

## Taylor, Bob (Thune)

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**From:** Taylor, Bob (Thune)  
**Sent:** Thursday, July 28, 2005 3:40 PM  
**To:** 'Beauchamp, Arthur, CIV, WSO-BRAC'  
**Cc:** 'Small, Kenneth, CIV, WSO-BRAC'  
**Subject:** RE: Air Force ROD

**Follow Up Flag:** Follow up  
**Flag Status:** Red

Art,

Per our conversation before our bosses met, thank you again for catching this and having it corrected. We greatly appreciate the extensive work you are putting into this.

We will also probably be sending the commission a letter re the AF response to the RBTI litigation questions you submitted. We found their response rather amazing. I was actually quite surprised with the AF's explicit admission that they simply did not consider the litigation issue in their deliberation because they did not know how to compute it. To us, that is a huge admission - though not much of an excuse. But if that is not a substantial deviation, I'm not sure what is. So, a rather significant factor relating to the limitations and future availability of this range were basically ignored in the scoring. That's our read.

They also admitted installations were only scored on "relative distances to range entry/exit points". That's the only criteria used? So, under that simplistic methodology, even a MOA without any current FAA approval to operate in, could outscore a different range simply because it was closer to its installation. That's not a very compelling basis upon which to compare two bases.

Also is the AF saying here that the altitude limitations do not really impact on their training. How does that square with the sworn statements by Gen. DeCuir and LTC Garrett? (If so, should we refer this matter to DOJ, or will you?).

But, Art, what really floors me is that the AF dismisses the court imposed limitations as basically being "voluntary" on their part. That's something akin to an inmate in prison suggesting he is there "voluntarily" because he plea bargained a guilty plea and his sentence. The district court did not impose restrictions because the AF volunteered modified flying altitudes. It imposed restrictions because the higher court told it to. It happened to accept the same altitudes. It does not mean the court cannot, or will not impose harsher standards at a later date - especially after the SEIS is complete.

The AF's overall response to the effect of this litigation, court order and possibility of future court proceedings, in my opinion, demonstrates their total lack of understanding and appreciation of where litigation can lead. For example, in 2003, the AF won their district court cases and things may have indeed looked promising for finally getting approval for their ROD and EIS on the RBTI. However, the rancher groups filed an appeal with the 5th Circuit and in 2005 the lower court rulings are reversed, and the ROD and FAA approval are now effectively nullified. The AF is essentially back at first base, with no RBTI approval - exactly where they were in 1997 when they first started the administrative EIS process. They face maybe two more years to run a supplemental EIS through the wickets, and these plaintiffs will be there, challenging the AF assertions every step of the way. The AF can attempt to make small the significance of this problem if they like, even in the face of the FACT that this litigation has already tied up approval of the RBTI for over 5 years. But that fact, and the apparent resolve of these plaintiffs, suggests instead that the Air Force has a pit bull permanently attached to its ass.

Thanks again, for you hard work.  
Bob

-----Original Message-----

From: Beauchamp, Arthur, CIV, WSO-BRAC [mailto:Arthur.Beauchamp@wso.whs.mil]

Sent: Thursday, July 28, 2005 11:45 AM  
To: Taylor, Bob (Thune); Beauchamp, Arthur, CIV, WSO-BRAC  
Cc: Small, Kenneth, CIV, WSO-BRAC  
Subject: RE: Air Force ROD

Bob,

Regarding the sq ft...your right. The actual number according to Ellsworth is 804,000 sq ft shortage. That's the shortage we asked the AF to provide feedback on. We went back with a clarification on this (it should be posted). Not sure why the figure is higher, but will look into.

Art

-----Original Message-----

From: Taylor, Bob (Thune) [mailto:Bob\_Taylor@thune.senate.gov]  
Sent: Tuesday, July 26, 2005 4:58 PM  
To: Beauchamp, Arthur, CIV, WSO-BRAC  
Cc: Small, Kenneth, CIV, WSO-BRAC  
Subject: RE: Air Force ROD

You are welcome. If you seeking any other basic data on any issue (doesn't have to be related to Ellsworth), and you are not getting a rapid response from DoD, let me know. We will be happy to try and get it through the armed services committee. They tend to respond pretty quick to SASC member requests for data.

Also Art, I noticed on the attached clearinghouse request where you asked about the square footage discrepancy noted at Ellsworth. However, I believe the number you used is incorrect - missing a "0." I believe it is an 800,000 square ft discrepancy, not 80,000. We thought it did not look right, so we confirmed it again today with the base engineer.

Additionally, the figure of \$69 million milcon needed to house all B-1s at Ellsworth is a higher figure than the base engineer provided you earlier, of only \$49.5 M. (Though \$69 M is still a big difference from the \$124 M needed at Dyess). I was curious as to how and why this figure changed.

-----Original Message-----

From: Beauchamp, Arthur, CIV, WSO-BRAC  
[mailto:Arthur.Beauchamp@wso.whs.mil]  
Sent: Monday, July 25, 2005 9:40 AM  
To: Taylor, Bob (Thune)  
Subject: RE: Air Force ROD

Bob, thanks for the data. Art

-----Original Message-----

From: Small, Kenneth, CIV, WSO-BRAC  
Sent: Friday, July 22, 2005 3:02 PM  
To: 'Taylor, Bob (Thune)'  
Cc: Beauchamp, Arthur, CIV, WSO-BRAC  
Subject: RE: Air Force ROD

Bob

I appreciate the data. Art is out of pocket until tomorrow AM. I expect that he will catch up over the weekend. I will leave it to Art to give you a read on the level of information you are sending along.

Ken

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From: Taylor, Bob (Thune) [mailto:Bob\_Taylor@thune.senate.gov]  
Sent: Friday, July 22, 2005 11:32 AM  
To: Small, Kenneth, CIV, WSO-BRAC

Cc: Beauchamp, Arthur, CIV, WSO-BRAC  
Subject: RE: Air Force ROD

Ken,

You are very welcome. Please tell me if I'm sending you stuff you don't need. Here are some recent AF data tables that may also be helpful.

Also, did you receive the data you requested from Ellsworth AFB through the ACC & clearinghouse pertaining to ability to handle all B-1s and associated long-term milcon costs i.e. saying Ellsworth can receive them now and needs only \$49.5 million in long-term milcon to house 67 B-1s, as compared to \$123 million needed at Dyess?

Bob

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From: Small, Kenneth, CIV, WSO-BRAC [mailto:Kenneth.Small@wso.whs.mil]  
Sent: Friday, July 22, 2005 9:37 AM  
To: Taylor, Bob (Thune); Small, Kenneth, CIV, WSO-BRAC  
Cc: Beauchamp, Arthur, CIV, WSO-BRAC  
Subject: RE: Air Force ROD

Bob

Thanks. We may need this before we are through. Having the AFH in hand saves us the time to perform the search to find the reference.

Again, the data and continued flow of information is appreciated.

Ken Small

Air Force Team Leader

BRAC Commission R&A

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From: Taylor, Bob (Thune) [mailto:Bob\_Taylor@thune.senate.gov]  
Sent: Friday, July 22, 2005 9:31 AM  
To: Small, Kenneth, CIV, WSO-BRAC  
Cc: Beauchamp, Arthur, CIV, WSO-BRAC  
Subject: RE: Air Force ROD

You probably already have this, or a more recent version. It might be helpful to you.

Air Force Handbook (AFH) 32-1084, Facility Requirements, provides facility space allowance guidance by category code. These criteria are used in assigning occupancy of existing facilities and in programming new facilities. This handbook applies to all Air Force commanders and managers that plan, program, review, certify, and approve Air Force facilities.

a. Ramp space required per MDS (Mission Design Series or aircraft type)

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Chapter 2, Section D

b. Logistics/Maintenance space (Supply warehousing, transportation facilities, hangars, maintenance shops, etc) allocations per MDS

Chapters 3, 5 - 7, 9, 10, and 12

--- Petroleum Dispensing and Operating Facilities: Chapter 3

--- Hangars: Chapters 5 and 7; Training: Chapter 6

--- Transportation and Maintenance Facilities: Chapter 7

--- Explosives Facilities: Chapter 9; Supply Warehousing: Chapter 10

--- Administrative Facilities: Chapter 12

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From: Small, Kenneth, CIV, WSO-BRAC [mailto:Kenneth.Small@wso.whs.mil]  
Sent: Thursday, July 21, 2005 5:56 PM  
To: Taylor, Bob (Thune)  
Cc: Beauchamp, Arthur, CIV, WSO-BRAC  
Subject: RE: Air Force ROD

Got it. Thanks for the research. We shall see where these go.

Ken Small

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From: Taylor, Bob (Thune) [mailto:Bob\_Taylor@thune.senate.gov]  
Sent: Tuesday, July 19, 2005 12:48 PM  
To: kenneth.small@wso.whs.mil; Arthur.Beauchamp@wso.whs.mil  
Subject: Air Force ROD

Ken/Art;

When we visited you last Tuesday and dropped off the packet pertaining to the RBTI litigation, I failed to include a copy of the Air Force Record of Decision, prepared with their initial EIS. It is an important document because it goes to the issue of what the AF envisioned as the RBTI's ideal range capability and clearly states their concept and intended use of the Lancer MOA and IR-178, once the RBTI and EIS were approved;

\* On page 1, it states without equivocation that the MTR (IR-178) would permit flights down to 300 feet above ground level in some segments..

\* It also states that the MOA (Lancer) would have a floor of 3,000 feet AGL.

Of course, the federal court now imposes a 500 feet AGL floor in the MTR and a 12,000 feet MSL floor in the Lancer MOA. Also of interest, on page 7, note that in response to community concerns raised in the administrative approval process, the Air Force placed self-imposed limitations on the number of sortie-operations thus, reducing the number from 2,600 per year down to 1,560 per year. (The sortie issue will obviously be a fertile ground for additional litigation if the Dyess B-1 inventory and training requirements should double.) On the same page, the Air Force seems to indicate that 200 feet AGL was the proposed minimum altitude in the MTR IR-178, but they raised it to 300 in response to concerns raised by the public.

Art, I saw your questions submitted to the Air Force posted on the BRAC website. I immediately thought of several related issues not asked you may want to ask as a follow-up:

What number of training sorties does the AF estimate as a requirement for RBTI if the entire B-1 fleet is consolidated at Dyess?

Assuming the consolidation of all 67 B-1s at Dyess, and if the court should limit the number of sorties flown per year into the RBTI, e.g. even at its present level, where will the other Dyess B-1s go for alternative training? What additional costs will result from flying to these alternative training sites, per year?

If the AF is permanently restricted to flying at 12,000 feet MSL in the Lancer MOA, how will this impact B-1 training?

In light of both MG DeCuir's sworn affidavit (limitations do not fully meet realistic training requirements) and LTC Garrett's sworn affidavit (no substitute ranges within a reasonable flying distance of our bases in Texas) that were submitted to the court in January 2005 and given under penalty of perjury (and no doubt fully staffed within ACC before being submitted), I look forward with great interest as to how the AF will answer your questions on the impact of the court's restrictions.

Bob