economic Adjustment Assistance Grant Program.

Texas Military Value Revolving Loan Fund (TMVRLF)

Created by S.B. 652 (78th Legislature), the TMVRLF is a financial assistance loan program for communities that are adjacent to, near, or encompassing any part of a defense base. On September 13, 2003, a constitutional amendment (Proposition 20) was passed, which authorized the state to issue general obligation bonds not to exceed \$250 million. These funds provide loans to defense communities for economic development projects, infrastructure improvements, or to enhance the value of the military installations. In order to receive funding for a project, the requesting community must submit an application explaining the project and the use of its funds. The TMPC commissioners are authorized to analyze the loan applications for eligibility and approve the loans. The community is responsible for repayment of the loan in accordance with the terms of the contract.

Defense Economic Adjustment Assistance Grant Program (DEAAG)

The DEAAG was established by the 75th Legislature to assist adversely impacted defense communities. The 75th Legislature appropriated \$20 million for the DEAAG program to assist in the economic redevelopment of the installations which have been closed or realigned during the previous base realignment and closure rounds. The 76th and 77th Legislatures each appropriated \$1 million for DEAAG. In FY2004, the Office of the Governor allocated \$1 million for the DEAAG program, bringing the total to \$23 million. These grants have acted as a catalyst for creating over 10,300 new jobs and leveraging over \$87 million in new investments in impacted defense communities, according to the TMPC.

The 80th Legislature appropriated \$5 million to the DEAAG program. The chart below shows how the funding was distributed.

DEAAG Funding Distribution, 80th Interim

	Community	Award
1	Brooks City Base	\$1,375,000.00
2	Port San Antonio	\$1,299,500.00
3	City of Gatesville	\$630,000.00
4	City of Beeville	\$400,000.00
5	City of Ingleside	\$386,000.00
6	Bowie County	\$348,000.00
7	Brooks City Base 2	\$125,000.00
8	City of Robstown	\$64,800.00
Total		\$4,628,300.00
Appropriation		\$5,000,000.00
minus awards		\$4,628,300.00
Remaining Balance		\$371,700.00

Source: Texas Military Preparedness Commission

Assuming that the 81st Legislature appropriates additional funds for DEAAG, grants will be made available to local municipalities, counties, or regional planning commissions representing these communities. Funding could then be used by local governmental entities to meet matching requirements for federal funding or for the purchase of DoD property, new construction, rehabilitation of facilities or infrastructure, or the purchase of capital equipment or insurance. DEAAG grants could provide up to 50 percent of the amount of matching money or investment that a local governmental entity is required to provide for federal funding (in some cases, special community hardship grants may be provided up to 80 percent of the local governmental entity share). The total amount of the grant may range from \$50,000 to \$2 million.

80th Legislature

During the 80th Legislature, state leaders passed legislation aimed at helping communities that would be both negatively and positively affected by BRAC 2005. In summary, BRAC-related bills passed during the 80th Legislature, Regular Session, included:

SB 962 by Shapleigh (Haggerty), provided for a school district's wealth per student to be reduced by 25 percent for ranking purposes under the Instructional Facilities Allotment (IFA) awards process if the district can demonstrate that it must construct, acquire, renovate, or improve one or more instructional facilities to serve the children of military personnel who have been transferred to a military base in or near the school district under the Defense Base Closure and Realignment Act of 1990. The reduction in wealth per student would be in addition to other prescribed reductions related to the priority ranking. In addition, the bill would amend the Existing Debt Allotment (EDA) by entitling districts that demonstrate the need to construct or renovate facilities to serve children of military personnel to EDA state aid based on the district's current year tax rate instead of the rate from the final year of the preceding biennium.

SB 1237 by Uresti et al. (Menendez et al.), allowed a defense base development authority to establish and operate an inland port and related port facilities to engage in world trade. The bill also authorized a defense base development authority to hold meetings via telephone conference call, video conference call, or by other similar telecommunication device.

SB 1724 by Ogden (Noriega), abolished the Texas Military Facilities Commission and transferred its functions to the Adjutant General's Department.

SB 1743 by Eltife (Frost et al.), gave the Red River Redevelopment Authority additional powers provided under the Development Corporation Act of 1979 and to a rural and urban transit district. The bill prohibited the authority from imposing a tax and limited its use of the power of eminent domain.

SB 1912 by Shapleigh (Haggerty), requires the temporary certification period of an educator employed by a school district that has constructed or expanded at least one instructional facility as a result of increased student enrollment due to action taken under the Defense Base Closure and Realignment Act of 1990 to expire one year after the State Board for Educator Certification informs the educator of the examination or examinations which educator is required to perform successfully to receive a standard certificate

SB 1956 by Van de Putte et al. (Corte), transferred the general powers and duties of the Defense Economic Adjustment Assistance Grant Program, including rulemaking authority previously granted to the now-defunct Texas Department of Commerce, to the Texas Military Preparedness Commission. The bill also revised the criteria that the commission is required to establish so that it focuses on evaluation-based equity, authorizes applications to the program to be evaluated on the positive effect and job gain, in addition to the adverse effect and job loss, and repeals provisions relating to revolving loans to communities affected by BRAC.

HB 3879 by Menendez (Uresti), authorized a defense base development authority, established for the purpose of re-developing military facilities impacted by BRAC, to establish and operate an inland port and related port facilities to engage in world trade and enter into agreements enhancing world trade.

Senate BRAC Subcommittee's Interim Charges

For the interim of the 80th Legislature, the Senate BRAC Subcommittee was charged with studying the following issues and making recommendations to the Legislature.

1. Monitor national and overseas BRAC developments and Department of Defense redevelopment efforts.
2. Monitor and analyze the closure process for the following installations and communicate with district Senators and communities: Naval Station Ingleside; Brooks City-Base, San Antonio; and Lone Star Army Ammunition Plant.
3. Monitor and analyze the realignment of the various installations across the state, including but not limited to, Fort Sam Houston in San Antonio, Fort Bliss in El Paso, and Red River Army Depot in Texarkana.
4. Monitor the implementation of legislation addressed by the Subcommittee on Base Realignment and Closure (BRAC), 80th Legislature, Regular Session, and make recommendations for any legislation needed to improve, enhance, and/or complete implementation. Focus on implementation of the following:
 - SB 962 relating to school districts affected by troop reassignments at military installations,
 - SB 1237 relating to defense base development authorities,
 - SB 1724 relating to the Texas Military Facilities Commission,
 - SB 1743 relating to the Red River Redevelopment Authority,
 - SB 1956 relating to areas affected by defense restructuring, and
 - HB 3879 relating to defense base development authorities.

Interim Charge Number One

Monitor national and overseas BRAC developments and Department of Defense redevelopment efforts.

The National Defense Authorization Act for Fiscal Year 2006 requires the Department of Defense to report on the implementation of the BRAC 2005 recommendations, specifically including a description of the closure or realignment actions already carried out at each BRAC installation, a description of the redevelopment plants currently in place, and an estimate of the date for the completion of all closure or realignment actions at each BRAC 2005 installation.¹⁴

According to the DoD's June 2008 report, BRAC 2005 affects over 800 locations through 24 major closures, 24 major realignments, and 765 lesser actions. To meet the implementation challenges, the DoD developed business plans for each recommendation that analyzed the required actions, timing of those actions, and the costs and savings of each recommendation.¹⁵ The DoD has also been examining the need for property transfer to other federal agencies, developed relationships with Local Redevelopment Authorities, and worked closely with those communities affected both negatively and positively by BRAC.¹⁶

To see the status of a specific recommendation, please see the DoD's June 2008 report.¹⁷

Interim Charge Number Two

Monitor and analyze the closure process for the following installations and communicate with district Senators and communities: Naval Station Ingleside; Brooks City-Base, San Antonio; and Lone Star Army Ammunition Plant.

Naval Station Ingleside

Located on the northern shore of Corpus Christi Bay, Naval Station Ingleside's (NSI) mission is to provide logistics, base support, and force protection to all the tenant commands that make up the Mine Warfare forces. Serving as the Navy's Mine Warfare Center of Excellence, approximately 2,300 military, civilian, and contract employees service the Mine Countermeasures Squadrons and Mine Warfare ships.¹⁸

The BRAC Commission agreed with the DoD's recommendation that NIS be closed and its ships, personnel, equipment, and support move to Naval Station San Diego, California. Specific recommendations also included the following:

- Relocate Commander Mine Warfare Command and Commander Mobile Mine Assembly Group to Fleet Anti-Submarine Warfare Center, Point Loma, CA.
- Relocate Helicopter Mine Countermeasures Squadron 15 (HM-15) and dedicated personnel, equipment and support to Naval Station Norfolk, VA.
- Disestablish Commander Helicopter Tactical Wing US Atlantic Fleet Aviation Intermediate Maintenance Detachment Truax Field at Naval Air Station Corpus Christi, TX, and relocate its intermediate maintenance function for Aircraft Components, Fabrication & Manufacturing, and Support Equipment to Fleet Readiness Center Mid-Atlantic Site Norfolk, VA.¹⁹

The BRAC Commission estimates that the one-time cost of the base's closure will be \$177.1 million, but justified this with an estimated \$59.5 million in annual recurring savings.²⁰ By 2025, the resulting savings are projected to be \$614.2 million. The BRAC Commission estimates that 4,595 total jobs will be lost, both as a direct and indirect result of NSI's eventual closure.²¹



Naval Station Ingleside. Source: Coastal Bend Redevelopment Planning Committee

The Coastal Bend Redevelopment Planning Committee was formed by the Port of Corpus Christi Authority to represent the area residents and provide the direction in the necessary planning to reach a consensus for the redevelopment of the NSI property. The Port of Corpus Christi holds reversionary rights for the property upon which NSI is located, and the Port intends to exercise those rights. As a result, the Port of Corpus Christi will receive 922 acres of base property. The Port recently entered into contract negotiations with a developer to design a reuse plan for the property.²² Further, Congress passed legislation in late 2005 that allowed the property to revert back to the Port at no charge whatsoever - an estimated cost savings of at least \$200 million. According to a Navy timeline, the base should revert back to the Port of Corpus Christi no later than September 2010.

According to the Port, they have been meeting with both Navy and local officials to ensure a successful transfer of the property as well as the redevelopment of its economic activity. The Port plans to work with their developer to assess the highest and best use of the property, attract investment that would well fit our needs, and to create an economic engine that would surpass what we lost. In the meantime, the Port has asked the Navy for an early transfer of unused property particularly in the waterside area of the Navy base.²³

An additional 155 acres of NSI is being redeveloped by the Ingleside Local Redevelopment Authority (ILRA), consisting of members from Nueces County, San Patricio County, the City of Ingleside, and the City of Corpus Christi.²⁴ The 155 acres includes an Electromagnetic Reduction Facility, and 105 of the acres are submerged underwater.²⁵ ILRA has contracted with RKG Associates, Inc. to help redevelop the 155 acre tract.²⁶

Brooks City-Base

The mission San Antonio's Brooks City-Base is to enhance and sustain human performance for dominant air and space power.²⁷ Formerly Brooks Air Force Base, Brooks City-Base is a partnership between the United States Air Force and the City of San Antonio. In July 2002, the Brooks Development Authority (BDA) received the property from the Air Force, with the BDA created to manage, market, lease, and sell property at Brooks City-Base. The BDA is a special district and political subdivision of the State of Texas and is managed by an 11-member board of directors. Brooks City-Base markets itself as San Antonio's premier center for bioscience, biomedical, environmental, and technical research.

The BRAC Commission recommended the closure of Brooks City-Base. Specific recommendations also included the following:

- Relocate the Air Force Audit Agency and 341st Recruiting Squadron to Randolph AFB.
- Relocate the United States Air Force School of Aerospace Medicine, the Air Force Institute of Operational Health, and the Human Systems Development and Acquisition function to Wright-Patterson Air Force Base, OH.
- Relocate the Naval Health Research Center Electro-Magnetic Energy Detachment and the Directed Energy portion of the Human Effectiveness Directorate of the Air Force Research Laboratory to Fort Sam Houston, TX.
- Consolidate the Human Effectiveness Directorate with the Air Force Research Laboratory, Human Effectiveness Directorate at Wright-Patterson Air Force Base, OH.
- Relocate the Air Force Center for Environmental Excellence, the Air Force Medical Support Agency, Air Force Medical Operations Agency, Air Force Element Medical Defense Agency, Air Force Element Medical-DoD, Air Force-Wide Support Element, 710th Information Operations Flight and the 68th Information Operations Squadron to Lackland Air Force Base, TX.
- Relocate the Army Medical Research Detachment to the Army Institute of Surgical Research, Fort Sam Houston, TX.
- Relocate the Non-Medical Chemical Biological Defense Development and Acquisition to Edgewood Chemical Biological Center, Aberdeen Proving Ground, MD.
- Disestablish any remaining organizations.²⁸

The BRAC Commission estimates that the one-time cost of the base's closure at \$325.3 million.²⁹ However, the Commission also estimates that the closure will result in an annual recurring savings of \$102.1 million. The Commission's final report calculates that over 5,700 total jobs will be lost, both as a direct and indirect result of Brooks City-Base's eventual closure.³⁰ Currently, the Air Force continues to utilize Brooks City-Base facilities for missions including aerospace medicine, research and development, and

student training. The Air Force accounts for about 56 percent of the almost 4,000 jobs at Brooks City-Base.³¹



Brooks City-Base. Source: Brooks City-Base

According to Terri Williams, director of economic development for Brooks Development Authority, Brooks will concentrate on positioning the facility as a premier location for science, research, technology, and business.³² Challenges to achieving this goal include the fact that facilities are being conveyed to the Brooks Development Authority "as is." Thus, Brooks Development Authority is responsible for any required renovations, which is estimated by Brooks at \$95 million. This includes bringing buildings up to city code and addressing the lack of paved roadways. Additionally, when the Air Force lease is up in 2011, Brooks will face a loss of \$15 million in annual revenue. Finally, Brooks will lose over 3,000 high paying, high skilled jobs.³³

In order to help meet these challenges, during the 80th Interim, Brooks City-Base received two grants totaling \$1.5 million from the Defense Economic Adjustment Assistance Grant Program.³⁴ Furthermore, the City of San Antonio, Bexar County, and Greater San Antonio Chamber of Commerce established a local Military Transformation Task Force (MTTF) to assess the implications of BRAC decisions. The MTTF has committees which focus on, amongst other issues, transportation and infrastructure, economic development, health care, and education.³⁵

Lone Star Army Ammunition Plant

The Lone Star Army Ammunition Plant (LSAAP) is a 15,000-acre large, government-owned and contractor-operated industrial facility 12 miles west of Texarkana. LSAAP produces high quality explosive items, including artillery cargo, hand grenades,

mines, and components such as detonators, relays, delays, and primers.³⁶ LSAAP leases portions of the facilities to commercial tenants.

The BRAC Commission recommended the closure of LSAAP. Specifically, the Commission recommended the following:

- Relocate the Storage and Demilitarization functions to McAlester Army Ammunition Plant, OK.
- Relocate the 105MM and 155MM Improved Conventional Munitions (ICM) Artillery, Multiple Launch Rocket System (MLRS) Artillery, Hand Grenades, 60MM and 81MM Mortars functions to Milan Army Ammunition Plant, TN.
- Relocate Mines and Detonators/Relays/Delays functions to Iowa Army Ammunition Plant, IA.
- Relocate Demolition Charges functions to Crane Army Ammunition Activity, IN.

The BRAC Commission estimates that the one-time cost of LSAAP's closure will be \$29 million, but justified this with an estimated \$17.3 million in annual recurring savings.³⁷ The Commission stated that the 20-year net present value will be a savings of \$164.2 million. As a result of LSAAP's closure, the BRAC Commission estimates that 149 direct jobs and 79 indirect jobs will be impacted, for a total loss of 228 jobs.³⁸

The Red River Redevelopment Authority (RRRA) is the approved local redevelopment authority for the surplus property at LSAAP. RRRA was established in 1998 as a special purpose district. The 15-member Board of the RRRA is composed of appointees of the mayors of all of the cities within Bowie County, in addition to appointees by the Bowie County Commissioner's Court.³⁹

RRRA has completed the reuse plan for LSAAP and currently projects that LSAAP will be closed by September 30, 2009 at the latest.⁴⁰

Interim Charge Number Three

Monitor and analyze the realignment of the various installations across the state, including but not limited to, Fort Sam Houston in San Antonio, Fort Bliss in El Paso, and Red River Army Depot in Texarkana.

Fort Sam Houston

Located in San Antonio, Fort Sam Houston is a dynamic and growing installation, taking on new missions such as the home of the Army Medical Command headquarters, in addition to command headquarters such as Fifth U.S. Army, U.S. Army South, Fifth Recruiting Brigade, 12th ROTC Brigade, U.S. Navy Regional Recruiting, the San Antonio Military Entrance and Processing Station, and the U.S. Naval School of Health Sciences, Bethesda Detachment.⁴¹

Also located at Fort Sam Houston are Brooke Army Medical Center, the Great Plains Regional Medical Command, Headquarters Dental Command, Headquarters Veterinary Command, the Institute for Surgical Research (trauma/burn center), the Defense Medical Readiness Training Institute, and the Army Medical Department NCO Academy.⁴² Currently, more than 27,000 military and civilian personnel work at the post, with an annual payroll and operating budget of \$2 billion.⁴³ Local purchases made by installation activities total almost \$200 million annually.⁴⁴

The BRAC Commission recommended numerous changes to Fort Sam Houston, including the following:

- Relocating Fort McPherson's Army Contracting Agency Southern Region Headquarters to Fort Sam Houston.
- Relocating part of the Naval Undersea Medical Institute from Groton, CT to Fort Sam Houston.
- Realigning Fort Sam Houston by relocating the installation management functions to Lackland Air Force Base, TX.
- Relocating the Army Installation Management Agency headquarters from Arlington, VA to Fort Sam Houston.
- Relocating the Army Installation Management Agency Northwest Region headquarters and the Army Network Enterprise Technology Command Northwest Region from Rock Island Arsenal, IL to Fort Sam Houston.
- Relocating the Army Family Liaison Office from Arlington, VA to Fort Sam Houston.
- Relocating the Army Contracting Agency headquarters from Falls Church, VA to Fort Sam Houston.
- Relocating the Army Contracting Agency E-Commerce Region headquarters from Alexandria, VA to Fort Sam Houston.
- Relocating the Army Contracting Agency Southern Hemisphere Region headquarters from Fort Buchanan, PR to Fort Sam Houston.

- Relocating the Army Environmental Center from Aberdeen Proving Ground, MD to Fort Sam Houston.
- Relocating enlisted histology technician training from Walter Reed Army Medical Center to Fort Sam Houston.
- Relocating the Combat Casualty Care Research sub-function of the Walter Reed Army Institute of Research and the Combat Casualty Care Research sub-function of the Naval Medical Research Center to the Army Institute of Surgical Research in Fort Sam Houston.
- Relocating, from Brooks City-Base, the Naval Health Research Center Electro-Magnetic Energy Detachment and the Directed Energy portion of the Human Effectiveness Directorate of the Air Force Research Laboratory to Fort Sam Houston.
- Relocating the Army Medical Research Detachment at Brooks City-Base to the Army Institute of Surgical Research in Fort Sam Houston.
- Relocating basic and specialty enlisted medical training from numerous bases to Fort Sam Houston.
- Relocating the Army dental Research Detachment, the Air Force Dental Investigative Service, and the Naval Institute for Dental and Biomedical Research to the Army Institute of Surgical Research in Fort Sam Houston.

As a result of these changes, the BRAC Commission estimates a significant impact to the number of jobs at Fort Sam Houston. The Commission estimates a net increase of 7,625 military jobs, 1,622 civilian jobs, and 92 contractor jobs. Additionally, they report an estimated impact of 8,354 more indirect job changes, for a total increase of 17,693 direct and indirect jobs.⁴⁵ After the growth, Fort Sam Houston will consist of the largest medical technical education training campus in the world, a regional health care management center, and two Army management commands.⁴⁶ The BRAC recommendations will have a \$5.1 billion economic impact on San Antonio during its implementation and an annual impact of \$2.9 billion after completion.⁴⁷



Computer rendering of Medical Education Training Campus. Source: Joint Program Management Office

The City of San Antonio has been working with the Texas Department of Transportation to address road needs, as roads that lead into Fort Sam Houston cannot meet the current or expanded needs of the base. As mentioned previously, the City of San Antonio, Bexar County, and Greater San Antonio Chamber of Commerce established a local Military Transformation Task Force to assess the implications of BRAC decisions. Further, the San Antonio Joint Program Office was created by the DoD to bring all of the military services together in order to assist the community with its BRAC response.⁴⁸

The Joint Program Management Office (JPMO), a partnership between the U.S. Army Corp of Engineers, the Air Force Center for Engineering and the Environment, and the Naval Facilities Engineering Command, is chartered to oversee the design and construction of the BRAC projects in San Antonio.⁴⁹ As of September 29, 2008, JPMO had awarded 24 private contracts worth \$1 billion and had plans to award \$500 million in contracts in both 2009 and 2010.⁵⁰

Fort Bliss

In 2005, Fort Bliss was honored as the Army installation with the highest military value.⁵¹ Made up of approximately 1.1 million acres across Texas and southern New Mexico, Fort Bliss is the largest block of DoD controlled airspace and is larger than the state of Rhode Island. Unsurprisingly, Fort Bliss is the largest maneuver area in the Army at 550 square miles, which is three times the size of the National Training Center. An excellent facility for training, mobilizing, and deploying combat forces, El Paso's Fort Bliss is a U.S. Army Training and Doctrine Command (TRADOC) installation. In addition to TRADOC, the four other major Army commands include the U.S. Army Forces Command, U.S. Northern Command, Medical Command, and Intelligence and

Security Command. Fort Bliss also consists of a large medical facility, William Beaumont Army Medical Center, and Biggs Army Airfield.



Abrams Tank on Fort Bliss. Source: U.S. Army

The BRAC Commission recommended an astounding amount of growth at Fort Bliss, including:

- Relocating air defense artillery units from Fort Bliss to Fort Sill, OK.
- Relocating 1st Armored Division from Germany and Korea to Fort Bliss.
- Relocating maneuver battalions, a support battalion, and aviation units from Fort Hood, TX to Fort Bliss, including the Evaluation Brigade Combat Team, which will conduct experimentation on Future Combat Systems technology and doctrine.
- Close the Roque O Segura United States Army Reserve Center, El Paso, Texas, the Benavidez United States Army Reserve Center, El Paso, Texas, the United States Army Reserve Center #3, Fort Bliss, Texas and the McGregor Range United States Army Reserve Center and Equipment Concentration Site, Fort Bliss New Mexico and relocate units to a new Armed Forces Reserve Center with a Consolidated Equipment Concentration Site and Maintenance Facility on Fort Bliss.
- Relocating all mobilization processing functions from Fort Huachuca, AZ to Fort Bliss, designating it as Joint Pre-Deployment/Mobilization Site Bliss/Holloman.

As a result of these changes, Fort Bliss will grow by around 28,000 soldiers and 38,000 family members.⁵² After the changes are completed in 2012, it is estimated that the installation's population will be over 37,000 servicemembers, 53,000 family members,

and 6,000 civilian employees.⁵³ Further, Fort Bliss will be a completely mounted maneuver installation that will include:

- four heavy combat brigades;
- two combat infantry brigades;
- a combat aviation brigade;
- a sustainment brigade;
- a fire brigade;
- an air defense artillery brigade; and
- various other smaller, battalion-sized support units.⁵⁴

Expected Growth at Fort Bliss, 2006-12

	Baseline 2005		2006	2007	2008	2009	2010	2011	2012	Endstate 2012
Soldiers	9330	+/-	3844	948	2778	2790	9785	4074	3787	28006
		Cumulative	13174	14122	16900	19690	29475	33549	37336	37336
Spouses	4945	+/-	2230	550	1611	1618	5675	2363	2196	16243
		Cumulative	7175	7724	9336	10954	16629	18992	21188	21188
Children	10385	+/-	2952	728	2134	2143	7515	3129	2908	21509
		Cumulative	13337	14065	16199	18341	25856	28985	31894	31894
6-12 years (34%)	3531	+/-	1004	248	725	729	2555	1064	989	7313
		Cumulative	4535	4782	5508	6236	8791	9855	10844	10844
13-18 years (29%)	3012	+/-	856	211	619	621	2179	907	843	6237
		Cumulative	3868	4079	4698	5319	7499	8406	9249	9249
Total School Age	6543	+/-	1860	459	1344	1350	4734	1971	1832	13550
		Cumulative	8403	8862	10206	11556	16290	18261	20093	20093

Source: Team Bliss Base Transformation Office

With the influx of such a large number of family members, the El Paso Independent School District (EPISD) and other area school districts are already making plans to accommodate the new students. Estimates indicate that by 2012, an additional 13,550 new school-age children will arrive in El Paso.⁵⁵ EPISD is planning for this growth by assessing the district's capacity to meet projected growth and is taking steps to remain flexible, as growth may be slower or more rapid than is currently predicted. In 2009 and 2010, EPISD is planning to open an additional four schools.⁵⁶ El Paso-area school districts have recently approved \$875 million in school bonds.⁵⁷

Higher education in El Paso has also responded to the growth at Fort Bliss. El Paso Community College (EPCC) recently prepared and submitted a proposal to acquire a no-cost, long-term lease on approximately 70 acres of Fort Bliss property in order to build a higher education learning complex to serve military personnel and their families.⁵⁸ The proposal is currently pending with the DoD. If approved, EPCC will construct and operate a facility designed initially to accommodate 3,100 students.⁵⁹

In terms of infrastructure needs within El Paso, over \$2.6 billion in infrastructure expansion and construction is planned over the next six to seven years.⁶⁰ The El Paso District of the Texas Department of Transportation (TxDOT) is working to address areas

where traffic is expected to increase the most as a result of the growth, including nine major projects in the Fort Bliss area that are recently completed, currently under construction, or planned for the near future.⁶¹ Additionally, the world's largest inland desalination plant was dedicated near Fort Bliss in August 2007. The \$87 million facility will supply water to Fort Bliss and surrounding areas.⁶²

The City of El Paso is also assessing growth and development trends in preparation for the Fort Bliss expansion. The City received a \$1.2 million grant from the DoD's Office of Economic Adjustment to study the impact of the growth on land use, traffic, education, and housing.⁶³ Of particular concern to the region is the shortage in health care providers that will be exacerbated by the growth at Fort Bliss. By 2017, El Paso will need 615 new physicians and 2,289 new nurses.⁶⁴

Red River Army Depot

Located 15 miles west of Texarkana, Red River Army Depot is an industrial complex specializing in the repair, overhaul, recapitalization, remanufacture, and conversion of combat systems and tactical vehicles.⁶⁵ Red River's resources allow the facility to design, fabricate, and manufacture a wide variety of items, from specialty parts to unique weapon systems and vehicles.

Initially, the DoD recommended the closure of Red River, citing the strategy of minimizing the number of industrial base sites performing depot maintenance for ground missile systems and also increasing opportunities for inter-service workloading. The BRAC Commission, however, disagreed and found that many vehicle and weapons systems repaired at Red River are critical to ongoing efforts in Operations Iraqi Freedom and Enduring Freedom. The Commission was unwilling to take the risk of closing a ground vehicle depot maintenance facility during a time of war.⁶⁶ As a result, the BRAC Commission recommended the following:

- Realign Red River Army Depot, TX. Relocate the storage and demilitarization functions of the Munitions Center to McAlester Army Ammunition Plant, OK.
- Relocate the munitions maintenance functions of the Munitions Center to McAlester Army Ammunition Plant, OK, and Blue Grass Army Depot, KY.
- Relocate the depot maintenance of Tactical Missiles to Letterkenny Army Depot, PA.
- Disestablish the supply, storage, and distribution functions for tires, packaged Petroleum, Oil, and Lubricants, and compressed gases.

These changes will result in a one-time cost of \$150.9 million, with annual recurring savings of \$22.5 million and a 20-year net present value of \$187.7 million worth of savings.⁶⁷



Red River Industrial Complex. Source: Red River Army Depot

Currently, Red River has over 5,000 employees, including Department of Army civilians and contract personnel, for an annual payroll of over \$300 million.⁶⁸ Red River is utilizing its capacity to overhaul combat systems and tactical vehicles.⁶⁹ Red River hosts the Mine Resistant Ambush Protected University, a joint services undertaking aimed at training employees deploying to Southwest Asia. Red River has the only capability within the DoD for recertification of Patriot and HAWK missiles and remanufacture of roadwheel and track vehicle systems.⁷⁰

Interim Charge Number Four

Monitor the implementation of legislation addressed by the Subcommittee on Base Realignment and Closure (BRAC), 80th Legislature, Regular Session, and make recommendations for any legislation needed to improve, enhance, and/or complete implementation. Focus on implementation of the following:

- *SB 962 relating to school districts affected by troop reassignments at military installations,*
- *SB 1237 relating to defense base development authorities,*
- *SB 1724 relating to the Texas Military Facilities Commission,*
- *SB 1743 relating to the Red River Redevelopment Authority,*
- *SB 1956 relating to areas affected by defense restructuring, and*
- *HB 3879 relating to defense base development authorities.*

SB 962

SB 962 by Shapleigh (Haggerty) provided for a school district's wealth per student to be reduced by 25 percent for ranking purposes under the Instructional Facilities Allotment (IFA) awards process if the district can demonstrate that it must construct, acquire, renovate, or improve one or more instructional facilities to serve the children of military personnel who have been transferred to a military base in or near the school district under the Defense Base Closure and Realignment Act of 1990. The reduction in wealth per student would be in addition to other prescribed reductions related to the priority ranking. In addition, the bill would amend the Existing Debt Allotment (EDA) by entitling districts that demonstrate the need to construct or renovate facilities to serve children of military personnel to EDA state aid based on the district's current year tax rate instead of the rate from the final year of the preceding biennium.

In August 2008, the Texas Education Agency announced that El Paso Independent School District (EPISD) had received preliminary approval for state support of \$9,773,773 in school instructional facilities approved by El Paso voters in 2007. If finally approved, EPISD will receive an estimated \$3,534,490 in state IFA aid to help pay the cost of those facilities.⁷¹ As a result of that aid, El Paso taxpayers will have their property tax rate needed to pay for these facilities reduced by about 2.7 cents, from nearly 7.4 cents to about 4.7 cents per \$100 of assessed valuation. This represents a savings of over 36 percent from the taxes that would otherwise be needed, or \$27 for a home with a taxable value of \$100,000.⁷²

The 25 percent wealth reduction for BRAC facilities in SB962 moved EPISD from 113th to 53rd in the rankings, helping to assure IFA funding for the district. EPISD was the only district in the state that applied for funding under this provision.⁷³

SB 962's limitation on state aid from the EDA for BRAC facilities also helped EPISD receive an additional \$861,788 in EDA aid during the 2007-08 school year and will result in additional aid in the coming year, as well.⁷⁴

SB 1237 and HB 3879

SB 1237 by Uresti et al. (Menendez et al.) and HB 3879 by Menendez (Uresti) passed with identical language, so the two bills will be analyzed together. The bills allowed a defense base development authority to establish and operate an inland port and related port facilities to engage in world trade. The bills also authorized a defense base development authority to hold meetings via telephone conference call, video conference call, or by other similar telecommunication device. According to Port San Antonio, the Port has benefited from the clarification regarding operating an inland port by providing a platform for various public private initiatives, including a specific focus on developing trade-related distribution, logistics, and value added activities.⁷⁵

SB 1237 and HB 3879 resolved a minor conflict in the language of the statute governing the authority's exercise of eminent domain and provided further restrictions on the exercise of eminent domain to ensure that the eminent domain can be used only in connection with projects meeting the statutory purposes of the authority. The Port has not utilized its eminent domain powers since the passage of SB 1237 and HB 3879.⁷⁶

Finally, SB 1237 and HB 3879 also provided that the members of a board or committee of the authority may participate and conduct business in a public meeting of the authority by telephone if the president, vice-president, chairperson or vice chairperson of the board or committee is physically present at the public meeting. The Port stated that the legislative change was sought to accommodate schedules of volunteer board members, many of whom work. The Port has taken advantage of the teleconference capability.⁷⁷

SB 1724

SB 1724 by Ogden (Noriega) abolished the Texas Military Facilities Commission (TMFC) and transferred its functions to the Adjutant General's Department (AGD). According to the AGD, on October 1, 2007, the TMFC, Director of Facilities and Engineering, and Environmental Program offices merged to become the Facilities Directorate.⁷⁸ Acting chiefs were selected for the Plans and Programming, Resources and Contracting, Facilities Management, and Design and Project Management Branches with the Environmental Branch Chief remaining in his position.⁷⁹

The AGD reported that the combining of the three organizations made for unique challenges, but no stoppage or delay of work could be allowed due to the mobilization of the 56th Brigade and the requirement to construct facilities to support their pre-mobilization activities at four training sites. Differing accounting and project

management and construction systems and procedures had to be combined. Since the three organizations periodically worked together, these were not insurmountable obstacles – best practices were applied to each branch or program and processes and procedures that worked better at the TMFC were applied when appropriate.⁸⁰

At the end of FY08, the Facilities Directorate had contracted two BRAC projects: Houston at \$47 million and El Paso/Fort Bliss at \$30 million. Additionally, the Directorate has military construction projects at Camp Bowie and Fort Wolters for \$1.4 million and \$2.26 million respectively. A \$1.2 million military construction project at Laredo and over \$8 million of sustainment, restoration, and modernization projects throughout the state were also contracted for with some being completed by the end of September. Major projects planned this fiscal year include one BRAC project, three complete re-roofs, and seven major renovations at readiness centers throughout the state. Numerous smaller sustainment, restoration, and renovation projects are planned as well.

SB 1743

SB 1743 by Eltife (Frost et al.) gave the Red River Redevelopment Authority (RRRA) additional powers provided under the Development Corporation Act of 1979 and to a rural and urban transit district. The bill prohibited the authority from imposing a tax and limited its use of the power of eminent domain. As of August 2008, RRRA had not exercised the additional powers granted by SB 1743.⁸¹

SB 1912

SB 1912 by Shapleigh (Haggerty) requires the temporary certification period of an educator employed by a school district that has constructed or expanded at least one instructional facility as a result of increased student enrollment due to action taken under the Defense Base Closure and Realignment Act of 1990 to expire one year after the State Board for Educator Certification informs the educator of the examination or examinations which educator is required to perform successfully to receive a standard certificate.

According to the Texas Education Agency, no one has utilized the provisions of SB 1912 as of November 2008.⁸²

SB 1956

SB 1956 by Van de Putte et al. (Corte) transferred the general powers and duties of the Defense Economic Adjustment Assistance Grant (DEAAG) program, including rulemaking authority previously granted to the now-defunct Texas Department of Commerce, to the Texas Military Preparedness Commission (TMPC). The bill also revised the criteria that the commission is required to establish so that it focuses on evaluation-based equity, authorizes applications to the program to be evaluated on the

positive effect and job gain, in addition to the adverse effect and job loss, and repeals provisions relating to revolving loans to communities affected by BRAC.

According to the TMPC, they incorporated the provisions of SB 1956 and awarded the following DEAAG grants in 2007:

Community	\$ Requested	\$ Received	Project Description	Jobs	BRAC Impact
Brooks City Base 1	\$1,375,000	\$1,375,000	Road extension	150	Negative
Port of San Antonio	\$1,299,500	\$1,299,500	Infrastructure improvements	850	Negative
Gatesville	\$2,000,000	\$630,000	Lab building construction	200	Positive
Beeville	\$400,000	\$400,000	Hangar construction	60	Negative
Ingleside	\$1,073,600	\$386,000	Wastewater plant repair	285	Negative
Bowie County	\$428,800	\$348,000	Street/building repair	55	Negative
Brooks City Base 2	\$125,000	\$125,000	Building HVAC install	6	Negative
Robstown	\$794,439	\$64,800	Sewer line install	50	Negative
McGregor*	\$500,000	\$0	Spec industrial building	44	Negative
*Naval Weapons Industrial Reserve Plant McGregor was closed in the 1995 BRAC round					

Source: Texas Military Preparedness Commission⁸³

Recommendations

1. The Legislature should consider more adequately funding the Defense Economic Adjustment Assistance Grant (DEAAG) program to assist BRAC-affected defense communities.
2. The Legislature should continue to monitor the Texas Education Agency's progress in reaching reciprocity agreements to expedite the transfer of military dependents to Texas' school system.
3. The Legislature should support recruitment and retention of key health care professionals in BRAC-impacted communities like El Paso and San Antonio.
4. The Legislature should continue to monitor whether Texas defense communities such as Corpus Christi, El Paso, and Texarkana require specific legislation directed at their redevelopment needs as they continue through the redevelopment process.
5. The Legislature should support the addition of personnel and funding for the Texas Military Preparedness Commission to better serve defense-dependent communities affected by BRAC.
6. The Legislature should create a system to help expedite the licensing and certification process for military dependents transferring to Texas.
7. The Legislature should continue to monitor BRAC-impacted school districts to ensure that they have adequate state support to meet the needs of the rapidly growing student population.

**Base Realignment and Closure
December 2008**

A Report to the 81st Legislature

Appendix One - Hearing Agendas

Hearings:

- May 13, 2008 - El Paso
- June 12, 2008 - Corpus Christi
- September 29, 2008 - San Antonio
- November 20, 2008 - Texarkana

- Joint Hearing -
Base Realignment and Closure Subcommittee
Veteran Affairs and Military Installations Committee
Defense Affairs and State-Federal Regulations
Committee

May 13, 2008
9:00 AM
El Paso, Texas

Agenda

1. Call to Order
2. Welcome and Remarks
3. Recognition of Fallen Veterans
4. Invited Testimony
 - a. COL Edward Manning - Ft. Bliss Garrison Commander
 - b. Richard Dayoub - President, Greater El Paso Chamber of Commerce
 - c. Mathew McElroy - Military Growth & Expansion Coordinator, City of El Paso
 - d. Bob Cook - President, REDCo
 - e. Education Panel
 - i. Dr. Richard Rhodes - President, El Paso Community College
 - ii. Dr. Lorenzo Garcia - Superintendent, El Paso ISD
 - iii. Dr. Dennis Soden - Dean, University College, University of Texas-El Paso
 - f. Health and Services Panel
 - i. LTC Timothy Edman - Chief of Staff, William Beaumont Army Medical Center
 - ii. Gary Larcenaire - CEO, El Paso Mental Health & Mental Retardation
 - iii. Dr. Manny de la Rosa - Dean, Texas Tech University Health Science Center El Paso
 - iv. Stephanie Dodson - Executive Director, El Paso Center Against Family Violence
 - g. Workforce Panel

- i. Lorenzo Reyes - CEO, Workforce Solutions Upper Rio Grande
- h. Infrastructure Panel
 - i. Chuck Berry - TxDOT
 - ii. Ed Archuleta - El Paso Water Utilities Public Service Board

5. Adjournment

This agenda is subject to change at the discretion of the Chair.

Base Realignment and Closure Subcommittee

June 12, 2008

9:00 AM

Corpus Christi City Council Chamber
1201 Leopard Street
Corpus Christi, Texas

Agenda

1. Call to Order
2. Welcome and Remarks, Senator Eliot Shapleigh
3. Other Guests Remarks
4. Invited Testimony
 - a. Mayor Henry Garrett, City of Corpus Christi
 - b. Mayor Stella Herrmann, City of Ingleside
 - c. Rosie Collin, Project Manager, Ingleside Local Redevelopment Authority
 - d. Mayor Howard Gillespie, City of Ingleside on the Bay
 - e. Mayor Pro Tem JoAnn Ehmann, City of Ingleside on the Bay
 - f. Ruben Bonilla, Jr., Chairman, Port of Corpus Christi Authority
 - g. John LaRue, Executive Director, Port of Corpus Christi Authority
 - h. Dick Messbarger, Executive Director, Greater Kingsville Economic Development Council
 - i. Roland Mower, CEO, Corpus Christi Regional Economic Development Corporation
 - j. Mary Ann Rojas, CEO, WorkSource of the Coastal Bend
 - k. John Barrett, Vice President, San Patricio County Rural Rail Transportation District
5. Announcements
6. Adjournment

This agenda is subject to change at the discretion of the Chair.

Base Realignment and Closure Subcommittee

September 29, 2008

9:00 AM

San Antonio City Council Chamber

San Antonio, Texas

Agenda

1. Call to Order
2. Welcome and Remarks, Senator Eliot Shapleigh
3. Other Guests Remarks
4. Invited Testimony
 - l. Judge Nelson Wolff, Bexar County
 - m. Councilmember Sheila McNeil, City of San Antonio
 - n. Dr. Cem Maxwell, San Antonio Joint Program Office
 - o. Randy Holman, U.S. Army Corps of Engineers
 - p. Terri Williams, Brooks Development Authority
 - q. Chairs of Military Transformation Task Force:
 - a. Michael Novak, San Antonio Greater Chamber of Commerce
 - b. Commissioner Lyle Larson, Bexar County
 - r. Russ Freeman, The DiLuzio Group
 - s. Chakib Chehadi, Workforce Solutions Alamo
 - t. Richard Perez, Greater San Antonio Chamber of Commerce
5. Announcements
6. Adjournment

This agenda is subject to change at the discretion of the Chair.

Base Realignment and Closure Subcommittee

November 20, 2008

9:00 AM

Texarkana, Texas

Agenda

1. Call to Order
2. Welcome and Remarks, Senator Eliot Shapleigh
3. Other Guests Remarks
4. Invited Testimony
 - a. Judge James Carlow – Bowie County
 - b. Bill Cork – Executive Director, Red River Redevelopment Authority
 - c. Denis Washington – Chairman, Red River Redevelopment Authority
 - d. Matt Dibas – Day and Zimmermann
 - e. Ken Elliott – Day and Zimmermann
 - f. Wes Jordan – Counsel, Red River Redevelopment Authority
 - g. Jerry Sparks – Director of Economic Development, Texarkana Regional Chamber of Commerce
 - h. Dr. Bix Rathburn – President, Texas A&M University-Texarkana
 - i. Representative of the Command Group – Red River Army Depot
5. Announcements
6. Adjournment

This agenda is subject to change at the discretion of the Chair.

**Base Realignment and Closure
December 2008**

A Report to the 81st Legislature

Appendix Two - Hearing Presentations

Hearing dates and locations:

- May 13, 2008 - El Paso
- June 12, 2008 - Corpus Christi
- September 29, 2008 - San Antonio
- November 20, 2008 - Texarkana

Presentations from the El Paso hearing

SEE HARDCOPY

Presentations from the Corpus Christi hearing

SEE HARDCOPY

Presentations from the San Antonio hearing

SEE HARDCOPY

Presentations from the Texarkana hearing

SEE HARDCOPY

**Base Realignment and Closure
December 2008**

A Report to the 81st Legislature

Appendix Three - Bills

Bills:

- SB 962, 80th Texas Legislature
- SB 1237, 80th Texas Legislature
- SB 1724, 80th Texas Legislature
- SB 1743, 80th Texas Legislature
- SB 1956, 80th Texas Legislature
- HB 3879, 80th Texas Legislature

S.B. 962

AN ACT

relating to funding under the instructional facilities allotment and to payment of existing debt for school districts affected by troop reassignments at military installations.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 46.006, Education Code, is amended by adding Subsection (c-2) and amending Subsection (d) to read as follows:

(c-2) A district's wealth per student is reduced by 25 percent for purposes of this section if the district demonstrates to the commissioner's satisfaction that the district must construct, acquire, renovate, or improve one or more instructional facilities to serve the children of military personnel transferred to a military installation in or near the district under the Defense Base Closure and Realignment Act of 1990 (10 U.S.C. Section 2687). The reduction is in addition to any reduction under Subsection (a), (b), or (c) and is computed before the district's wealth per student is reduced under those subsections, if applicable. This subsection expires September 1, 2012.

(d) The commissioner shall adjust the rankings after making the reductions in wealth per student required by Subsections (a), (b), [~~and~~] (c), and (c-2).

SECTION 2. Effective September 1, 2012, Subsection (d), Section 46.006, Education Code, is amended to read as follows:

(d) The commissioner shall adjust the rankings after making the reductions in wealth per student required by Subsections (a), (b), and (c).

SECTION 3. Section 46.034, Education Code, is amended by adding Subsection (b-1) to read as follows:

(b-1) Notwithstanding Subsection (b), a school district is entitled to state assistance under this subchapter based on the district's tax rate for the current school year if the district demonstrates to the commissioner's satisfaction that the district meets the criteria under Section 46.006(c-2).

SECTION 4. Except as otherwise provided by this Act, this Act takes effect September 1, 2007.

S.B. 1237

AN ACT

relating to the powers and duties of defense base development authorities; modifying the power of eminent domain.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Chapter 379B, Local Government Code, is amended by adding Section 379B.0041 to read as follows:

Sec. 379B.0041. INLAND PORT AND TRADE POWERS. (a) The authority may establish and operate an inland port and related port facilities to engage in world trade.

(b) The authority may participate in national and international agreements advancing world trade at the port.

SECTION 2. Section 379B.0045, Local Government Code, is amended to read as follows:

Sec. 379B.0045. EMINENT DOMAIN. (a) An authority or an authority whose subject property is within the territorial limits of a municipality may exercise the power of eminent domain to acquire property in [~~or adjacent to~~] the base property or in an area surrounding the base only in the manner provided by Chapter 21, Property Code.

(b) Before the authority initiates an eminent domain proceeding to acquire property, the board must:

(1) adopt a master development and redevelopment plan for the property in [~~or adjacent to~~] the base property or in an area surrounding the base and incorporate

and approve the plan as part of the master plan of the municipality in which the base property is located; and

(2) find, after conducting a public hearing, that:

(A) notice of the hearing was published in a newspaper of general circulation in the municipality in which the base property is located not later than the 15th day before the date of the hearing;

(B) the property lies in a redevelopment project designated under Section 379B.009 [~~378.009, as added by Chapter 1221, Acts of the 76th Legislature, Regular Session, 1999~~]; and

(C) the use of eminent domain is necessary to acquire the property to carry out the essential objectives of the master development and redevelopment plan as approved by the municipality.

SECTION 3. Chapter 379B, Local Government Code, is amended by adding Section 379B.0085 to read as follows:

Sec. 379B.0085. HEARINGS BY TELEPHONE OR SIMILAR MEANS.

(a) As an exception to Chapter 551, Government Code, and other law, if the president or vice president of a board, or chairperson or vice chairperson of a board committee, is physically present at a meeting of the board or committee, any number of the other members of the board or committee may attend the meeting by use of telephone conference call, video conference call, or other similar telecommunication device. This subsection applies for purposes of constituting a quorum, for purposes of voting, and for any other purpose allowing a board or committee member to otherwise

fully participate in any board or committee meeting. This subsection applies without exception with regard to the subject of the meeting or topics considered by the members.

(b) A meeting held by use of telephone conference call, video conference call, or other similar telecommunication device:

(1) is subject to the notice requirements applicable to other meetings;

(2) must specify in the notice of the meeting the location of the meeting at which the president, vice president, chairperson, or vice chairperson will be physically present;

(3) must be open to the public and audible to the public at the location specified in the notice of the meeting as the location of the meeting at which the president, vice president, chairperson, or vice chairperson will be physically present; and

(4) must provide two-way audio communication between all board or committee members attending the meeting during the entire meeting, and if the two-way audio communication link with any member attending the meeting is disrupted at any time, the meeting may not continue until the two-way audio communication link is reestablished.

SECTION 4. Subsection (a), Section 379B.009, Local Government Code, is amended to read as follows:

(a) The board may designate as a redevelopment project a project that relates to:

(1) the development of base property and the surrounding areas; or

(2) the development of property directly related to the purposes or goals of the authority [~~a defense base in the territory of the municipality that established the authority and areas surrounding that base~~].

SECTION 5. The change in law made by Section 379B.0085, Local Government Code, as added by this Act, applies only to a meeting of the board of directors of a defense base development authority or a meeting of a board committee that occurs on or after the effective date of this Act.

SECTION 6. This Act takes effect September 1, 2007.

S.B. 1724

AN ACT

relating to abolishing the Texas Military Facilities Commission and transferring its functions to the adjutant general.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 431.018, Government Code, is amended to read as follows:

Sec. 431.018. **MILITARY FACILITIES PROJECTS: MATCHING FEDERAL FUNDS.** If the governor, after consulting with the adjutant general ~~and the executive director of the Texas Military Facilities Commission~~, finds that the state is eligible for federal matching funds for projects at military facilities in this state, the governor may direct that money appropriated for the purpose be used to obtain the federal matching funds.

SECTION 2. Section 431.021, Government Code, is amended to read as follows:

Sec. 431.021. DEFINITIONS ~~DEFINITION~~. In this subchapter:

- (1) "Bond" includes a debenture or other evidence of indebtedness.
- (2) "Department" ~~,"department"~~ means the adjutant general's department.

SECTION 3. Section 431.023, Government Code, is amended to read as follows:

Sec. 431.023. **SUNSET PROVISION.** The adjutant general's department is subject to Chapter 325 (Texas Sunset Act). Unless continued in existence as provided by that chapter, the department is abolished and this subchapter expires September 1, 2015 ~~2009~~.

SECTION 4. Section 431.030, Government Code, is amended to read as follows:

Sec. 431.030. REPORT OF MILITARY USE OF PROPERTY. (a) ~~[Except as provided by Subsection (b), the adjutant general, for and on behalf of the state, may lease from the Texas Military Facilities Commission a building, its site, and the equipment in it, as provided by Section 435.023, for use as an armory or for another proper purpose. The adjutant general may renew the lease.~~

~~[(b) If adequate facilities for armory purposes are available for rental from the Texas Military Facilities Commission in or about a municipality, the adjutant general may not lease property in or about the municipality for those purposes from a person other than the commission.~~

~~[(c) If all or part of a state-owned Texas National Guard camp and the land, improvements, buildings, facilities, installations, and personal property connected with the camp are designated by the adjutant general as surplus or are in excess of the needs of the Texas National Guard or its successors or components, the adjutant general, for and on behalf of the state, may transfer the property to the Texas Military Facilities Commission for administration, sale, or other proper disposal. Before declaring property as surplus and transferring it to the commission, the adjutant general may remove, sever, dismantle, or exchange all or part of the property for the use and benefit of the Texas National Guard or its successors.~~

~~[(d) For the purposes of this section, "lease" includes "sublease."~~

~~[(e)] If the adjutant general receives notice from the asset management division of the General Land Office as provided by Section 31.156, Natural Resources Code, the adjutant general shall produce a report evaluating the military use of any real property under the management and control of the department ~~for the Texas National Guard~~~~

~~Armory Board~~]. The adjutant general shall evaluate the use of the property as required by this subsection according to military criteria for use of real property.

(b) [(f)] Not later than August 1 of the year in which the Commissioner of the General Land Office submits a report as provided by Section 31.157, Natural Resources Code, the adjutant general shall submit a preliminary report of the report required under Subsection (a) [(e)] to the Commissioner of the General Land Office identifying the real property used for military purposes. Not later than September 1 of the year in which the Commissioner of the General Land Office submits a report as provided by Section 31.157, Natural Resources Code, the adjutant general shall submit the report as required by Subsection (a) [(e)] to:

- (1) the governor;
- (2) the presiding officer of each house of the legislature;
- (3) the Legislative Budget Board; and
- (4) the governor's budget office.

SECTION 5. Subsection (c), Section 431.045, Government Code, is amended to read as follows:

(c) The governing body of a county or municipality, on behalf of the county or municipality, may donate to the adjutant general [~~Texas Military Facilities Commission~~], or to a unit for transfer to the adjutant general [~~that commission~~], land for use as a state military forces facility [~~site for an armory or other building suitable for use by a unit~~]. The donation may be in fee simple or otherwise.

SECTION 6. Sections 435.013, 435.014, 435.021, 435.022, 435.023, 435.024, 435.025, 435.026, and 435.027, Government Code, are transferred to Subchapter B,

Chapter 431, Government Code, redesignated respectively as Sections 431.0291, 431.0293, 431.0301, 431.0302, 431.0303, 431.0304, 431.0305, 431.0306, and 431.0361, Government Code, and amended to read as follows:

Sec. 431.0291 [~~435.013~~]. GENERAL POWERS. (a) The adjutant general [~~commission~~] is the exclusive authority for the construction, repair, and maintenance of state military forces [~~National Guard~~] armories, facilities, and improvements owned by the state located on department [~~commission~~] property. The adjutant general in this capacity [~~commission~~] is a public authority and a body politic and corporate and has all powers necessary for the acquisition, construction, rental, control, maintenance, operation, and disposition of state military forces [~~Texas National Guard or Texas State Guard~~] facilities and real property, including all property and equipment necessary or useful in connection with the facilities.

(b) The adjutant general in this capacity [~~commission~~] may:

- (1) sue and be sued;
- (2) enter into contracts in connection with any matter within the adjutant general's [~~its~~] purposes or duties in this capacity; and
- (3) have and use a corporate seal.

Sec. 431.0293 [~~435.014~~]. PUBLIC COMMENT [~~HEARINGS~~]. The adjutant general [~~commission~~] shall develop and implement policies that provide the public with a reasonable opportunity to appear before the department [~~commission~~] and to speak on any issue related to the construction, repair, and maintenance of state military forces armories, facilities, and improvements under the jurisdiction of the adjutant general [~~commission~~].

Sec. 431.0301 [~~435.021~~]. ACQUISITION; MANAGEMENT; PLEDGE OF RENTS, ISSUES, AND PROFITS. (a) The adjutant general [~~commission~~] by gift, lease, or purchase may acquire real and personal property, including leasehold estates in real property, for use for any purpose the adjutant general [~~commission~~] considers necessary in connection with the state military forces [~~Texas National Guard~~] or for the use of units of the state military forces [~~Texas National Guard~~].

(b) The adjutant general [~~commission~~] by gift, purchase, or construction may acquire furniture and equipment suitable for facility purposes.

(c) The adjutant general [~~commission~~] may hold, manage, maintain, lease, or sell the [~~its~~] property and may pledge all or part of the rents, issues, and profits of the property.

Sec. 431.0302 [~~435.022~~]. CONSTRUCTION; FURNISHING AND EQUIPMENT. (a) The adjutant general [~~commission~~] may construct buildings on department [~~its~~] real property, whether held in fee simple or otherwise. The adjutant general [~~commission~~] may furnish and equip the buildings.

(b) The adjutant general [~~commission~~] may construct a building on land comprising a state camp only on a site selected and described by a board of officers. The adjutant general shall select the officers from time to time for that purpose. The officers shall select and describe the site promptly after request by the [~~commission to the~~] adjutant general. [~~The site may not exceed 200,000 square feet.~~] The officers shall certify the description [~~to the commission~~] and furnish a copy of it to the adjutant general, who shall preserve it in the adjutant general's office. If the adjutant general [~~commission~~] constructs a building on the site selected and described, the site becomes the property of

the adjutant general [~~commission~~] for all purposes of this chapter as if the site had been acquired by gift to or purchase by the adjutant general [~~commission~~].

(c) If the construction is going to be financed by the issuance of revenue bonds, the adjutant general shall request the Texas Public Finance Authority to issue revenue bonds to pay for the construction.

Sec. 431.0303 [~~435.023~~]. LEASE OF PROPERTY. (a) [~~The commission may execute and deliver a lease that leases to the state a building, its site, and the equipment in it. The adjutant general shall execute the lease for the state as provided by Section 431.030. The commission shall determine a lawful term of the lease and may renew the lease from time to time.~~

~~(b) The commission may make the annual rent charged the state under the lease payable in installments. The amount of the rent must be sufficient to:~~

~~[(1) provide for the operation and maintenance of the property;~~

~~[(2) pay the interest on, provide for the retirement of, and pay the expenses related to the issuance of, any bonds issued to acquire, construct, or equip the property; and~~

~~[(3) pay the commission's necessary expenses not otherwise provided for.~~

~~(e) The adjutant general [~~commission~~] may lease [the] property to any person under terms the adjutant general [~~commission~~] determines [if the state fails or refuses to:~~

~~[(1) lease the property;~~

~~[(2) renew an existing lease at the rent provided to be paid; or~~

~~[(3) pay the rent required in the lease].~~

(b) ~~(d)~~ The law requiring notice and competitive bids does not apply to a lease under this section.

(c) ~~(e)~~ For the purposes of this section the term "lease" includes "sublease."

Sec. 431.0304 ~~[435.024]~~. TRANSFER TO STATE. When property that the Texas Public Finance Authority ~~[commission]~~ owns in accordance with Section 431.0307 is fully paid for and free of liens, and all obligations incurred in connection with the acquisition and construction of the property have been fully paid, the Texas Public Finance Authority ~~[commission]~~ may donate and transfer the property to the state by appropriate instruments of transfer. The instruments of transfer shall be kept in the custody of the adjutant general's department.

Sec. 431.0305 ~~[435.025]~~. DISPOSAL OF CERTAIN SURPLUS ~~[COMMISSION]~~ PROPERTY. (a) When property that the adjutant general ~~[commission]~~ owns or that is transferred to the state under Section 431.0304 is fully paid for and free of liens, and all obligations incurred in connection with the acquisition and construction of the property have been fully paid, the adjutant general ~~[commission]~~ may properly dispose of the property if:

(1) the property is designated by ~~[the commission and]~~ the adjutant general as surplus; and

(2) the disposal is in the best interests of the adjutant general ~~[commission]~~ and the state military forces ~~[Texas National Guard]~~ and its components or successors.

(b) ~~[The commission may receive from the adjutant general a state-owned national guard camp and all the land, improvements, and personal property connected with it. The commission may:~~

~~[(1) administer the property with its other property; or~~

~~[(2) properly dispose of the property if:~~

~~[(A) the property is designated by the commission and adjutant general as surplus; and~~

~~[(B) the disposal is in the best interests of the Texas National Guard and its components or successors.~~

~~[(e)]~~ To accomplish the purposes of Subsection (a) ~~[Subsections (a) and (b)]~~, the adjutant general ~~[commission]~~ may remove, dismantle, or sever any of the property or authorize its removal, dismantling, or severance.

~~(c) [(d)]~~ If property under this section is designated for sale, the adjutant general ~~[commission]~~ shall sell it to the highest bidder for cash. The adjutant general ~~[commission]~~ may reject any or all bids.

~~(d) [(e)]~~ If property under this section is designated for exchange, the adjutant general ~~[commission]~~ may exchange the property for one or more parcels of land equal to or exceeding the value of the ~~[commission-owned]~~ property to be exchanged by the adjutant general.

~~(e) A [(f) Except as provided by Subsection (g)(1), a]~~ sale, deed, or exchange made under this section must reserve to the state a one-sixteenth mineral interest free of cost of production.

~~(f) [(g)]~~ The adjutant general ~~[commission]~~ may:

(1) reconvey to the original grantor or donor all rights, title, and interests, including mineral interests, to all or part of the land conveyed by that person; and

(2) convey to the original grantor or donor, on a negotiated basis at fair market value, improvements constructed on the land reconveyed.

(g) ~~(h)~~ The adjutant general ~~[commission]~~ shall deposit proceeds of sales under this section in the state treasury to the credit of the adjutant general ~~[commission]~~ for the use and benefit of the state military forces ~~[Texas National Guard or its components or successors]~~.

Sec. 431.0306 ~~[435.026]~~. TAX STATUS OF PROPERTY. Property held by the adjutant general ~~[commission]~~ and rents, issues, and profits of the property are exempt from taxation by the state, a municipality, a county or other political subdivision, or a taxing district of the state.

Sec. 431.0361 ~~[435.027]~~. GRONER A. PITTS NATIONAL GUARD ARMORY. The Texas National Guard armory located in Brownwood, Texas, is named the Groner A. Pitts National Guard Armory in honor of Groner A. Pitts.

SECTION 7. Section 435.041, Government Code, is transferred to Subchapter B, Chapter 431, Government Code, redesignated as Section 431.0292, Government Code, and amended to read as follows:

Sec. 431.0292 ~~[435.041]~~. BORROWING MONEY; ISSUING AND SELLING BONDS. (a) The department ~~[commission]~~ from time to time may borrow money under circumstances allowed by the Texas Constitution and may request the Texas Public Finance Authority, on behalf of the department ~~[commission]~~, to issue and sell fully

negotiable bonds to acquire one or more building sites or buildings or to construct, remodel, repair, or equip one or more buildings.

(b) The Texas Public Finance Authority may sell the bonds in any manner it determines to be in the best interest of the department [~~commission~~], except that it may not sell a bond that has not been approved by the attorney general and registered with the comptroller. [~~The Texas Public Finance Authority is subject to all rights, duties, and conditions set forth in this subchapter with respect to the issuance of bonds by the commission, including the issuance of refunding bonds under Section 435.048.~~]

SECTION 8. Subchapter B, Chapter 431, Government Code, is amended by adding Section 431.0294 to read as follows:

Sec. 431.0294. REAL PROPERTY ADVISORY COMMITTEE. (a) The real property advisory committee is composed of the following seven members:

(1) two assistant adjutants general; and

(2) five public members who are not actively serving in the Texas National Guard and who have experience in architecture, construction management, engineering, property management, real estate services, or real property law.

(b) Members of the advisory committee are appointed by and serve at the will of the adjutant general.

(c) The adjutant general shall designate one of the public members of the advisory committee as the presiding officer of the advisory committee to serve in that capacity at the pleasure of the adjutant general.

(d) The committee shall meet at least two times each fiscal year to advise the adjutant general on:

- (1) the facility master plan;
- (2) the future year defense plan;
- (3) the long range construction plan;
- (4) the selection of architecture and engineering firms;
- (5) requests for bonding authority for state military facilities;
- (6) the disposal or sale of department property;
- (7) surface leases of department property;
- (8) natural resources management plans; and
- (9) environmental studies and agreements.

(e) Each public member of the advisory committee is entitled to a per diem as provided by the General Appropriations Act for each day that the member engages in the business of the committee.

(f) Each member of the advisory committee is entitled to reimbursement for meals, lodging, transportation, and incidental expenses:

(1) under the rules for reimbursement that apply to the member's office or employment, if the member is a state officer or employee; or

(2) as provided by the General Appropriations Act if the member is not a state officer or employee.

(g) The advisory committee is not subject to Chapter 2110.

SECTION 9. Subchapter B, Chapter 431, Government Code, is amended by adding Section 431.0307 to read as follows:

Sec. 431.0307. PROPERTY FINANCED BY REVENUE BONDS.

Notwithstanding any other provision of this chapter, property used by the state for

military purposes that was acquired, constructed, remodeled, or repaired using money from revenue bonds and that has not yet been transferred under Section 431.0304 is owned by the Texas Public Finance Authority and a reference to the adjutant general in this chapter in relation to that ownership means the Texas Public Finance Authority until the property is transferred.

SECTION 10. Subsections (a) and (c), Section 109.47, Education Code, are amended to read as follows:

(a) The board may select and lease a portion of the campus to the Texas National Guard for the purpose of erecting an armory and other buildings suitable for use by the Texas National Guard. The board may enter into a lease contract with the adjutant general [~~Texas Military Facilities Commission~~] on terms which are suitable and satisfactory to the board for a term of not more than 99 years.

(c) The board may permit the adjutant general [~~Texas National Guard Armory Board~~] and the Texas National Guard and any of its subdivisions ingress upon and egress from the campus for the purpose of going to and from the armory and other buildings and the drill ground.

SECTION 11. Subsection (e), Section 31.156, Natural Resources Code, is amended to read as follows:

(e) In any year that the division will evaluate real property under the management and control of the adjutant general's department [~~or the Texas Military Facilities Commission~~], the division shall notify the department [~~and the commission~~] before the division begins the evaluation.

SECTION 12. Subsection (d), Section 31.157, Natural Resources Code, is amended to read as follows:

(d) If under the adjutant general's report submitted as provided by Section 431.030, Government Code, the adjutant general determines that real property under the management and control of the adjutant general's department ~~for the Texas Military Facilities Commission~~ is used for military purposes, the commissioner may not recommend a real estate transaction involving that real property in the final report submitted as provided by Subsection (e).

SECTION 13. Section 1232.101, Government Code, is amended to read as follows:

Sec. 1232.101. ISSUANCE OF BONDS FOR CERTAIN STATE AGENCIES.
With respect to all bonds authorized to be issued by or on behalf of the adjutant general's department [~~Texas Military Facilities Commission~~], Texas National Research Laboratory Commission, Parks and Wildlife Department, Texas Low-Level Radioactive Waste Disposal Authority, Stephen F. Austin State University, Midwestern State University, and Texas Southern University, the authority has the exclusive authority to act on behalf of those entities in issuing bonds on their behalf. In connection with those issuances and with the issuance of refunding bonds on behalf of those entities, the authority is subject to all rights, duties, and conditions surrounding issuance previously applicable to the issuing entity under the statute authorizing the issuance. A reference in an authorizing statute to the entity on whose behalf the bonds are being issued applies equally to the authority in its capacity as issuer on behalf of the entity.

SECTION 14. Subchapter C, Chapter 1232, Government Code, is amended by adding Section 1232.1025 to read as follows:

Sec. 1232.1025. ISSUANCE OF BONDS FOR MILITARY FACILITIES.

(a) The board may issue and sell bonds in the name of the authority to finance the acquisition or construction of buildings to be used as state military forces facilities.

(b) After receiving a request under Section 431.0292 or 431.0302(c), the board shall promptly issue and sell bonds in the name of the authority to provide the requested financing.

(c) The adjutant general shall accomplish its statutory authority as if the property or building were financed by legislative appropriation. The board and the adjutant general shall adopt a memorandum of understanding that defines the division of authority between the board and adjutant general.

(d) On completion of the acquisition or construction, the adjutant general shall lease the building from the authority.

SECTION 15. Sections 435.001, 435.002, 435.003, 435.004, 435.0043, 435.0044, 435.0045, 435.005, 435.006, 435.007, 435.008, 435.009, 435.0095, 435.010, 435.011, 435.012, 435.015, 435.016, 435.017, 435.042, 435.043, 435.044, 435.045, 435.046, 435.047, and 435.048, Government Code, are repealed.

SECTION 16. The headings to Subchapters A, B, and C, Chapter 435, Government Code, are repealed.

SECTION 17. (a) The Texas Military Facilities Commission is abolished. Subject to Section 431.0307, Government Code, as added by this Act, all powers, duties, obligations, rights, contracts, bonds, appropriations, records, real or personal property,

and personnel of the Texas Military Facilities Commission are transferred to the adjutant general.

(b) A rule, policy, procedure, or decision of the Texas Military Facilities Commission continues in effect as a rule, policy, procedure, or decision of the adjutant general until superseded by an act of the adjutant general.

(c) A reference in another law to the Texas Military Facilities Commission means the adjutant general.

(d) The adjutant general and the Texas Public Finance Authority shall if necessary adopt a memorandum of understanding under which an item or matter transferred under Subsection (a) of this section is transferred to the Texas Public Finance Authority.

SECTION 18. This Act takes effect September 1, 2007.

S.B. 1743

AN ACT

relating to the powers of the Red River Redevelopment Authority; providing authority to issue bonds.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter C, Chapter 3503, Special District Local Laws Code, is amended by adding Section 3503.1015 to read as follows:

Sec. 3503.1015. ADDITIONAL POWERS OF OTHER ENTITIES; BONDS.

The authority may exercise the powers given to:

(1) the governing body of a "unit," as defined by Section 2, Development Corporation Act of 1979 (Article 5190.6, Vernon's Texas Civil Statutes), and may issue district bonds for a purpose specified by that Act;

(2) an emergency services district under Chapter 775, Health and Safety Code; or

(3) a rural or urban transit district under Chapter 458, Transportation Code.

SECTION 2. Subchapter C, Chapter 3503, Special District Local Laws Code, is amended by adding Section 3503.108 to read as follows:

Sec. 3503.108. LIMITATION ON USE OF EMINENT DOMAIN. Except as provided by Section 3503.103, the authority may not exercise the power of eminent domain.

SECTION 3. Subchapter D, Chapter 3503, Special District Local Laws Code, is amended by adding Section 3503.155 to read as follows:

Sec. 3503.155. NO TAXING POWER. The authority may not impose a tax.

SECTION 4. Proof of publication of the constitutional notice required to introduce this Act under Subsection (d), Section 59, Article XVI, Texas Constitution, has been furnished as provided by that subsection. A copy of the notice and the Act as originally introduced have been delivered to the governor as required by Subsection (d), Section 59 of that article. The legislature finds and declares that the notice and the delivery are proper and sufficient to satisfy the constitutional requirements.

SECTION 5. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2007.

S.B. 1956

AN ACT

relating to assistance for local areas affected by defense restructuring.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter A, Chapter 486, Government Code, is amended to read as follows:

SUBCHAPTER A. GRANTS TO LOCAL AREAS AFFECTED BY DEFENSE BASE
RESTRUCTURING

Sec. 486.001. DEFINITIONS. In this chapter:

(1) "Commission" means the Texas Military Preparedness Commission.

(2) "Defense worker" means:

(A) an employee of the United States Department of Defense, including a member of the armed forces and a government civilian worker;

(B) an employee of a government agency or private business, or entity providing a department of defense related function, who is employed on a defense facility;

(C) an employee of a business that provides direct services or products to the department of defense and whose job is directly dependent on defense expenditures; or

(D) an employee or private contractor employed by the United States Department of Energy working on a defense or department of energy facility in support of a department of defense related project.

(3) [(2)] "Defense worker job" means a department of defense authorized permanent position or a position held or occupied by one or more defense workers for more than 12 months.

[(3) "Department" means the Texas Department of Commerce.]

(4) "Panel" means the Defense Economic Adjustment Assistance Panel.

Sec. 486.002. GENERAL POWERS AND DUTIES. (a) The commission [~~department~~] shall administer and monitor the implementation of this chapter.

(b) The commission [~~department~~] shall establish criteria and procedures [~~for evaluations~~] and [~~awarding grants. The department shall~~] award grants equitably based on evaluations [~~so as to not disproportionately favor one defense dependent community over another~~]. In awarding grants under this chapter, the commission [~~department~~] shall give a preference to adversely affected defense [~~defense dependent~~] communities over positively affected defense [~~defense dependent~~] communities.

(c) The commission [~~department~~] may use an amount equal to not more than two percent of the total amount of grants authorized during each biennium to administer this chapter and other law relating to readjustment of defense [~~defense dependent~~] communities.

(d) The commission [~~department~~] shall adopt rules necessary to carry out the purposes of this chapter.

Sec. 486.003. ELIGIBILITY FOR GRANT. (a) A local governmental entity is eligible for a grant under this chapter if it is:

(1) a municipality or county that is a defense [~~defense dependent~~] community;

(2) a regional planning commission that has a defense [~~defense-dependent~~] community within its boundaries;

(3) a public junior college district all or part of which is located in a defense [~~defense-dependent~~] community;

(4) a campus or extension center for education purposes of the Texas State Technical College System located in a defense [~~defense-dependent~~] community; or

(5) a defense base development authority created under Chapter 379B, Local Government Code.

(b) A municipality or county is an adversely affected defense [~~defense-dependent~~] community if the department determines that:

(1) the municipality or county includes within its boundaries a defense facility that the department of defense or applicable military department has publicly proposed for closure or realignment; or

(2) the municipality or county:

(A) requires assistance because of:

(i) the proposed or actual establishment, realignment, or closure of a defense facility;

(ii) the cancellation or termination of a United States Department of Defense contract or the failure of the department of defense to proceed with an approved major weapon system program;

(iii) a publicly announced planned major reduction in department of defense spending that would directly and adversely affect the municipality or county; or

(iv) the closure or a significant reduction of the operations of a defense facility as the result of a merger, acquisition, or consolidation of a defense contractor operating the facility; and

(B) is expected to experience, during the period between the beginning of the federal fiscal year during which an event described by Subdivision (2)(A) is finally approved and the date that the event is to be substantially completed, a direct loss of:

(i) 2,500 or more defense worker jobs in any area of the municipality or county that is located in an urbanized area of a metropolitan statistical area;

(ii) 1,000 or more defense worker jobs in any area of the municipality or county that is not located in an urbanized area of a metropolitan statistical area; or

(iii) defense worker jobs representing one percent of the jobs in the municipality or county.

(c) A municipality or county is a positively affected defense [~~defense-dependent~~] community if the commission [~~department~~] determines that a military facility located in or near the local governmental entity receives new or expanded military missions as a result of the United States Department of Defense base realignment process.

Sec. 486.004. GRANT CRITERIA. (a) From money appropriated for this purpose, the commission [~~department~~] may make a grant to an eligible local governmental entity to:

(1) allow the entity to meet a matching money or investment requirement in order to receive from the United States assistance that is provided to allow the local governmental entity to respond to or recover from an event described by Section 486.003(b)(1);

(2) match the entity's contribution for a purpose described in Section 486.005 on a closed or realigned defense facility; or

(3) construct infrastructure and other projects necessary to accommodate the new or expanded military missions at a military facility located in or near the local governmental entity.

(b) A grant may not be less than \$50,000 or more than the least of:

(1) 50 percent of the amount of matching money or investment that the local governmental entity is required to provide, subject to Subsection (c);

(2) 50 percent of the local governmental entity's investment for purposes described in Section 486.005, in cases where United States assistance is not available; or

(3) \$2 million.

(c) If the local governmental entity demonstrates to the commission [~~department~~] that, because of a limited budget, resources are not available to provide 50 percent of the amount of matching money or investment that the local governmental entity is required to provide, the grant may be not more than 80 percent of the amount of that matching money or investment requirement, but may not be more than \$2 million.

(d) The commission [~~department~~] may make a grant to an eligible local governmental entity described by Section 486.003(a)(3) or (4) without regard to the availability or acquisition of matching money.

Sec. 486.005. USE OF PROCEEDS. (a) The local governmental entity may use the proceeds of the grant for purchase of property from the department of defense or its designated agent, new construction, rehabilitation, or renovation of facilities or infrastructure, or purchase of capital equipment or facilities insurance.

(b) The local governmental entity may deliver the money to a special district, development corporation, or other instrumentality of the state or the local governmental entity for use as provided by this chapter and other applicable law.

(c) An eligible local governmental entity described by Section 486.003(a)(3) or (4) may use the proceeds of the grant to purchase or lease equipment to train defense workers whose jobs have been threatened or lost because of an event described by Section 486.003(b)(2)(A).

Sec. 486.006. DEFENSE ECONOMIC ADJUSTMENT ASSISTANCE PANEL. The commission [~~department~~] shall establish a defense economic adjustment assistance panel [~~within the department~~]. The panel consists of at least three and not more than five professional full-time employees of the Office of the Governor [~~department~~] appointed by the [~~executive~~] director of the commission [~~department~~].

Sec. 486.007. APPLICATION FOR GRANT. A local governmental entity may apply for a grant under this chapter to the commission [~~department~~] on a form prescribed by the commission [~~department~~]. The commission [~~department~~] shall establish periodic application cycles to enable the panel and commission [~~department~~] to evaluate groups of applicants in relation to each other.

Sec. 486.008. EVALUATION OF APPLICATION. The panel shall evaluate each application and assign the applicant a score based on:

(1) the significance of the adverse or positive effect within the local governmental entity, including the number of jobs lost or gained in relation to the workforce in the local governmental entity's jurisdiction and the effect on the area's economy and tax revenue;

(2) the extent to which the local governmental entity has used its existing resources to promote local economic development;

(3) the amount of any grant that the local governmental entity has previously received under this chapter;

(4) the anticipated number of jobs to be created in relation to the amount of the grant sought; and

(5) the extent to which the grant will affect the region in which the local governmental entity is located.

Sec. 486.009. MAKING OF GRANT. The panel shall submit its scores to the commission [~~department's governing body~~]. The commission [~~governing body~~] shall use the scores to determine whether to make a grant to an applicant. The commission [~~governing body~~] may not make a grant unless the legislature has appropriated the money for the grant.

Sec. 486.010. DEFENSE [~~DEFENSE DEPENDENT~~] COMMUNITY WITH MORE THAN ONE MILITARY FACILITY. For purposes of the preference for adversely affected defense [~~defense dependent~~] communities under Section 486.002(b), a defense [~~defense dependent~~] community that contains or is near more than one military facility is considered an adversely affected defense [~~defense dependent~~] community if the

local governmental entity is applying for a grant under this subchapter for a project relating to the military facility that is closed or whose operations are significantly reduced.

SECTION 2. Subchapter B, Chapter 486, Government Code, is repealed.

SECTION 3. This Act takes effect September 1, 2007.

H.B. 3879

AN ACT

relating to the powers and duties of defense base development authorities; modifying the power of eminent domain.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Chapter 379B, Local Government Code, is amended by adding Section 379B.0041 to read as follows:

Sec. 379B.0041. INLAND PORT AND TRADE POWERS. (a) The authority may establish and operate an inland port and related port facilities to engage in world trade.

(b) The authority may participate in national and international agreements advancing world trade at the port.

SECTION 2. Section 379B.0045, Local Government Code, is amended to read as follows:

Sec. 379B.0045. EMINENT DOMAIN. (a) An authority or an authority whose subject property is within the territorial limits of a municipality may exercise the power of eminent domain to acquire property in ~~[or adjacent to]~~ the base property or in an area surrounding the base only in the manner provided by Chapter 21, Property Code.

(b) Before the authority initiates an eminent domain proceeding to acquire property, the board must:

(1) adopt a master development and redevelopment plan for the property in ~~[or adjacent to]~~ the base property or in an area surrounding the base and incorporate

and approve the plan as part of the master plan of the municipality in which the base property is located; and

(2) find, after conducting a public hearing, that:

(A) notice of the hearing was published in a newspaper of general circulation in the municipality in which the base property is located not later than the 15th day before the date of the hearing;

(B) the property lies in a redevelopment project designated under Section 379B.009 [~~378.009, as added by Chapter 1221, Acts of the 76th Legislature, Regular Session, 1999~~]; and

(C) the use of eminent domain is necessary to acquire the property to carry out the essential objectives of the master development and redevelopment plan as approved by the municipality.

SECTION 3. Chapter 379B, Local Government Code, is amended by adding Section 379B.0085 to read as follows:

Sec. 379B.0085. HEARINGS BY TELEPHONE OR SIMILAR MEANS.

(a) As an exception to Chapter 551, Government Code, and other law, if the president or vice president of a board, or chairperson or vice chairperson of a board committee, is physically present at a meeting of the board or committee, any number of the other members of the board or committee may attend the meeting by use of telephone conference call, video conference call, or other similar telecommunication device. This subsection applies for purposes of constituting a quorum, for purposes of voting, and for any other purpose allowing a board or committee member to otherwise fully participate

in any board or committee meeting. This subsection applies without exception with regard to the subject of the meeting or topics considered by the members.

(b) A meeting held by use of telephone conference call, video conference call, or other similar telecommunication device:

(1) is subject to the notice requirements applicable to other meetings;

(2) must specify in the notice of the meeting the location of the meeting at which the president, vice president, chairperson, or vice chairperson will be physically present;

(3) must be open to the public and audible to the public at the location specified in the notice of the meeting as the location of the meeting at which the president, vice president, chairperson, or vice chairperson will be physically present; and

(4) must provide two-way audio communication between all board or committee members attending the meeting during the entire meeting, and if the two-way audio communication link with any member attending the meeting is disrupted at any time, the meeting may not continue until the two-way audio communication link is reestablished.

SECTION 4. Subsection (a), Section 379B.009, Local Government Code, is amended to read as follows:

(a) The board may designate as a redevelopment project a project that relates to:

(1) the development of base property and the surrounding areas; or

(2) the development of property directly related to the purposes or goals of the authority [~~the development of a defense base in the territory of the municipality that established the authority and areas surrounding that base~~].

SECTION 5. The change in law made by Section 379B.0085, Local Government Code, as added by this Act, applies only to a meeting of the board of directors of a defense base development authority or a meeting of a board committee that occurs on or after the effective date of this Act.

SECTION 6. This Act takes effect September 1, 2007.

Base Realignment and Closure December 2008

A Report to the 81st Legislature

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Hon. Craig Estes	Member, Senate Subcommittee on Base Realignment and Closure
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Hon. Juan Garcia	Member, Texas House of Representatives
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Hon. Howard Gillespie	Mayor, City of Ingleside on the Bay
Jenee Gonzales	Senate Committee on Veteran Affairs and Military Installations
Jim Gray	City Manager, City of Ingleside
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Hon. Pat Haggerty	Member, Texas House of Representatives
Howard Ham	Commissioner, Texas Military Preparedness Commission
Hon. Chris Harris	Member, Senate Subcommittee on Base Realignment and Closure
Judy Hawley	Commissioner, Port Authority of Corpus Christi
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Hon. Juan Hinojosa	Member, Texas Senate
Hon. Terri Hodge	Member, Texas House of Representatives
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Austin Valentine	Texas Senate Research Center
Hon. Leticia Van de Putte	Chair, Senate Committee on Veteran Affairs and Military Installations
Denis Washington	Chairman, Red River Redevelopment Authority
Terri Williams	Director of Economic Development, Brooks Redevelopment Authority

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