

Headquarters U.S. Air Force

Integrity - Service - Excellence

BRAC 2005



SAF/IEB

As of: 18 Jun 03

U.S. AIR FORCE



Air Force BRAC Results Prior to 2005

- **Congress authorized BRAC four times prior to 2005**
 - **1988, 1991, 1993, 1995 (39 AF installations affected)**
 - **Goal - save money by reducing infrastructure**
- **22 total Air Force bases closed as a result of BRAC**
 - **Active Duty (77%), Guard (9%) and Reserve (14%)**



BRAC 95 Highlights

BRAC 95 had 13 Air Force Actions

■ Seven Closures

Bergstrom AFB, TX -- Ontario AGS, CA -- Real Time Digitally Controlled Analyzer Processor (REDCAP), NY-- Roslyn AGS, NY--McClellan AFB, CA -- Reese AFB, TX -- O'Hare IAP ARS, IL

■ Six Realignments

Onizuka AS, CA -- Eglin AFB, FL -- Malmstrom AFB, MT -- Grand Forks AFB, ND -- Kelly AFB, TX -- Hill AFB, UT

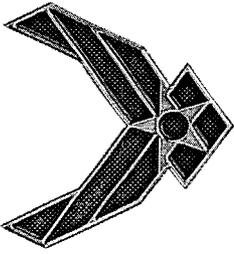
BRAC 95 Cost and Savings/Cost Avoidance

- BRAC 95 costs from 1996 - 2001 were \$1.8B
- BRAC 95 saving/cost avoidance were \$847M through 2001, with an annual steady state saving/cost avoidance of \$400M



BRAC 2005 Process

- **Public Law 107-107**
 - Force structure plan
 - Selection Criteria
 - **Military value must be primary evaluation factor**
 - **Department of Defense must also consider:**
 - Extent and timing of costs and savings
 - Impact of potential environmental remediation costs
 - Impact on existing communities
 - **Allows “mothballing”**
 - Make base inactive
 - Place in caretaker status
 - **Commission expands by one**
 - **Commission can add installations providing:**
 - SECDEF is provided opportunity to justify OSD position
 - 7/9 Commissioners must support
-



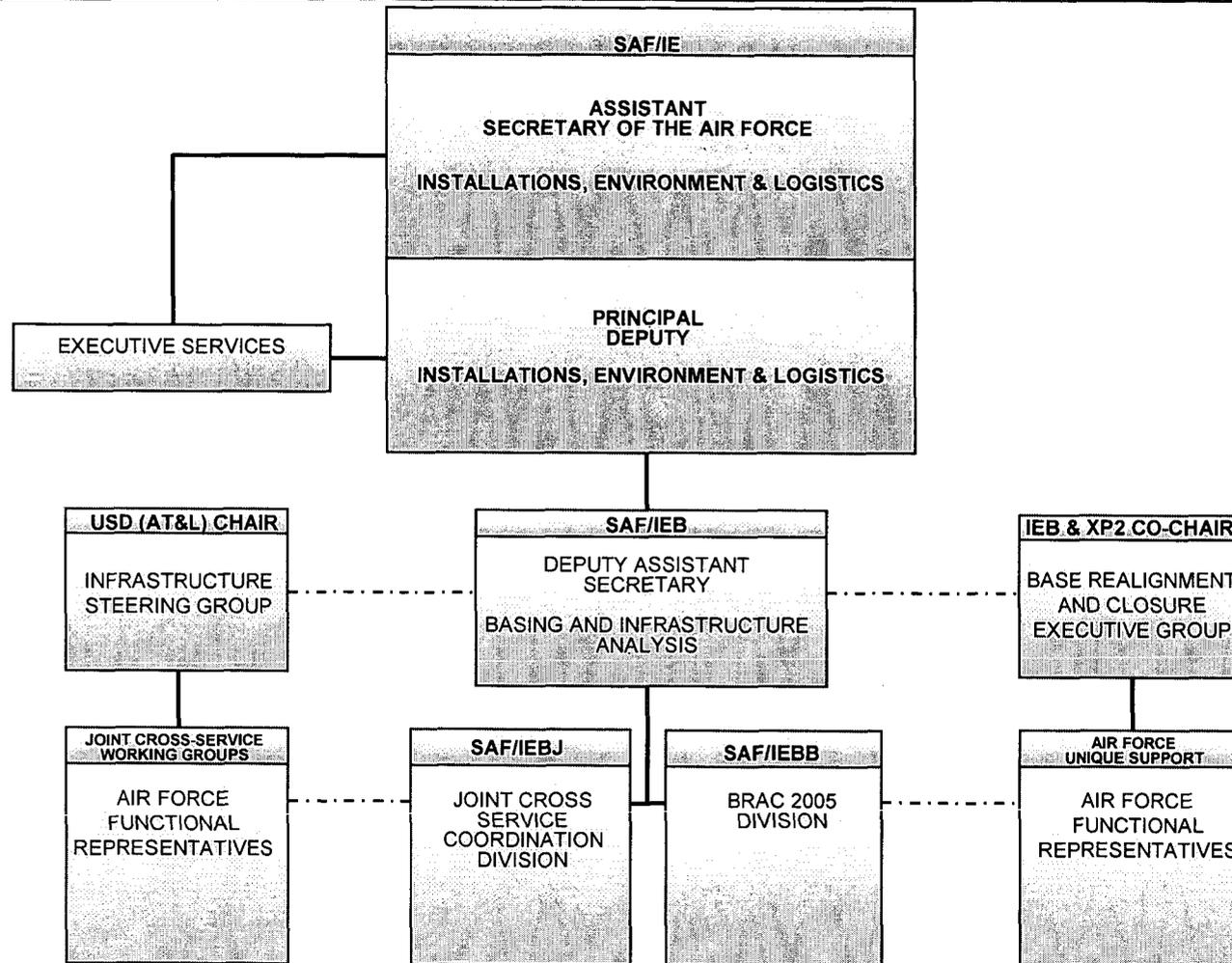
Air Force Goals BRAC 2005

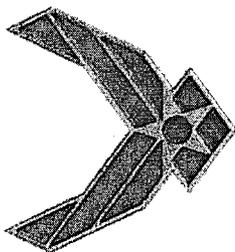
- **Air Force goals for BRAC 2005**
 - **Maximize warfighting capability *efficiently***
 - **Transform the Air Force by *realigning* our infrastructure with *future* defense strategy**
 - ***Capitalize* on opportunities for joint activity**
 - **Eliminate excess physical capacity to *maximize operational capability***

**Use the BRAC 2005 Process to Shape the Infrastructure
to Maximize Operational Capability**

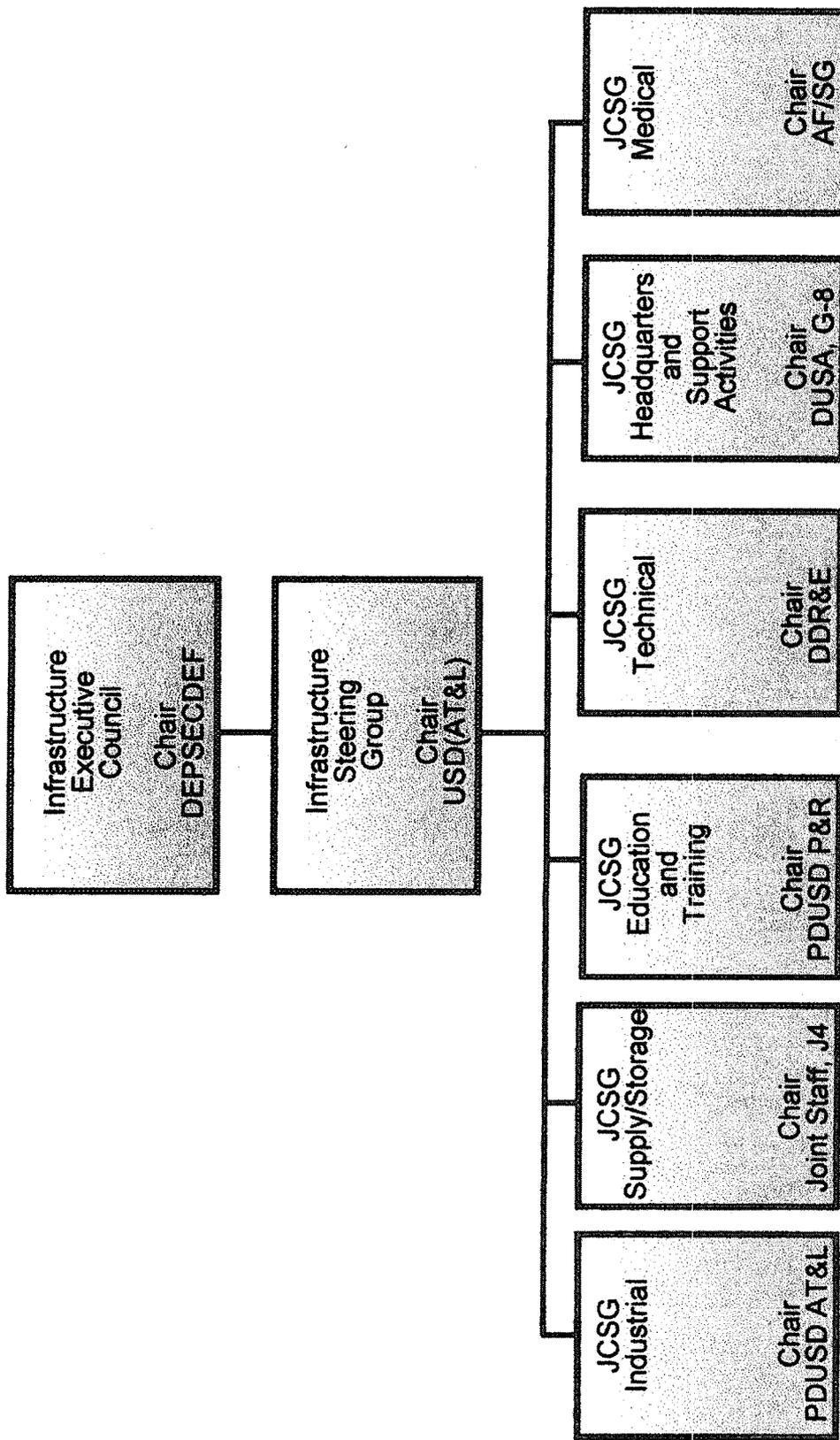


SAF/IEB Organization

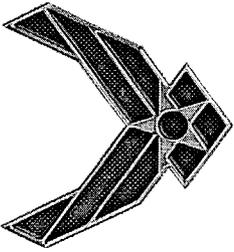




BRAC 2005 Joint Cross-Service Groups (JCSG)



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BRAC 2005 Process Timeline

SecDef Initiates Internal BRAC 2005 Process (Nov 15, 2002)

SecDef Publishes Draft Selection Criteria (No later than Dec 31, 2003)

SecDef Submits BRAC Report, Force Structure Plan, and Certifications to Congress (Feb 2004)

SecDef Publishes Final Selection Criteria (Feb 16, 2004)

Congressional Deadline for Disapproving Selection Criteria (Mar 15, 2004)

Deadline for President to Nominate Commissioners (Mar 15, 2005)

SecDef Forwards Recommendations to Commission (May 16, 2005)

Commission Review Process (May 17, 2005 – Sep 8, 2005)

Presidential Review and Approval (Sep 8-23, 2005)*

Congressional Action (Receipt + 45 Legislative Days)

* President accepts or rejects "all or none" of the recommendations. If rejected, the Commission has until October 20, 2005, to provide the President with revised recommendations, and the President has until November 1, 2005, to forward them to Congress of the BRAC process ends.



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AMERICAN FORCES INFORMATION SERVICE
NEWS ARTICLES

BRAC 2005: Base Closure, Realignment Recommendations Follow Lengthy Process

By Jim Garamone
American Forces Press Service

WASHINGTON, May 3, 2005 – Few people dispute that the U.S. military has too much infrastructure to face the threats and opportunities of the 21st century. The question is: What's the best way to close or realign installations to match challenges of the new world?

Since 1988, the answer has been the Base Realignment and Closure Commission, and the BRAC process continues to move ahead with a new round in 2005.

While closing an individual base can be a problem, the process is designed to be nonpartisan. The first BRAC round came during the Reagan administration. The second in the first Bush Administration, and the third and fourth were under President Clinton.

Former Defense Secretary William S. Cohen first proposed the current round soon after taking office in 1997. Defense Secretary Donald H. Rumsfeld has been asking for a new round of closures and realignments since taking office in January 2001.

BRAC is a challenging process. The four previous BRAC rounds -- in 1988, 1991, 1993 and 1995 -- brought about 97 major closures, 55 major realignments and 235 minor actions, according to DoD figures. Overall, closing and realigning these installations saved American taxpayers around \$18 billion though fiscal 2001 and a further \$7 billion per year since.

A BRAC report submitted in March 2004 estimated there is 24 percent excess capacity in DoD.

Civilian and military leaders in the department have stressed that the

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military must become more agile and flexible to face the new challenges. Officials have repeatedly said the BRAC process must be seen as part of a larger effort to restructure the global footprint of the U.S. military. As part of this, U.S. bases overseas will close or morph into nonpermanent installations. Officials estimate the number of troops in Europe will drop from 100,000 to about 50,000.

In Korea, the number of U.S. forces is already dropping from 34,000. Officials have not released a final target number for troops on the peninsula.

The BRAC 2005 process builds on lessons learned from past rounds. Essentially, this year's legislation took previous versions and amended them.

This year's BRAC round was part of the 2002 National Defense Authorization Act. The process began with a memorandum from Rumsfeld to defense leaders entitled "Transformation Through Base Realignment and Closure."

By the end of 2003, DoD published the draft selection criteria. In March 2004, the department submitted the force-structure plan and infrastructure inventory to Congress. The next month, Congress approved the final selection criteria.

In March 2005, the president nominated the commissioners that will serve on the BRAC Commission. And this month, Secretary Rumsfeld will send the department's closure and realignment recommendations to the commission.

This year's BRAC Commission members are former Veterans Affairs Secretary Anthony Principi, commission chairman; former Nevada Rep. James H. Bilbray; Philip Coyle, a former DoD director of operational test and evaluation; retired Navy Adm. Harold W. Gehman Jr., a former commander of U.S. Joint Forces Command; former Utah Rep. James V. Hansen; retired Army Gen. James T. Hill, former commander of U.S. Southern Command; retired Air Force Gen. Lloyd "Fig" Newton, former commander of Air Education and Training Command; former Transportation Secretary Samuel K. Skinner; and retired Air Force Brig. Gen. Sue Ellen Turner, former director of nursing services in the Office of the Air Force Surgeon General.

The basic process is simple. The military services and joint cross-service

groups develop closure and realignment recommendations. Military value is the primary consideration.

The law also mandates that the department use a 20-year force-structure plan in forming its recommendations.

The services examine each base's "service-unique" function. In a difference this year, cross-service groups will analyze functions that cross service lines. For example, all services have warehouses. So a joint group will analyze warehouse functions for all the services.

The cross-service groups are examining seven functional areas: educational and training, headquarters and support activities, industrial, intelligence, medical, supply and storage, and technical.

The most recent previous BRAC round used similar joint-service groups, but they could not make recommendations to the secretary. This year, recommendations from the joint groups are considered by the secretary the same way the services' submissions are.

Rumsfeld will publish his recommendations in the Federal Register no later than May 16 and will submit his recommendations to the BRAC Commission and Congress.

Once Rumsfeld submits his recommendations, the commission will hold hearings and examine the recommendations. The commission process runs through September 2005. The commission sends an "all-or-nothing list" to the president, meaning the president can approve all of the closures and realignments on the list or disapprove the entire list. If he approves, the list goes to Congress.

The House and Senate have 45 "legislative days" to disapprove the list. If they do nothing, the list automatically is approved and has the "force and effect of law."

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BRAC 2005: Commission Begins Work on Next Round of Base Realignment, Closures

By John D. Banusiewicz
American Forces Press Service

WASHINGTON, May 3, 2005 – The 2005 Base Realignment and Closure Commission began its work here today.

Commission Chairman Anthony J. Principi, former secretary of veterans affairs, administered the oath of office to the eight commissioners who will evaluate the Defense Department's recommendations for changes in U.S. force posture.

After evaluating DoD's recommendations, the independent BRAC Commission will submit its own list to the president for review and approval, then to Congress, which must accept or reject the list in its entirety.

"The Congress and the president look to this commission to provide an unbiased, independent assessment and clear 'eye of reality check' on DoD's proposals for restructuring the base infrastructure supporting our armed forces," Principi said.

Principi said the commission's work must reflect that while the United States devotes great resources to its defense, those resources are limited. "Every dollar consumed in redundant, unnecessary, obsolete, inappropriately designed or located infrastructure is a dollar not available to provide the training that might save a Marine's life, purchase the munitions to win a soldier's firefight, or fund the advances necessary to ensure continued dominance of the air or the seas."

The commission chairman acknowledged that the BRAC process will affect people. "The words 'closure' and 'realignment' are easy to write on paper," he said, "but they do have profound effects on communities and the

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people who bring those communities to life. The ripples of the proposals the secretary of defense will present to our nation and to us will be tsunamis in the communities they hit." But no decision on closure or realignment will be arbitrary, he added.

"The Congress, in authorizing the 2005 BRAC, recognized the necessity for cost-effective operation of our armed forces," Principi said. "The Congress, in establishing this commission and in setting forth the standards against which we are charged to measure DoD's proposals, also ensured these decisions would not be made in a vacuum, and that DoD's proposals and their rationale and supporting data would be subject to independent analysis and assessment."

DoD must submit its list of recommended closures and realignments to the commission by May 16, and the commission must send its report to the president by Sept. 8.

The 2005 BRAC commissioners are:

- Former Nevada Rep. James H. Bilbray, who was a member of House committees on foreign affairs, armed services and intelligence. He served in the Army Reserve from 1955 to 1963.
- Philip Coyle of California, a senior adviser to the Center for Defense Information. He has served at DoD as an assistant secretary of defense and as director of operational test and evaluation.
- Retired Navy Adm. Harold W. Gehman Jr., who served more than 35 years on active duty, including duty as NATO's supreme allied commander, Atlantic, and as commander of U.S. Joint Forces Command.
- Former Utah Rep. James V. Hansen, who served on the House Armed Services Committee. He served in the Navy from 1951 to 1955.
- Retired Army Gen. James T. Hill, whose 36-year career culminated with duty as commander of U.S. Southern Command.
- Retired Air Force Gen. Lloyd "Fig" Newton, who served in uniform for 34 years, culminating as commander of Air Education and Training Command.
- Samuel Knox Skinner, who served as President George H.W. Bush's chief of staff and as secretary of transportation. He served in the Army Reserve from 1960 to 1968.
- Retired Air Force Brig. Gen. Sue Ellen Turner of Texas, a member of the American Battle Monuments Commission. She served for 30 years, most recently as the director of nursing services in the Office of the Air Force Surgeon General.



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BRAC 2005: Force Structure, Military Value at Heart of BRAC

By Jim Garamone
American Forces Press Service

WASHINGTON, May 5, 2005 – The U.S. military fighting the war on terrorism is far different from the military forces developed to confront the Soviet Union.

Today's military is smaller than the Cold War force. It is already more agile and more flexible. And experiences in Iraq and Afghanistan show that joint operations enable the military to focus more power, more quickly exactly where it is needed.

The impetus to change will increase in coming years, and the base-realignment-and-closure process will allow the Defense Department to match force structure with the necessary capabilities.

The BRAC process is a chance for the department "to get it right, right now," said a senior defense official. Changes in the global military posture and the need to reduce overhead have combined to offer the military the perfect opportunity to rationalize the military infrastructure to the force structure needed for the future.

The process will also allow the military to improve its efficiency and place emphasis on joint training and operations. "A primary objective of BRAC 2005 is to examine and implement opportunities for greater jointness," officials said.

The process is meant to allow the secretary and the BRAC commissioners to look across traditional lines to examine the potential for jointness. In fact, in the department, the entire decision-making process is joint at every level, said officials.

There are more than 520,000 DoD-owned facilities worldwide. Some are

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small plots of land with radio or radar towers. Others are huge ranges and bases. All are being looked at to determine how each property fits into the new force-structure plan.

This force structure plan, together with statutory selection criteria, will be the basis for all decisions. Developed by the Joint Staff, the plan is based on the new national security and defense strategies. It looks out 20 years and tries to forecast threats; probable end-strength levels and anticipated funding levels. The selection criteria were published in the Federal Register in December 2003 and later modified by Congress. The final selection criteria are set out in the BRAC statute, which specifies that "military value" as the primary consideration in making any closure or realignment decision. Military value is reflected in the first four selection criteria and includes the current and future capabilities needed and the impact on operational readiness of a post, base, range or installation. This includes the impact an installation has on joint warfighting, joint training and joint readiness.

In addition, military value includes the availability and condition of land, facilities and associated airspace. Military officials have looked at training areas that will exercise forces in a variety of climates and terrains.

Military value also includes a "surge capability" that allows the department to accommodate mobilization.

Finally, military value includes the cost of operations and manpower implications.

The remaining criteria consider the extent and timing of potential costs and savings; the economic impact on existing communities in the vicinity of military installations; the ability of the infrastructure of communities to support forces, missions and personnel; and finally, the environmental impact, including the impact of costs associated with environmental restoration, waste management and environmental compliance.

Defense Secretary Donald H. Rumsfeld's BRAC recommendations are due to be published not later than May 16. At that point the BRAC Commission, led by former Veterans Affairs Secretary Anthony Principi, will examine the recommendations. The commission's findings are due to President Bush not later than Sept. 8.

The president must approve or disapprove the whole list; he cannot agree with some recommendations and disagree with others.

If he approves the recommendations, the list goes to Congress, where senators and representatives have 45 "legislative days" to enact a joint resolution of disapproval. If they do not, then the list has the force of law.

Under the BRAC statute, actions to close or realign a base must be initiated within two years of the date the president transmits the BRAC Commission's recommendations report to Congress and must be completed within six years of that same date.

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USAF AIM POINTS

April 21, 2004

60 staffers needed in a hurry for frenzied BRAC process

BY: MEGAN SCULLY, THE HILL
04/21/2005

With just weeks to go until the next base-closure round gets into full swing, leaders of the Base Realignment and Closure (BRAC) Commission are hurriedly trying to prepare for four months of frenzied analysis and cross-country travel.

The commission must be running at full capacity by May 16, when Defense Secretary Donald Rumsfeld's realignment and closure recommendations must be given to the commission. Between now and then, commission officials must recruit dozens of staffers and bring nine appointed commissioners up to speed on intricate BRAC laws and regulations.

Then there is a week of hearings with testimony from Pentagon and military leaders. In-house analysis begins. Travel schedules are arranged. Fifteen regional hearings are planned. And commissioners and staff span the country reviewing the Pentagon's recommendations before dropping their own list to Congress by Sept. 8.

More than 100 bases, or one-quarter of the military's installations, could make Rumsfeld's list. And at least one commissioner and several staff members must visit each of those bases by September and evaluate them on eight preset criteria, including their value to the military.

"We have a very, very demanding schedule," said Charlie Battaglia, a former staff director for the Senate Veterans Affairs and Intelligence committees who was named the commission's chief of staff April 5.

For the most part, this commission is starting from scratch, with no infrastructure left over from the series of BRAC commissions in 1991, 1993 and 1995. The process also was delayed a bit when Sen. Trent Lott (R-Miss.) put a hold on the nomination of Anthony Principi, Bush's pick for commission chairman, because of Lott's opposition to domestic base closings. The president used his recess-appointment powers to put the commissioners in place April 2.

Since then, Battaglia has moved into office space on Jefferson Davis Highway in Crystal City, Va., and has quickly hired 30 staff members, many of whom have been involved in previous BRAC processes. He still must recruit another 60 people — mostly administrative staff and associate analysts — for yearlong positions.

Sometimes it's a tough sell, he said.

"What's working against me is this is a grueling effort," Battaglia said. "Several people who have signed on and then thought about it over the weekend have decided to back out. It's a six- to seven-day-a-week job and long hours."

But for those who are up to the task, a BRAC staffer position can be a good way to conclude a government career or help propel a Washington career forward.

Typically, staff members are either nearing their retirement or are young government employees who want to add an independent presidential commission to their résumés, said Paul Hirsch, a staffer on the 1991 commission. Hirsch now runs Madison Government Affairs and is a BRAC lobbyist.

Several former staffers now have high-paying jobs lobbying on behalf of city and local governments with military bases in their districts. Others have worked their way up the ladder in government jobs.

"What I'm telling people is this is a challenge," Battaglia said. "You're going to be able to have an impact on public policy, and there's a very high job-satisfaction rate."

The process is always politically charged, with members of Congress vying to save installations — and, in some cases, thousands of jobs — in their home states.

The BRAC process is particularly heated this year because many lawmakers and BRAC consultants have attempted to delay or cancel this round. Some have argued that current commitments in Iraq and Afghanistan make this a bad time to close bases. Others, including Lott, want the military to close bases overseas before shutting installation doors in the United States.

The military, however, has said the base-closure exercise is necessary to shed unneeded infrastructure and is fiscally responsible, particularly in an era of belt-tightening at the Pentagon.

So far, the Defense Department has not leaked any information to the commission on how many and which bases will make the secretary's list — nor are they expected to.

"The value of the commission is it's an independent assessment of what the Defense Department does," said one staff member. "Therefore we don't know what they're doing, and that's good."

While they have not had an early peek into the Pentagon's recommendations, the commission's work officially gets under way during the first public hearings May 3 and 4 on Capitol Hill. During the hearings, commissioners will review BRAC laws and policies, and representatives from the intelligence community will testify on

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future military needs, Battaglia said.

Interested job applicants can submit résumés to robert.cook@wso.whs.mil.

BRAC 2005 DEFINITIONS

Base Closure Law	The provisions of Title II of the Defense Authorization Amendments and Base Closure and Realignment Act (Pub. L. 100-526, 102 Stat. 2623, 10 U.S.C. S 2687 note), or the Defense Base Closure and Realignment Act of 1990 (Pub. L. 100-526, Part A of Title XXIX of 104 Stat. 1808, 10 U.S.C. S 2687 note).
BRAC	“BRAC” is an acronym which stands for base realignment and closure. It is the process DoD has previously used to reorganize its installation infrastructure to more efficiently and effectively support its forces, increase operational readiness and facilitate new ways of doing business. DoD anticipates that BRAC 2005 will build upon processes used in previous BRAC efforts.
Closure	All missions of the installation have ceased or have been relocated. All personnel positions (military, civilian and contractor) have either been eliminated or relocated, except for personnel required for caretaking, conducting any ongoing environmental cleanup, and disposal of the base, or personnel remaining in authorized enclaves.
COBRA	Cost of Base Realignment Actions (COBRA), is an analytical tool used to calculate the costs, savings, and return on investment, of proposed realignment and closure actions.
Commission	The Commission established by section 2902 of the Defense Base Closure and Realignment Act of 1990, as amended.
Community preference	Section 2914(b)(2) of BRAC requires the Secretary of Defense to consider any notice received from a local government in the vicinity of a military installation that the government would approve of the closure or realignment of the installation.
Data certification	Section 2903 (c)(5) of BRAC requires specified DoD personnel to certify to the best of their knowledge and belief that information provided to the Secretary of Defense or the 2005 Commission concerning the realignment or closure of a military installation is accurate and complete.

Force structure	Numbers, size and composition of the units that comprise US defense forces; e.g., divisions, ships, air wings, aircraft, tanks, etc.
Infrastructure Executive Council (IEC)	One of two senior groups established by the Secretary of Defense to oversee and operate the BRAC 2005 process. The Infrastructure Executive Council, chaired by the Deputy Secretary of Defense, and composed of the Secretaries of the Military Departments and their Chiefs of Services, the Chairman of the Joint Chiefs of Staff and Under Secretary of Defense (Acquisition, Technology and Logistics) (USD(AT&L)), is the policy making and oversight body for the entire BRAC 2005 process.
Infrastructure Steering Group (ISG)	The subordinate of two senior groups established by the Secretary of Defense to oversee and operate the BRAC 2005 process. The Infrastructure Steering Group, chaired by the Under Secretary of Defense (Acquisition, Technology and Logistics) (USD(AT&L)), and composed of the Vice Chairman of the Joint Chiefs of Staff, the Military Department Assistant Secretaries for installations and environment, the Service Vice Chiefs, and the Deputy Under Secretary of Defense (Installations & Environment) (DUSD(I&E)), will oversee joint cross-service analyses of common business-oriented functions and ensure the integration of that process with the Military Department and Defense Agency specific analyses of all other functions.
Military Departments	The Military Departments are the Department of the Army, Department of the Navy, which includes the Marine Corps, and Department of the Air Force.
Military installation	A base, camp, post, station, yard, center, homeport facility for any ship, or other activity under the jurisdiction of the Department of Defense, including any leased facility. Such term does not include any facility used primarily for civil works, rivers and harbors projects, flood control, or other projects not under the primary jurisdiction or control of the Department of Defense.
National Environmental Policy Act (NEPA) Analysis	An analysis conducted to evaluate an installation's disposal decisions in terms of the environmental impact. The NEPA analysis is useful to the community's planning efforts and the installation's property disposal decisions. It is used to support DoD decisions on transferring property for community reuse.

Realignment	Includes any action that both reduces and relocates functions and civilian personnel positions, but does not include a reduction in force resulting from workload adjustments, reduced personnel or funding levels, or skill imbalances.
Redevelopment authority	In the case of an installation to be closed or realigned under the BRAC authority, the term "redevelopment authority" means an entity (including an entity established by a State or local government) recognized by the Secretary of Defense as the entity responsible for developing the redevelopment plan with respect to the installation or for directing the implementation of such plan.
Redevelopment plan	In the case of an installation to be closed or realigned under the BRAC authority, the term "redevelopment plan" means a plan that (A) is agreed to by the local redevelopment authority with respect to the installation; and (B) provides for the reuse or redevelopment of the real property and personal property of the installation that is available for such reuse and redevelopment as a result of the closure or realignment of the installation.
Secretary	Secretary of Defense
Transformation	According to the Department's April 2003 Transformation Planning Guidance document, transformation is " a process that shapes the changing nature of military competition and cooperation through new combinations of concepts, capabilities, people and organizations that exploit our nation's advantages and protect against our asymmetric vulnerabilities to sustain our strategic position, which helps underpin peace and stability in the world."
United States	The 50 states, the District of Columbia, the Commonwealth of Puerto Rico, Guam, the Virgin Islands, American Samoa, and any other territory or possession of the United States.

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Office of the Secretary of Defense

Base Realignment and Closure

"Congress authorized a base realignment and closure (BRAC) round i minimum, BRAC 2005 must eliminate excess physical capacity; th sustainment, and recapitalization of which diverts scarce resources 1 capability. However, BRAC 2005 can make an even more profound c transforming the Department by rationalizing our infrastructure with defe BRAC 2005 should be the means by which we reconfigure our current infr one in which operational capacity maximizes both warfighting capability and

BRAC 2005

12/23/2003: [Draft Department of Defense Selection Criteria for Closing and Realigning Military Installations in the US](#)

Donald H. Rumsfeld, Secretary of Defense
November 2003

04/16/2003 [Policy Memorandum One: Transformation Through Base Realignment and Closure \(BRAC 2005\), Policy, Responsibilities, and Procedures](#)

11/15/2002: [Transformation Through Base Realignment and Closure: Secretary of Defense Memorandum that initiated the BRAC 2005 process within the Department of Defense](#)

Military Department BRAC Sites



[Department of the Army](#)



[Department of the Navy](#)



[Department of the Air Force](#)

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Other Documents

- DOD Installation Visualization Tool Quality Assurance Plan, October 31, 2003, 86 pages, PDF

Prior BRAC Rounds

- The Report of the Department of Defense on Base Realignment and Closure, April 1995, 316 pages, PDF
- Report of the Effect of Base Closures on Future Mobilization Options, Office of the Under Secretary of Defense (Installations), November 10, 1999, 40 pages, PDF
- Military Base Closures: Progress in Completing Actions from Prior Realignments and Closures, (GAO-02-433, April 6, 2002) 73 pages, PDF
- Military Base Closures: DOD's Updated Net Savings Estimate Remains Substantial (GAO/NSIAD-01-971, July 31, 2001) 16 pages, PDF
- Military Bases: Status of Prior Base Realignment and Closure Rounds, (GAO/NSIAD-98-101, December 11, 1998) 101 pages, PDF
- Military Bases: Closure and Realignment Savings are Significant, But not Easily Quantified, (GAO/NSIAD-96-67, April 8, 1996) 23 pages, PDF
- The Relationship Between Base Closures/Realignments and Non-DOD Federal Costs, (GAO/NSIAD-94-109, September 1994), 40 pages, PDF

BRAC 1995

- Department of Defense, Base Closure and Realignment Report, March 1995, 316 pages, PDF
- Military Bases: Analysis of DOD's 1995 Process and Recommendations for Closure and Realignment, April 14, 1995, (GAO/NSIAD-95-133), 154 pages, PDF
- Defense Base Closure and Realignment Commission, 1995 Report to the President, 1995, 292 pages, PDF

BRAC 1993

- Department of Defense, Base Closure and Realignment Report, March 1993, 246 pages, PDF
- Military Bases: Analysis of DOD's Recommendations and Selection Process for Closure and Realignment. (GAO/NSIAD-93-173), April 15, 1993, 118 pages, PDF
- Defense Base Closure and Realignment Commission, 1993 Report to the President, 1993, 174 pages, PDF

BRAC 1991

- Department of Defense, Base Closure and Realignment Report, March 1991, 170 pages, PDF
- Military Bases: Observations on the Analyses Supporting Proposed Closures and Realignments. (GAO/NSIAD-91-224), May 15, 1991, 141 pages, PDF
- Defense Base Closure and Realignment Commission, 1991 Report to the President, 1991, 331 pages, PDF

BRAC 1988

- Base Realignments and Closures, Report of the Defense Secretary's Commission, 1988, 85 pages, PDF

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- [Military Bases: An Analysis of the Commission's Realignment and Closure Recommendations, \(GAO/NSIAD-90-42\) November 29, 1989, 114 pages, PDF](#)

Reuse of Former Bases

- [Renaissance: New Jobs, New Uses of Space and Resources, New Life for Former M Bases, 2002, 16 pages, PDF](#)
- [Community Guide to Base Reuse, describes process used in prior BRAC rounds, 61 PDF](#)
- [Base Reuse Implementation Manual, 1997, describes process used in prior BRAC rc pages, PDF](#)

Other Links

- [Office of Economic Adjustment](#)
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sections 10 and 17(b) of the FTCA 15 U.S.C. 50 and 57(b).

11. Respondent reserves its right to challenge the Commission's findings under paragraphs 9 and 10 of this Agreement before the Commission and to have the court review whether the Commission's decision was arbitrary and capricious.

12. The Commission may publicize the terms of this Consent Order Agreement.

13. This Agreement, and the Complaint accompanying the Agreement, may be used in interpreting the Order. Agreements, understandings, representations, or interpretations, made outside this Consent Order Agreement may not be used to vary or contradict its terms.

14. Upon acceptance of the Agreement, the Commission shall issue the following Order.

15. The provisions of this Agreement shall apply to Respondent and each of its successors and assigns.

Dated: September 29, 2003.

Respondent, the Lifelike Co.

Dennis W. Scruggs,
Executive Vice President and Chief Financial Officer, The Lifelike Company, d/b/a My Twinn, 5655 South Yosemite Street, Suite 212, Greenwood Village, CO 80111.

Commission Staff

Alan H. Schoem,
Assistant Executive Director, Office of Compliance, Consumer Product Safety Commission, Washington, DC 20207-0001.

Eric L. Stone,
Director, Legal Division, Office of Compliance.

Dated: September 29, 2003.

Dennis C. Kacoyanis,
Trial Attorney, Office of Compliance.

Order

It is hereby ordered that Respondent, its successors, and assigns, agents, representatives, and employees, directly or through any corporation, subsidiary, division, or other business entity, or through any agency, device, or instrumentality, do forthwith cease and desist from manufacturing for sale, selling, or offering for sale, in commerce, or importing into the United States or introducing, delivering for introduction, transporting or causing to be transported, in commerce, any product, fabric, or related material that fails to comply with the flammability requirements of the Standards for the Flammability of Children's Sleepwear, 16 CFR parts 1615 and 1616.

It is further ordered That following service upon Respondent of the Final Order in this matter, Respondent will notify the Commission within 30 days following the consummation of the sale of a majority of its stock or following a change in any of its corporate officers responsible for compliance with the terms of this Consent Agreement and Order.

By direction of the Commission, this Consent Agreement and Order is provisionally accepted pursuant to 16 CFR 1605.13, and shall be placed on the public record, and the Secretary is directed to publish the provisional acceptance of the Consent Order Agreement in the Commission's Public Calendar and in the **Federal Register**

So ordered by the Commission, this 16th day of December, 2003.

Todd A. Stevenson,
Secretary, Consumer Product Safety Commission.

Complaint

Nature of Proceedings

Pursuant to the provisions of the Flammable Fabrics Act (FFA), as amended, 15 U.S.C. 1191 *et seq.*; the Federal Trade Commission Act (FTCA), as amended, 15 U.S.C. 41 *et seq.*; and the Standards for the Flammability of Children's Sleepwear (Sleepwear Standards), 16 CFR parts 1615 and 1616, the Consumer Product Safety Commission having reason to believe that the Lifelike Company, d/b/a My Twinn®, 5655 South Yosemite Street, Suite 212, Greenwood, CO 80111, has violated the provisions of said Acts; and further, it appearing to the Commission that a proceeding by it in respect to those violations would be in the public interest, therefore, it hereby issues its complaint stating its charges as follows:

1. Respondent the Lifelike Company, d/b/a My Twinn® is a corporation organized and existing under the laws of the State of Colorado, with its principal place of business located at 5655 South Yosemite Street, Suite 212, Greenwood Village, CO 80111.

2. Respondent is now and has been engaged in the sale, or the offering for sale, in commerce, or the importation into the United States, or the introduction, delivery for introduction, transportation or causing to be transported, in commerce, or the sale or delivery after a sale or shipment in commerce, as the term "commerce" is defined in section 2(b) of the FFA, 15 U.S.C. 119(b), "children's sleepwear" as defined in 16 CFR 1615.1 and 1616.1.

3. From October 15, 1999, through December 3, 1999, Respondent imported into the United States, sold, and offered for sale, in commerce, introduced, delivered for introduction, transported or caused to be transported, in commerce, and sold or delivered after a sale or shipment in commerce 4,366 pairs of purple satin pajamas made from 100% polyester that failed to meet the flammability requirements of the Children's Sleepwear Standards, 16 CFR parts 1615 and 1616, in violation of

section 3(a) of the FFA, 15 U.S.C. 1192(a).

4. In 2001, Respondent sold, and offered for sale, in commerce, introduced, delivered for introduction, transported or caused to be transported, in commerce, and sold or delivered after a sale or shipment in commerce, 2,103 pairs of purple satin pajamas, GPU 072899, made from 100% polyester that failed to meet the flammability requirements of the Children's Sleepwear Standards, 16 CFR parts 1615 and 1616, in violation of section 3(a) of the FFA, 15 U.S.C. 1192(a).

5. In 2001, Respondent sold, and offered for sale, in commerce, introduced, delivered for introduction, transported or caused to be transported, in commerce, and sold or delivered after a sale or shipment in commerce 3,564 rosebud nightgowns, GPU 072600, made from 100% polyester that failed to meet the flammability requirements of the Children's Sleepwear Standards, 16 CFR parts 1615 and 1616, in violation of section 3(a) of the FFA, 15 U.S.C. 1192(a).

6. The acts by Respondent set forth in paragraphs 3 through 5 of the complaint are unlawful and constitute an unfair method of competition and an unfair and deceptive practice in commerce under the FTCA, in violation of section 3(a) of the FFA, 15 U.S.C. 1192(a), for which a cease and desists order may be issued against Respondent pursuant to section 5(b) of the FFA, 15 U.S.C. 1194(b), and section 5 of the FTCA, 15 U.S.C. 45.

Relief Sought

7. The staff seeks the issuance of a cease and desist order against Respondent pursuant to section 5(b) of the FFA, 15 U.S.C. 1194(b), and section 5 of the FTCA, 15 U.S.C. 45.

Wherefore, the premises considered, the Commission hereby issues this Complaint on the 11th day of December, 2003.

By direction of the Commission.
Alan H. Schoem,
Assistant Executive Director, Office of Compliance.

[FR Doc. 03-31495 Filed 12-22-03; 8:45 am]

BILLING CODE 6355-01-M

DEPARTMENT OF DEFENSE

Office of the Secretary

Department of Defense Draft Selection Criteria for Closing and Realignment Military Installations Inside the United States

AGENCY: Office of the Deputy Under Secretary of Defense (Installations and Environment), DoD.

ACTION: Notice.

SUMMARY: This notice publishes the draft selection criteria that will be used by the Department of Defense to make closure and realignment recommendations that will be reviewed by the 2005 Defense Base Closure and Realignment Commission.

DATES: Comments should be submitted to the Department of Defense at the address shown below by January 28, 2004, to be considered in the formulation of the final criteria.

ADDRESSES: Interested parties should submit written comments to: Office of the Deputy Under Secretary of Defense (Installations & Environment), ATTN: Mr. Peter Potochney, Director, Base Realignment and Closure, Room 3D814, the Pentagon, Washington DC, 20301-3300. Please cite this **Federal Register** announcement in all correspondence. Interested parties may also forward their comments via facsimile at 703-695-1496.

FOR FURTHER INFORMATION CONTACT: Mr. Mike McAndrew, Base Realignment and Closure Office, ODUSD(I&E), (703) 614-5356.

SUPPLEMENTARY INFORMATION:**A. Background**

The Defense Base Closure and Realignment Act of 1990, as amended (the Act), establishes the authority by which the Secretary of Defense may close or realign military installations inside the United States. Section 2913(a) of the Act requires the Secretary of Defense to publish the selection criteria proposed to be used by the Secretary in making recommendations for the closure or realignment of military installations inside the United States by December 31, 2003, for a 30-day public comment period. Section 2913(e) requires the Secretary of Defense to publish the final selection criteria no later than February 16, 2004. The final selection criteria are subject to Congressional disapproval by Act of Congress until March 15, 2004.

B. Relationship to Previous Criteria

Since the 1991 Base Realignment and Closure (BRAC) round, the Department of Defense (DoD) has used the same, publicly accepted, selection criteria to make its closure and realignment recommendations. The Department first published these criteria for public comment in a November 30, 1990 (55 FR 49678), **Federal Register** notice. Based on comments received, the proposed criteria were appropriately amended. The February 15, 1991 (56 FR 6374), **Federal Register** notice contained

an analysis of public comments received and a description of the changes DoD made to the draft criteria. Having not been disapproved by Congress, the final criteria were used to make recommendations to the 1991 Defense Base Closure and Realignment Commission. Subsequently, the DoD, in a December 15, 1992 (57 FR 59334), and a December 9, 1994 (59 FR 63769), **Federal Register** notice, announced that it would use the same final criteria to make recommendations to the 1993 and 1995 Defense Base Closure and Realignment Commissions, respectively.

The Act specifies that the selection criteria shall ensure that military value is the primary consideration in making closure and realignment recommendations. It also lists specific considerations that military value must include and special considerations that the selection criteria must address. The eight criteria proposed for this round were based on the accepted, tested, and proven criteria used in past BRAC rounds. These criteria now incorporate statutory requirements and stress the Department's capabilities based approach to performing missions.

C. Draft Selection Criteria

It is proposed that the Department of Defense use the following criteria in making recommendations for the closure or realignment of military installations inside the United States:

- In recommending military installations for closure or realignment, the Department of Defense will, giving priority consideration to military value (criteria 1-4), consider:

Military Value

1. The current and future mission capabilities and the impact on operational readiness of the Department of Defense's total force, including the impact on joint warfighting, training, and readiness.
2. The availability and condition of land, facilities and associated airspace (including training areas suitable for maneuver by ground, naval, or air forces throughout a diversity of climate and terrain areas and staging areas for the use of the Armed Forces in homeland defense missions) at both existing and potential receiving locations.
3. The ability to accommodate contingency, mobilization, and future total force requirements at both existing and potential receiving locations to support operations and training.
4. The cost of operations and the manpower implications.

Other Considerations

5. The extent and timing of potential costs and savings, including the number of years, beginning with the date of completion of the closure or realignment, for the savings to exceed the costs.
6. The economic impact on existing communities in the vicinity of military installations.
7. The ability of both the existing and potential receiving communities' infrastructure to support forces, missions, and personnel.
8. The environmental impact, including the impact of costs related to potential environmental restoration, waste management, and environmental compliance activities.

D. Previous Federal Register References

1. 55 FR 49678, November 30, 1990: Proposed selection criteria and request for comments.
2. 55 FR 53586, December 31, 1990: Extend comment period on proposed selection criteria.
3. 56 FR 6374, February 15, 1991: Published selection criteria and analysis of comments.
4. 57 FR 59334, December 15, 1992: Published selection criteria.
5. 59 FR 63769, December 9, 1994: Published selection criteria.

Dated: December 18, 2003.

L.M. Bynum,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 03-31631 Filed 12-19-03; 10:00 am]

BILLING CODE 5001-06-P

DEPARTMENT OF EDUCATION**Notice of Proposed Information Collection Requests**

AGENCY: Department of Education.

SUMMARY: The Leader, Regulatory Information Management Group, Office of the Chief Information Officer, invites comments on the proposed information collection requests as required by the Paperwork Reduction Act of 1995.

DATES: Interested persons are invited to submit comments on or before February 23, 2004.

SUPPLEMENTARY INFORMATION: Section 3506 of the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35) requires that the Office of Management and Budget (OMB) provide interested Federal agencies and the public an early opportunity to comment on information collection requests. OMB may amend or waive the requirement for public consultation to the extent that public

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BRAC '05 to Support DoD Transformation

By Gerry J. Gilmore
American Forces Press Service

WASHINGTON, Oct. 26, 2004 -- The 2005 base realignment and closure initiative will be different from previous rounds in that it will directly contribute to DoD's transformation efforts, a top DoD official said here Oct. 25.

BRACs conducted between 1988 and 1995 closed 97 military bases and realigned 57, Raymond DuBois, deputy undersecretary of defense for installations and environment, told attendees at the Association of the U.S. Army's annual meeting here. Officials today estimate the department still carries about 23 percent excess infrastructure.

The 2005 BRAC will be unique in that besides paring no-longer-needed facilities, it will also support transformation goals, thereby making DoD better prepared for combating 21st century threats like global terrorism, DuBois observed.

A key component of 2005 BRAC consideration, he explained, involves weighing an installation's military value in view of how it contributes to and accommodates joint operations. Joint warfighting has proven to be the coin of the realm when confronting terrorists in Afghanistan and Iraq, he said.

In the post-Cold War world, "the U.S. Army must own speed and surprise," DuBois said, noting that multiservice cooperation in the transportation field in recent years has greatly leveraged the Army's combat projection power.

DuBois said the 2005 BRAC is aimed at combining that kind of power, including joint training, at installations that best offer it. Also, he noted, duplication can be reduced by merging military research and laboratory facilities.

Any new base closures would take into account the need to maintain a military "surge" capacity to deal with potential future threats, Dubois emphasized.

Previous BRACs have provided \$7 billion in annual savings to DoD since 2001, DuBois recalled. But, he noted, DoD still has \$660 billion tied up in property inventory.

The Defense Department needs "to free up that kind of investment capital to support our troops in areas where those resources are needed," he said.

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"We have a responsibility to provide the people defending our country with the highest quality training, technology, weapons systems, information and resources available," he said, "to include a well-maintained infrastructure by eliminating the unnecessary capacity."

Final 2005 BRAC recommendations will be presented in the spring.

Biography:

Deputy Undersecretary of Defense Raymond DuBois

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Base Realignment and Closure

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**FY 2002 National Defense Authorization Act
BRAC 2005 Timeline**

- Now thru
May 16, 05 DoD Deliberative Process. DoD undertakes internal data gathering and analytic process necessary to formulate recommendations and meet the statutory reporting requirements outlined below.
- Dec 31, 03 Draft Selection Criteria. Not later than this date the Secretary of Defense "shall publish in the Federal Register and transmit to the congressional defense committees the criteria proposed to be used by the Secretary in making recommendations for the closure or realignment of military installations inside the United states." There is a 30 day public comment period.
- Feb ~, 04 Force Structure Plan & Infrastructure Inventory to Congress. As part of the FY 05 Budget justification documents submitted to Congress, the Secretary shall include the following:
- A "force-structure plan for the Armed Forces based on an assessment by the Secretary of the probable threats to the national security during the 20-year period beginning with fiscal year 2005, the probable end-strength levels and major military force units (including land force divisions, carrier and other major combatant vessels, air wings, and other comparable units) needed to meet these threats, and the anticipated levels of funding that will be available for national defense purposes during such period."
 - A "comprehensive inventory of military installations world-wide for each military department, with specifications of the number and type of facilities in the active and reserve forces of each military department."
 - A "description of infrastructure necessary to support the force structure described in the force structure plan."
 - A "discussion of excess categories of excess infrastructure and infrastructure capacity."
 - An "economic analysis of the effect of the closure or realignment of military installations to reduce excess infrastructure."
 - A "certification regarding whether the need exists for the closure or realignment of additional military installations; and if such need exists, a certification that the additional round of closures and realignments would result in annual net savings for each of the military departments beginning not later than fiscal year 2011."
- Feb 16, 04 Final Selection Criteria. Not later than this date the Secretary of Defense shall "publish in the Federal Register and transmit to the congressional defense committees the final criteria to be used in making recommendations for the closure and realignment of military installations inside the United States."
- Mar 15, 04 Deadline for Congressional disapproval of Final Selection Criteria

Apr ~, 04 Comptroller General Evaluation. Not later than 60 days after the date on which the force-structure plan and infrastructure inventory are submitted to Congress, the Comptroller General shall prepare an evaluation of the force-structure plan, infrastructure inventory, selection criteria, and the need for the closure and realignment of additional military installations

Feb ~, 05 Revisions to Force-Structure Plan and Infrastructure Inventory. If the Secretary has made any revisions to the force-structure plan and infrastructure inventory, the Secretary shall submit those revisions to Congress as part of the FY 06 Budget justification documents

Mar 15, 05 Nomination of Commissioners. Not later than this date, the President must transmit to the Senate nominations for the appointment of new members to the Defense Base Closure and Realignment Commission.

May 16, 05 Secretary of Defense Recommendations. Not later than this date, the Secretary must publish in the Federal Register and transmit to the congressional defense committees and the Commission, a list of the military installations that the Secretary recommends for closure or realignment.

Jul 1, 05 Comptroller General Analysis. Not later than this date, the Comptroller General shall transmit to the congressional defense committees, a report containing a detailed analysis of the Secretary's recommendations and selection process.

Sep 8, 05 Commission's Recommendations. Not later than this date, the Commission must transmit to the President "a report containing its findings and conclusions based on a review and analysis of the Secretary's recommendations."

Sep 23, 05 President's Approval or Disapproval of Commission Recommendations. Not later than this date, the President shall transmit to the Commission and to the Congress, "a report containing the President's approval or disapproval of the Commission's recommendations."

If the President approves the recommendations, the recommendations are binding 45 "legislative" days after Presidential transmission or adjournment sine die, unless Congress enacts joint resolution of disapproval.

Oct 20, 05 Commission's Revised Recommendations. If the President disapproves the Commission's initial recommendations, the Commission must submit revised recommendations to the President not later than this date.

Nov 7, 05 President's Approval or Disapproval of Revised Recommendations. The President must approve the revised recommendations and transmit approval to Congress by this date or the process ends. The recommendations become binding 45 "legislative" days after Presidential transmission or adjournment sine die, unless Congress enacts joint resolution of disapproval.

Apr 15, 06 Commission terminates

DEFENSE BASE CLOSURE AND REALIGNMENT ACT OF 1990
(Public Law 101-510, as amended through the National Defense Authorization Act of Fiscal Year 2003)

SEC. 2901. SHORT TITLE AND PURPOSE

(a) **SHORT TITLE.**--This part may be cited as the "Defense Base Closure and Realignment Act of 1990".

(b) **PURPOSE.**--The purpose of this part is to provide a fair process that will result in the timely closure and realignment of military installations inside the United States.

SEC. 2902. THE COMMISSION

(a) **ESTABLISHMENT.**--There is established an independent commission to be known as the "Defense Base Closure and Realignment Commission".

(b) **DUTIES.**--The Commission shall carry out the duties specified for it in this part.

(c) **APPOINTMENT.**--(1)(A) The Commission shall be composed of eight members appointed by the President, by and with the advise and consent of the Senate.

(B) The President shall transmit to the Senate the nominations for appointment to the Commission--

(i) by no later than January 3, 1991, in the case of members of the Commission whose terms will expire at the end of the first session of the 102nd Congress;

(ii) by no later than January 25, 1993, in the case of members of the Commission whose terms will expire at the end of the first session of the 103rd Congress; and

(iii) by no later than January 3, 1995, in the case of members of the Commission whose terms will expire at the end of the first session of the 104th Congress.

(C) If the President does not transmit to Congress the nominations for appointment to the Commission on or before the date specified for 1993 in clause (ii) of subparagraph (B) or for 1995 in clause (iii) of such subparagraph, the process by which military installations may be selected for closure or realignment under this part with respect to that year shall be terminated.

(2) In selecting individuals for nominations for appointments to the Commission, the President should consult with--

(A) the Speaker of the House of Representatives concerning the appointment of two members;

(B) the majority leader of the Senate concerning the appointment of two members;

(C) the minority leader of the House of Representatives concerning the appointment of one member; and

(D) the minority leader of the Senate concerning the appointment of one member.

(3) At the time the President nominates individuals for appointment to the Commission for each session of Congress referred to in paragraph (1)(B), the President shall designate one such individual who shall serve as Chairman of the Commission.

(d) TERMS.--(1) Except as provided in paragraph (2), each member of the Commission shall serve until the adjournment of Congress sine die for the session during which the member was appointed to the Commission.

(2) The Chairman of the Commission shall serve until the confirmation of a successor.

(e) MEETINGS.--(1) The Commission shall meet only during calendar years 1991, 1993, and 1995.

(2)(A) Each meeting of the Commission, other than meetings in which classified information is to be discussed, shall be open to the public.

(B) All the proceedings, information, and deliberations of the Commission shall be open, upon request, to the following:

(i) The Chairman and the ranking minority party member of the Subcommittee on Readiness, Sustainability, and Support of the Committee on Armed Services of the Senate, or such other members of the Subcommittee designated by such Chairman or ranking minority party member.

(ii) The Chairman and the ranking minority party member of the Subcommittee on Military Installations and Facilities of the Committee on Armed Services of the House of Representatives, or such other members of the Subcommittee designated by such Chairman or ranking minority party member.

(iii) The Chairmen and ranking minority party members of the Subcommittees on Military Construction of the Committees on Appropriations of the Senate and of the House of Representatives, or such other members of the Subcommittees designated by such Chairmen or ranking minority party members.

(f) VACANCIES.--A vacancy in the Commission shall be filled in the same manner as the original appointment, but the individual appointed to fill the vacancy shall serve only for the unexpired portion of the term for which the individual's predecessor was appointed.

(g) PAY AND TRAVEL EXPENSES.--(1)(A) Each member, other than the Chairman, shall be paid at a rate equal to the daily equivalent of the minimum annual rate of basic pay payable for level IV of the Executive Schedule under section 5315 of title 5, United States Code, for each day (including travel time) during which the member is engaged in the actual performance of duties vested in the Commission.

(B) The Chairman shall be paid for each day referred to in subparagraph (A) at a rate equal to the daily equivalent of the minimum annual rate of basic pay payable for level III of the Executive Schedule under section 5314, of title 5, United States Code.

(2) Members shall receive travel expenses, including per diem in lieu of subsistence, in accordance with sections 5702 and 5703 of title 5, United States Code.

(h) DIRECTOR OF STAFF.--(1) The Commission shall, without regard to section 5311(b) of title 5, United States Code, appoint a Director who has not served on active duty in the Armed Forces or as a civilian employee of the Department of Defense during the one-year period preceding the date of such appointment.

(2) The Director shall be paid at the rate of basic pay payable for level IV of the Executive Schedule under section 5315 of title 5, United States Code.

(i) STAFF.--(1) Subject to paragraphs (2) and (3), the Director, with the approval of the Commission, may appoint and fix the pay of additional personnel.

(2) The Director may make such appointments without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and any personnel so appointed may be paid without regard to the provisions of chapter 51 and subchapter III of chapter 53 of that title relating to classification and General Schedule pay rates, except that an individual so appointed may not receive pay in excess of the annual rate of basic pay payable for GS-18 of the General Schedule.

(3)(A) Not more than one-third of the personnel employed by or detailed to the Commission may be on detail from the Department of Defense.

(B)(i) Not more than one-fifth of the professional analysts of the Commission staff may be persons detailed from the Department of Defense to the Commission.

(ii) No person detailed from the Department of Defense to the Commission may be assigned as the lead professional analyst with respect to a military department or defense agency.

(C) A person may not be detailed from the Department of Defense to the Commission if, within 12 months before the detail is to begin, that person participated personally and substantially in any matter within the Department of Defense concerning the preparation of recommendations for closures or realignments of military installations.

(D) No member of the Armed Forces, and no officer or employee of the Department of Defense, may--

(i) prepare any report concerning the effectiveness, fitness, or efficiency of the performance on the staff of the Commission of any person detailed from the Department of Defense to that staff;

(ii) review the preparation of such a report; or

(iii) approve or disapprove such a report.

(4) Upon request of the Director, the head of any Federal department or agency may detail any of the personnel of that department or agency to the Commission to assist the Commission in carrying out its duties under this part.

(5) The Comptroller General of the United States shall provide assistance, including the detailing of employees, to the Commission in accordance with an agreement entered into with the Commission.

(6) The following restrictions relating to the personnel of the Commission shall apply during 1992 and 1994:

(A) There may not be more than 15 persons on the staff at any one time.

(B) The staff may perform only such functions as are necessary to prepare for the transition to new membership on the Commission in the following year.

(C) No member of the Armed Forces and no employee of the Department of Defense may serve on the staff.

(j) OTHER AUTHORITY.--(1) The Commission may procure by contract, to the extent funds are available, the temporary or intermittent services of experts or consultants pursuant to section 3109 of title 5, United States Code.

(2) The Commission may lease space and acquire personal property to the extent funds are available.

(k) FUNDING.--(1) There are authorized to be appropriated to the Commission such funds as are necessary to carry out its duties under this part. Such funds shall remain available until expended.

(2) If no funds are appropriated to the Commission by the end of the second session of the 101st Congress, the Secretary of Defense may transfer, for fiscal year 1991, to the Commission funds from the Department of Defense Base Closure Account established by section 207 of Public Law 100-526. Such funds shall remain available until expended.

(3)(A) The Secretary may transfer not more than \$300,000 from unobligated funds in the account referred to in subparagraph (B) for the purpose of assisting the Commission in carrying out its duties under this part during October, November, and December 1995. Funds transferred under the preceding sentence shall remain available until December 31, 1995.

(B) The account referred to in subparagraph (A) is the Department of Defense Base Closure Account established under section 207(a) of the Defense Authorization Amendments and Base Closure and Realignment Act (Public Law 100-526; 10 U.S.C. 2687 note).

(l) TERMINATION.--The Commission shall terminate on December 31, 1995.

(m) PROHIBITION AGAINST RESTRICTING COMMUNICATIONS.--Section 1034 of title 10, United States Code, shall apply with respect to communications with the Commission.

SEC. 2903. PROCEDURE FOR MAKING RECOMMENDATIONS FOR BASE CLOSURES AND REALIGNMENTS

(a) FORCE-STRUCTURE PLAN.--(1) As part of the budget justification documents submitted to Congress in support of the budget for the Department of Defense for each of the fiscal years 1992, 1994, and 1996, the Secretary shall include a force-structure plan for the Armed Forces based on an assessment by the Secretary of the probable threats to the national security during the six-year period beginning with the fiscal year for which the budget request is made and of the anticipated levels of funding that will be available for national defense purposes during such period.

(2) Such plan shall include, without any reference (directly or indirectly) to military installations inside the United States that may be closed or realigned under such plan--

(A) a description of the assessment referred to in paragraph (1);

(B) a description (i) of the anticipated force structure during and at the end of such period for each military department (with specifications of the number and type of units in the active and reserve forces of each such department), and (ii) of the units that will need to be forward based (with a justification thereof) during and at the end of each such period; and

(C) a description of the anticipated implementation of such force-structure plan.

(3) The Secretary shall also transmit a copy of each such force-structure plan to the Commission.

(b) SELECTION CRITERIA.--(1) The Secretary shall, by no later than December 31, 1990, publish in the *Federal Register* and transmit to the congressional defense committees the criteria

proposed to be used by the Department of Defense in making recommendations for the closure or realignment of military installations inside the United States under this part. The Secretary shall provide an opportunity for public comment on the proposed criteria for a period of at least 30 days and shall include notice of that opportunity in the publication required under the preceding sentence.

(2)(A) The Secretary shall, by no later than February 15, 1991, publish in the *Federal Register* and transmit to the congressional defense committees the final criteria to be used in making recommendations for the closure or realignment of military installations inside the United States under this part. Except as provided in subparagraph (B), such criteria shall be the final criteria to be used, making such recommendations unless disapproved by a joint resolution of Congress enacted on or before March 15, 1991.

(B) The Secretary may amend such criteria, but such amendments may not become effective until they have been published in the *Federal Register*, opened to public comment for at least 30 days, and then transmitted to the congressional defense committees in final form by no later than January 15 of the year concerned. Such amended criteria shall be the final criteria to be used, along with the force-structure plan referred to in subsection (a), in making such recommendations unless disapproved by a joint resolution of Congress enacted on or before February 15 of the year concerned.

(c) DOD RECOMMENDATIONS.--(1) The Secretary may, by no later than April 15, 1991, March 15, 1993, and March 1, 1995, publish in the *Federal Register* and transmit to the congressional defense committees and to the Commission a list of the military installations inside the United States that the Secretary recommends for closure or realignment on the basis of the force-structure plan and the final criteria referred to in subsection (b)(2) that are applicable to the year concerned.

(2) The Secretary shall include, with the list of recommendations published and transmitted pursuant to paragraph (1), a summary of the selection process that resulted in the recommendation for each installation, including a justification for each recommendation. The Secretary shall transmit the matters referred to in the preceding sentence not later than 7 days after the date of the transmittal to the congressional defense committees and the Commission of the list referred to in paragraph (1).

(3)(A) In considering military installations for closure or realignment, the Secretary shall consider all military installations inside the United States equally without regard to whether the installation has been previously considered or proposed for closure or realignment by the Department.

(B) In considering military installations for closure or realignment, the Secretary may not take into account for any purpose any advance conversion planning undertaken by an affected community with respect to the anticipated closure or realignment of an installation.

(C) For purposes of subparagraph (B), in the case of a community anticipating the economic effects of a closure or realignment of a military installation, advance conversion planning--

(i) shall include community adjustment and economic diversification planning undertaken by the community before an anticipated selection of a military installation in or near the community for closure or realignment; and

(ii) may include the development of contingency redevelopment plans, plans for

economic development and diversification, and plans for the joint use (including civilian and military use, public and private use, civilian dual use, and civilian shared use) of the property or facilities of the installation after the anticipated closure or realignment.

(4) In addition to making all information used by the Secretary to prepare the recommendations under this subsection available to Congress (including any committee or member of Congress), the Secretary shall also make such information available to the Commission and the Comptroller General of the United States.

(5)(A) Each person referred to in subparagraph (B), when submitting information to the Secretary of Defense or the Commission concerning the closure or realignment of a military installation, shall certify that such information is accurate and complete to the best of that persons knowledge and belief.

(B) Subparagraph (A) applies to the following persons:

(i) The Secretaries of the military departments.

(ii) The heads of the Defense Agencies.

(iii) Each person who is in a position the duties of which include personal and substantial involvement in the preparation and submission of information and recommendations concerning the closure or realignment of military installations, as designated in regulations which the Secretary of Defense shall prescribe, regulations which the Secretary of each military department shall prescribe for personnel within that military department, or regulations which the head of each Defense Agency shall prescribe for personnel within that Defense Agency.

(6) Any information provided to the Commission by a person described in paragraph (5)(B) shall also be submitted to the Senate and the House of Representatives to be made available to the Members of the House concerned in accordance with the rules of that House. The information shall be submitted to the Senate and House of Representatives within 24 hours after the submission of the information to the Commission.

(d) REVIEW AND RECOMMENDATIONS BY THE COMMISSION.--(1) After receiving the recommendations from the Secretary pursuant to subsection (c) for any year, the Commission shall conduct public hearings on the recommendations. All testimony before the Commission at a public hearing conducted under this paragraph shall be presented under oath. [*The preceding sentence shall apply with respect to all public hearings conducted by the Defense Base Closure and Realignment Commission after November 30, 1993.*]

(2)(A) The Commission shall, by no later than July 1 of each year in which the Secretary transmits recommendations to it pursuant to subsection (c), transmit to the President a report containing the Commission's findings and conclusions based on a review and analysis of the recommendations made by the Secretary, together with the Commission's recommendations for closures and realignments of military installations inside the United States.

(B) Subject to subparagraph (C), in making its recommendations, the Commission may make changes in any of the recommendations made by the Secretary if the Commission determines that the Secretary deviated substantially from the force-structure plan and final criteria referred to in subsection (c)(1) in making recommendations.

(C) In the case of a change described in subparagraph (D) in the recommendations made by the Secretary, the Commission may make the change only if the Commission--

(i) makes the determination required by subparagraph (B);

(ii) determines that the change is consistent with the force-structure plan and final criteria referred to in subsection (c)(1);

(iii) publishes a notice of the proposed change in the *Federal Register* not less than 45 days before transmitting its recommendations to the President pursuant to paragraph (2); and

(iv) conducts public hearings on the proposed change.

(D) Subparagraph (C) shall apply to a change by the Commission in the Secretary's recommendations that would--

(i) add a military installation to the list of military installations recommended by the Secretary for closure;

(ii) add a military installation to the list of military installations recommended by the Secretary for realignment; or

(iii) increase the extent of a realignment of a particular military installation recommended by the Secretary.

(E) In making recommendations under this paragraph, the Commission may not take into account for any purpose any advance conversion planning undertaken by an affected community with respect to the anticipated closure or realignment of a military installation.

(3) The Commission shall explain and justify in its report submitted to the President pursuant to paragraph (2) any recommendation made by the Commission that is different from the recommendations made by the Secretary pursuant to subsection (c). The Commission shall transmit a copy of such report to the congressional defense committees on the same date on which it transmits its recommendations to the President under paragraph (2).

(4) After July 1 of each year in which the Commission transmits recommendations to the President under this subsection, the Commission shall promptly provide, upon request, to any Member of Congress information used by the Commission in making its recommendations.

(5) The Comptroller General of the United States shall--

(A) assist the Commission, to the extent requested, in the Commission's review and analysis of the recommendations made by the Secretary pursuant to subsection (C); and

(B) by no later than April 15 of each year in which the Secretary makes such recommendations, transmit to the Congress and to the Commission a report containing a detailed analysis of the Secretary's recommendations and selection process.

(e) REVIEW BY THE PRESIDENT.--(1) The President shall, by no later than July 15 of each year in which the Commission makes recommendations under subsection (d), transmit to the Commission and to the Congress a report containing the President's approval or disapproval of the Commission's recommendations.

(2) If the President approves all the recommendations of the Commission, the President shall transmit a copy of such recommendations to the Congress, together with a certification of such approval.

(3) If the President disapproves the recommendations of the Commission, in whole or in part, the President shall transmit to the Commission and the Congress the reasons for that disapproval. The Commission shall then transmit to the President, by no later than August 15 of the year concerned, a revised list of recommendations for the closure and realignment of military installations.

(4) If the President approves all of the revised recommendations of the Commission transmitted to the President under paragraph (3), the President shall transmit a copy of such revised recommendations to the Congress, together with a certification of such approval.

(5) If the President does not transmit to the Congress an approval and certification described in paragraph (2) or (4) by September 1 of any year in which the Commission has transmitted recommendations to the President under this part, the process by which military installations may be selected for closure or realignment under this part with respect to that year shall be terminated.

SEC. 2904. CLOSURE AND REALIGNMENT OF MILITARY INSTALLATIONS

(a) IN GENERAL.--Subject to subsection (b), the Secretary shall--

(1) close all military installations recommended for closure by the Commission in each report transmitted to the Congress by the President pursuant to section 2903(e);

(2) realign all military installations recommended for realignment by such Commission in each such report;

(3) carry out the privatization in place of a military installation recommended for closure or realignment by the Commission in the 2005 report only if privatization in place is a method of closure or realignment of the military installation specified in the recommendations of the Commission in such report and is determined by the Commission to be the most cost-effective method of implementation of the recommendation;

(4) initiate all such closures and realignments no later than two years after the date on which the President transmits a report to the Congress pursuant to section 2903(e) containing the recommendations for such closures or realignments; and

(5) complete all such closures and realignments no later than the end of the six-year period beginning on the date on which the President transmits the report pursuant to section 2903(e) containing the recommendations for such closures or realignments.

(b) CONGRESSIONAL DISAPPROVAL.--(1) The Secretary may not carry out any closure or realignment recommended by the Commission in a report transmitted from the President pursuant to section 2903(e) if a joint resolution is enacted, in accordance with the provisions of section 2908: disapproving such recommendations of the Commission before the earlier of--

(A) the end of the 45-day period beginning on the date on which the President transmits such report; or

(B) the adjournment of Congress sine die for the session during which such report is transmitted.

(2) For purposes of paragraph (1) of this subsection and subsections (a) and (c) of section 2908, the days on which either House of Congress is not in session because of adjournment of more than three days to a day certain shall be excluded in the computation of a period.

SEC. 2905. IMPLEMENTATION

(a) IN GENERAL.--(1) In closing or realigning any military installation under this part, the Secretary may—

(A) take such actions as may be necessary to close or realign any military installation, including the acquisition of such land, the construction of such replacement facilities, the performance of such activities, and the conduct of such advance planning and design as may be required to transfer functions from a military installation being closed or realigned to another military installation, and may use for such purpose funds in the Account or funds appropriated to the Department of Defense for use in planning and design, minor construction, or operation and maintenance;

(B) provide--

(i) economic adjustment assistance to any community located near a military installation being closed or realigned, and

(ii) community planning assistance to any community located near a military installation to which functions will be transferred as a result of the closure or realignment of a military installation, if the Secretary of Defense determines that the financial resources available to the community (by grant or otherwise) for such purposes are inadequate, and may use for such purposes funds in the Account or funds appropriated to the Department of Defense for economic adjustment assistance or community planning assistance;

(C) carry out activities for the purposes of environmental restoration and mitigation at any such installation, and shall use for such purposes funds in the Account. [*Amendments to this subsection took effect on December 5, 1991.*]

(D) provide outplacement assistance to civilian employees employed by the Department of Defense at military installations being closed or realigned, and may use for such purpose funds in the Account or funds appropriated to the Department of Defense for outplacement assistance to employees; and

(E) reimburse other Federal agencies for actions performed at the request of the Secretary with respect to any such closure or realignment, and may use for such purpose funds in the Account or funds appropriated to the Department of Defense and available for such purpose.

(2) In carrying out any closure or realignment under this part, the Secretary shall ensure that environmental restoration of any property made excess to the needs of the Department of Defense as a result of such closure or realignment be carried out as soon as possible with funds available for such purpose.

(b) MANAGEMENT AND DISPOSAL OF PROPERTY.--(1) The Administrator of General Services shall delegate to the Secretary of Defense, with respect to excess and surplus real property, facilities, and personal property located at a military installation closed or realigned under this part--

(A) the authority of the Administrator to utilize excess property under section 202 of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 483);

(B) the authority of the Administrator to dispose of surplus property under section 203 of that Act (40 U.S.C. 484);

(C) the authority to dispose of surplus property for public airports under sections 47151 through 47153 of title 49, United States Code; and

(D) the authority of the Administrator to determine the availability of excess or surplus real property for wildlife conservation purposes in accordance with the Act of

May 19, 1948 (16 U.S.C. 667b).

(2)(A) Subject to subparagraph (B) and paragraphs (3), (4), (5), and (6), the Secretary of Defense shall exercise the authority delegated to the Secretary pursuant to paragraph (1) in accordance with--

(i) all regulations governing the utilization of excess property and the disposal of surplus property under the Federal Property and Administrative Services Act of 1949; and

(ii) all regulations governing the conveyance and disposal of property under section 13(g) of the Surplus Property Act of 1944 (50 U.S.C. App. 1622(g)).

(B) The Secretary may, with the concurrence of the Administrator of General Services--

(i) prescribe general policies and methods for utilizing excess property and disposing of surplus property pursuant to the authority delegated under paragraph (1); and

(ii) issue regulations relating to such policies and methods, which shall supersede the regulations referred to in subparagraph (A) with respect to that authority.

(C) The Secretary of Defense may transfer real property or facilities located at a military installation to be closed or realigned under this part, with or without reimbursement, to a military department or other entity (including a nonappropriated fund instrumentality) within the Department of Defense or the Coast Guard.

(D) Before any action may be taken with respect to the disposal of any surplus real property or facility located at any military installation to be closed or realigned under this part, the Secretary of Defense shall consult with the Governor of the State and the heads of the local governments concerned for the purpose of considering any plan for the use of such property by the local community concerned.

(3)(A) Not later than 6 months after the date of approval of the closure or realignment of a military installation under this part, the Secretary, in consultation with the redevelopment authority with respect to the installation, shall--

(i) inventory the personal property located at the installation; and

(ii) identify the items (or categories of items) of such personal property that the Secretary determines to be related to real property and anticipates will support the implementation of the redevelopment plan with respect to the installation.

(B) If no redevelopment authority referred to in subparagraph (A) exists with respect to an installation, the Secretary shall consult with--

(i) the local government in whose jurisdiction the installation is wholly located; or

(ii) a local government agency or State government agency designated for the purpose of such consultation by the chief executive officer of the State in which the installation is located.

(C)(i) Except as provided in subparagraphs (E) and (F), the Secretary may not carry out any of the activities referred to in clause (ii) with respect to an installation referred to in that clause until the earlier of--

(I) one week after the date on which the redevelopment plan for the installation is submitted to the Secretary;

(II) the date on which the redevelopment authority notifies the Secretary that it will not submit such a plan;

(III) twenty-four months after the date of approval of the closure or

realignment of the installation; or

(IV) ninety days before the date of the closure or realignment of the installation.

(ii) The activities referred to in clause (i) are activities relating to the closure or realignment of an installation to be closed or realigned under this part as follows:

(I) The transfer from the installation of items of personal property at the installation identified in accordance with subparagraph (A).

(II) The reduction in maintenance and repair of facilities or equipment located at the installation below the minimum levels required to support the use of such facilities or equipment for nonmilitary purposes.

(D) Except as provided in paragraph (4), the Secretary may not transfer items of personal property located at an installation to be closed or realigned under this part to another installation, or dispose of such items, if such items are identified in the redevelopment plan for the installation as items essential to the reuse or redevelopment of the installation. In connection with the development of the redevelopment plan for the installation, the Secretary shall consult with the entity responsible for developing the redevelopment plan to identify the items of personal property located at the installation, if any, that the entity desires to be retained at the installation for reuse or redevelopment of the installation.

(E) This paragraph shall not apply to any personal property located at an installation to be closed or realigned under this part if the property--

(i) is required for the operation of a unit, function, component, weapon, or weapons system at another installation;

(ii) is uniquely military in character, and is likely to have no civilian use (other than use for its material content or as a source of commonly used components);

(iii) is not required for the reutilization or redevelopment of the installation (as jointly determined by the Secretary and the redevelopment authority);

(iv) is stored at the installation for purposes of distribution (including spare parts or stock items); or

(v)(I) meets known requirements of an authorized program of another Federal department or agency for which expenditures for similar property would be necessary, and (II) is the subject of a written request by the head of the department or agency.

(F) Notwithstanding subparagraphs (C)(i) and (D), the Secretary may carry out any activity referred to in subparagraph (C)(ii) or (D) if the Secretary determines that the carrying out of such activity is in the national security interest of the United States.

(4)(A) The Secretary may transfer real property and personal property located at a military installation to be closed or realigned under this part to the redevelopment authority with respect to the installation for purposes of job generation on the installation.

(B) With respect to military installations for which the date of approval of closure or realignment is after January 1, 2005, the Secretary shall seek to obtain consideration in connection with any transfer under this paragraph of property located at the installation in an amount equal to the fair market value of the property, as determined by the Secretary. The transfer of property of a military installation under subparagraph (A) may be without consideration if the redevelopment authority with respect to the installation—

(i) agrees that the proceeds from any sale or lease of the property (or any portion thereof) received by the redevelopment authority during at least the first seven years after

the date of the initial transfer of property under subparagraph (A) shall be used to support the economic redevelopment of, or related to, the installation; and

(ii) executes the agreement for transfer of the property and accepts control of the property within a reasonable time after the date of the property disposal record of decision or finding of no significant impact under the National Environmental policy act of 1969 (42 U.S.C. 4321 et seq.).

(C) For purposes of subparagraph (B), the use of proceeds from a sale or lease described in such subparagraph to pay for, or offset the costs of, public investment on or related to the installation for any of the following purposes shall be considered a use to support the economic redevelopment of, or related to, the installation:

- (i) Road construction.
- (ii) Transportation management facilities.
- (iii) Storm and sanitary sewer construction.
- (iv) Police and fire protection facilities and other public facilities.
- (v) Utility construction.
- (vi) Building rehabilitation.
- (vii) Historic property preservation.
- (viii) Pollution prevention equipment or facilities.
- (ix) Demolition.
- (x) Disposal of hazardous materials generated by demolition.
- (xi) Landscaping, grading, and other site or public improvements.
- (xii) Planning for or the marketing of the development and reuse of the

installation.

(D) The Secretary may recoup from a redevelopment authority such portion of the proceeds from a sale or lease described in subparagraph (B) as the Secretary determines appropriate if the redevelopment authority does not use the proceeds to support economic redevelopment of, or related to, the installation for the period specified in subparagraph (B).

(E)(i) The Secretary may transfer real property at an installation approved for closure or realignment under this part (including property at an installation approved for realignment which will be retained by the Department of Defense or another Federal agency after realignment) to the redevelopment authority for the installation if the redevelopment authority agrees to lease, directly upon transfer, one or more portions of the property transferred under this subparagraph to the Secretary or to the head of another department or agency of the Federal Government.

Subparagraph (B) shall apply to a transfer under this subparagraph.

(ii) A lease under clause (i) shall be for a term of not to exceed 50 years, but may provide for options for renewal or extension of the term by the department or agency concerned.

(iii) A lease under clause (i) may not require rental payments by the United States.

(iv) A lease under clause (i) shall include a provision specifying that if the department or agency concerned ceases requiring the use of the leased property before the expiration of the term of the lease, the remainder of the lease term may be satisfied by the same or another department or agency of the Federal Government using the property for a use similar to the use under the lease. Exercise of the authority provided by this clause shall be made in consultation with the redevelopment authority concerned.

(v) Notwithstanding clause (iii), if a lease under clause (i) involves a substantial portion of the installation, the department or agency concerned may obtain facility services for the leased

property and common area maintenance from the redevelopment authority or the redevelopment authority's assignee as a provision of the lease. The facility services and common area maintenance shall be provided at a rate no higher than the rate charged to non-Federal tenants of the transferred property. Facility services and common area maintenance covered by the lease shall not include—

- (I) municipal services that a State or local government is required by law to provide to all landowners in its jurisdiction without direct charge; or
- (II) firefighting or security-guard functions.

(F) The transfer of personal property under subparagraph (A) shall not be subject to the provisions of sections 202 and 203 of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 483, 484) if the Secretary determines that the transfer of such property is necessary for the effective implementation of a redevelopment plan with respect to the installation at which such property is located.

(G) The provisions of section 120(h) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9620(h)) shall apply to any transfer of real property under this paragraph.

(H)(i) In the case of an agreement for the transfer of property of a military installation under this paragraph that was entered into before April 21, 1999, the Secretary may modify the agreement, and in so doing compromise, waive, adjust, release, or reduce any right, title, claim, lien, or demand of the United States, if—

(I) the Secretary determines that as a result of changed economic circumstances, a modification of the agreement is necessary;

(II) the terms of the modification do not require the return of any payments that have been made to the Secretary;

(III) the terms of the modification do not compromise, waive, adjust, release, or reduce an right, title, claim, lien, or demand of the United States with respect to in-kind consideration; and

(IV) the cash consideration to which the United States is entitled under the modified agreement, when combined with the cash consideration to be received by the United States for the disposal of other real property assets on the installation, are as sufficient as they were under the original agreement to fund the reserve account established under section 204(b)(7)(C) of the Defense Authorization Amendments and Base Closure and Realignment Act, with the depreciated value of the investment made with commissary store funds or nonappropriated funds in property disposed of pursuant to the agreement being modified, in accordance with section 2906(d).

(ii) When exercising the authority granted by clause (i), the Secretary may waive some or all future payments if, and to the extent that, the Secretary determines such waiver is necessary.

(iii) With the exception of the requirement that the transfer be without consideration, the requirements of subparagraphs (B), (C), and (D) shall be applicable to any agreement modified pursuant to clause (i).

(I) In the case of an agreement for the transfer of property of a military installation under this paragraph that was entered into during the period beginning on April 21, 1999, and ending on the date of enactment of the National Defense Authorization Act for Fiscal Year 2000, at the request of the redevelopment authority concerned, the Secretary shall modify the agreement to conform to all the requirements of subparagraphs (B), (C), and (D). Such a modification may

include the compromise, waiver, adjustment, release, or reduction of any right, title, claim, lien, or demand of the United States under the agreement.

(J) The Secretary may require any additional terms and conditions in connection with a transfer under this paragraph as such Secretary considers appropriate to protect the interests of the United States.

(5)(A) Except as provided in subparagraphs (B) and (C), the Secretary shall take such actions as the Secretary determines necessary to ensure that final determinations under paragraph (1) regarding whether another department or agency of the Federal Government has identified a use for any portion of a military installation to be closed or realigned under this part, or will accept transfer of any portion of such installation, are made not later than 6 months after the date of approval of closure or realignment of that installation.

(B) The Secretary may, in consultation with the redevelopment authority with respect to an installation, postpone making the final determinations referred to in subparagraph (A) with respect to the installation for such period as the Secretary determines appropriate if the Secretary determines that such postponement is in the best interests of the communities affected by the closure or realignment of the installation.

(C)(i) Before acquiring non-Federal real property as the location for a new or replacement Federal facility of any type, the head of the Federal agency acquiring the property shall consult with the Secretary regarding the feasibility and cost advantages of using Federal property or facilities at a military installation closed or realigned or to be closed or realigned under this part as the location for the new or replacement facility. In considering the availability and suitability of a specific military installation, the Secretary and the head of the Federal agency involved shall obtain the concurrence of the redevelopment authority with respect to the installation and comply with the redevelopment plan for the installation.

(ii) Not later than 30 days after acquiring non-Federal real property as the location for a new or replacement Federal facility, the head of the Federal agency acquiring the property shall submit to Congress a report containing the results of the consultation under clause (i) and the reasons why military installations referred to in such clause that are located within the area to be served by the new or replacement Federal facility or within a 200-mile radius of the new or replacement facility, whichever area is greater, were considered to be unsuitable or unavailable for the site of the new or replacement facility.

(iii) This subparagraph shall apply during the period beginning on the date of the enactment of the National Defense Authorization Act for Fiscal Year 1998 and ending on July 31, 2001.

(6)(A) Except as provided in this paragraph, nothing in this section shall limit or otherwise affect the application of the provisions of the Stewart B. McKinney Homeless Assistance Act (42 U.S.C. 11301 et seq.) to military installations closed under this part. For procedures relating to the use to assist the homeless of buildings and property at installations closed under this part after the date of the enactment of this sentence, see paragraph (7).

(B)(i) Not later than the date on which the Secretary of Defense completes the determination under paragraph (5) of the transferability of any portion of an installation to be closed under this part, the Secretary shall—

(I) complete any determinations or surveys necessary to determine whether any building or property referred to in clause (ii) is excess property, surplus property, or unutilized or underutilized property for the purpose of the information referred to in

section 501(a) of such Act (42 U.S.C. 11411(a)); and

(II) submit to the Secretary of Housing and Urban Development information on any building or property that is so determined.

(ii) The buildings and property referred to in clause (i) are any buildings or property located at an installation referred to in that clause for which no use is identified, or of which no Federal department or agency will accept transfer, pursuant to the determination of transferability referred to in that clause.

(C) Not later than 60 days after the date on which the Secretary of Defense submits information to the Secretary of Housing and Urban Development under subparagraph (B)(ii), the Secretary of Housing and Urban Development shall--

(i) identify the buildings and property described in such information that are suitable for use to assist the homeless;

(ii) notify the Secretary of Defense of the buildings and property that are so identified;

(iii) publish in the *Federal Register* a list of the buildings and property that are so identified, including with respect to each building or property the information referred to in section 501(c)(1)(B) of such Act; and

(iv) make available with respect to each building and property the information referred to in section 501(c)(1)(C) of such Act in accordance with such section 501(c)(1)(C).

(D) Any buildings and property included in a list published under subparagraph (C)(iii) shall be treated as property available for application for use to assist the homeless under section 501(d) of such Act.

(E) The Secretary of Defense shall make available in accordance with section 501(f) of such Act any buildings or property referred to in subparagraph (D) for which--

(i) a written notice of an intent to use such buildings or property to assist the homeless is received by the Secretary of Health and Human Services in accordance with section 501(d)(2) of such Act;

(ii) an application for use of such buildings or property for such purpose is submitted to the Secretary of Health and Human Services in accordance with section 501(e)(2) of such Act; and

(iii) the Secretary of Health and Human Services--

(I) completes all actions on the application in accordance with section 501(e)(3) of such Act; and

(II) approves the application under section 501(e) of such Act.

(F)(i) Subject to clause (ii), a redevelopment authority may express in writing an interest in using buildings and property referred to subparagraph (D), and buildings and property referred to in subparagraph (B)(ii) which have not been identified as suitable for use to assist the homeless under subparagraph (C), or use such buildings and property, in accordance with the redevelopment plan with respect to the installation at which such buildings and property are located as follows:

(I) If no written notice of an intent to use such buildings or property to assist the homeless is received by the Secretary of Health and Human Services in accordance with section 501(d)(2) of such Act during the 60-day period beginning on the date of the publication of the buildings and property under subparagraph (C)(iii).

(II) In the case of buildings and property for which such notice is so received, if no completed application for use of the buildings or property for such purpose is received by the Secretary of Health and Human Services in accordance with section 501(e)(2) of such Act during the 90-day period beginning on the date of the receipt of such notice.

(III) In the case of buildings and property for which such application is so received, if the Secretary of Health and Human Services rejects the application under section 501(e) of such Act.

(ii) Buildings and property shall be available only for the purpose of permitting a redevelopment authority to express in writing an interest in the use of such buildings and property, or to use such buildings and property, under clause (i) as follows:

(I) In the case of buildings and property referred to in clause (i)(I), during the one-year period beginning on the first day after the 60-day period referred to in that clause.

(II) In the case of buildings and property referred to in clause (i)(II), during the one-year period beginning on the first day after the 90-day period referred to in that clause.

(III) In the case of buildings and property referred to in clause (i)(III), during the one-year period beginning on the date of the rejection of the application referred to in that clause.

(iii) A redevelopment authority shall express an interest in the use of buildings and property under this subparagraph by notifying the Secretary of Defense, in writing, of such an interest.

(G)(i) Buildings and property available for a redevelopment authority under subparagraph (F) shall not be available for use to assist the homeless under section 501 of such Act while so available for a redevelopment authority.

(ii) If a redevelopment authority does not express an interest in the use of buildings or property, or commence the use of buildings or property, under subparagraph (F) within the applicable time periods specified in clause (ii) of such subparagraph, such buildings or property shall be treated as property available for use to assist the homeless under section 501(a) of such Act.

(7)(A) The disposal of buildings and property located at installations approved for closure or realignment under this part after October 25, 1994, shall be carried out in accordance with this paragraph rather than paragraph (6).

(B)(i) Not later than the date on which the Secretary of Defense completes the final determinations referred to in paragraph (5) relating to the use or transferability of any portion of an installation covered by this paragraph, the Secretary shall--

(I) identify the buildings and property at the installation for which the Department of Defense has a use, for which another department or agency of the Federal Government has identified a use, or of which another department or agency will accept a transfer;

(II) take such actions as are necessary to identify any building or property at the installation not identified under subclause (I) that is excess property or surplus property;

(III) submit to the Secretary of Housing and Urban Development and to the redevelopment authority for the installation (or the chief executive officer of the State in which the installation is located if there is no redevelopment authority for the installation at the completion of the determination described in the stem of this sentence) information on any building or property that is identified under subclause (II); and

(IV) publish in the Federal Register and in a newspaper of general circulation in the communities in the vicinity of the installation information on the buildings and property identified under subclause (II).

(ii) Upon the recognition of a redevelopment authority for an installation covered by this paragraph, the Secretary of Defense shall publish in the Federal Register and in a newspaper of general circulation in the communities in the vicinity of the installation information on the redevelopment authority.

(C)(i) State and local governments, representatives of the homeless, and other interested parties located in the communities in the vicinity of an installation covered by this paragraph shall submit to the redevelopment authority for the installation a notice of the interest, if any, of such governments, representatives, and parties in the buildings or property, or any portion thereof, at the installation that are identified under subparagraph (B)(i)(II). A notice of interest under this clause shall describe the need of the government, representative, or party concerned for the buildings or property covered by the notice.

(ii) The redevelopment authority for an installation shall assist the governments, representatives, and parties referred to in clause (i) in evaluating buildings and property at the installation for purposes of this subparagraph.

(iii) In providing assistance under clause (ii), a redevelopment authority shall—

(I) consult with representatives of the homeless in the communities in the vicinity of the installation concerned; and

(II) undertake outreach efforts to provide information on the buildings and property to representatives of the homeless, and to other persons or entities interested in assisting the homeless, in such communities.

(iv) It is the sense of Congress that redevelopment authorities should begin to conduct outreach efforts under clause (iii)(II) with respect to an installation as soon as is practicable after the date of approval of closure or realignment of the installation.

(D)(i) State and local governments, representatives of the homeless, and other interested parties shall submit a notice of interest to a redevelopment authority under subparagraph (C) not later than the date specified for such notice by the redevelopment authority.

(ii) The date specified under clause (i) shall be-

(I) in the case of an installation for which a redevelopment authority has been recognized as of the date of the completion of the determinations referred to in paragraph (5), not earlier than 3 months and not later than 6 months after the date of publication of such determination in a newspaper of general circulation in the communities in the vicinity of the installation under subparagraph (B)(i)(IV); and

(II) in the case of an installation for which a redevelopment authority is not recognized as of such date, not earlier than 3 months and not later than 6 months after the date of the recognition of a redevelopment authority for the installation.

(iii) Upon specifying a date for an installation under this subparagraph, the redevelopment authority for the installation shall--

(I) publish the date specified in a newspaper of general circulation in the communities in the vicinity of the installation concerned; and

(II) notify the Secretary of Defense of the date.

(E)(i) In submitting to a redevelopment authority under subparagraph (C) a notice of interest in the use of buildings or property at an installation to assist the homeless, a

representative of the homeless shall submit the following:

(I) A description of the homeless assistance program that the representative proposes to carry out at the installation.

(II) An assessment of the need for the program.

(III) A description of the extent to which the program is or will be coordinated with other homeless assistance programs in the communities in the vicinity of the installation.

(IV) A description of the buildings and property at the installation that are necessary in order to carry out the program.

(V) A description of the financial plan, the organization, and the organizational capacity of the representative to carry out the program.

(VI) An assessment of the time required in order to commence carrying out the program.

(ii) A redevelopment authority may not release to the public any information submitted to the redevelopment authority under clause (i)(V) without the consent of the representative of the homeless concerned unless such release is authorized under Federal law and under the law of the State and communities in which the installation concerned is located.

(F)(i) The redevelopment authority for each installation covered by this paragraph shall prepare a redevelopment plan for the installation. The redevelopment authority shall, in preparing the plan, consider the interests in the use to assist the homeless of the buildings and property at the installation that are expressed in the notices submitted to the redevelopment authority under subparagraph (C).

(ii)(I) In connection with a redevelopment plan for an installation, a redevelopment authority and representatives of the homeless shall prepare legally binding agreements that provide for the use to assist the homeless of buildings and property, resources, and assistance on or off the installation. The implementation of such agreements shall be contingent upon the decision regarding the disposal of the buildings and property covered by the agreements by the Secretary of Defense under subparagraph (K) or (L).

(II) Agreements under this clause shall provide for the reversion to the redevelopment authority concerned, or to such other entity or entities as the agreements shall provide, of buildings and property that are made available under this paragraph for use to assist the homeless in the event that such buildings and property cease being used for that purpose.

(iii) A redevelopment authority shall provide opportunity for public comment on a redevelopment plan before submission of the plan to the Secretary of Defense and the Secretary of Housing and Urban Development under subparagraph (G).

(iv) A redevelopment authority shall complete preparation of a redevelopment plan for an installation and submit the plan under subparagraph (G) not later than 9 months after the date specified by the redevelopment authority for the installation under subparagraph (D).

(G)(i) Upon completion of a redevelopment plan under subparagraph (F), a redevelopment authority shall submit an application containing the plan to the Secretary of Defense and to the Secretary of Housing and Urban Development.

(ii) A redevelopment authority shall include in an application under clause (i) the following:

(I) A copy of the redevelopment plan, including a summary of any public comments on the plan received by the redevelopment authority under subparagraph

(F)(iii).

(II) A copy of each notice of interest of use of buildings and property to assist the homeless that was submitted to the redevelopment authority under subparagraph (C), together with a description of the manner, if any, in which the plan addresses the interest expressed in each such notice and, if the plan does not address such an interest, an explanation why the plan does not address the interest.

(III) A summary of the outreach undertaken by the redevelopment authority under subparagraph (C)(iii)(II) in preparing the plan.

(IV) A statement identifying the representatives of the homeless and the homeless assistance planning boards, if any, with which the redevelopment authority consulted in preparing the plan, and the results of such consultations.

(V) An assessment of the manner in which the redevelopment plan balances the expressed needs of the homeless and the need of the communities in the vicinity of the installation for economic redevelopment and other development.

(VI) Copies of the agreements that the redevelopment authority proposes to enter into under subparagraph (F)(ii).

(H)(i) Not later than 60 days after receiving a redevelopment plan under subparagraph (G), the Secretary of Housing and Urban Development shall complete a review of the plan. The purpose of the review is to determine whether the plan, with respect to the expressed interest and requests of representatives of the homeless--

(I) takes into consideration the size and nature of the homeless population in the communities in the vicinity of the installation, the availability of existing services in such communities to meet the needs of the homeless in such communities, and the suitability of the buildings and property covered by the plan for the use and needs of the homeless in such communities;

(II) takes into consideration any economic impact of the homeless assistance under the plan on the communities in the vicinity of the installation;

(III) balances in an appropriate manner the needs of the communities in the vicinity of the installation for economic redevelopment and other development with the needs of the homeless in such communities;

(IV) was developed in consultation with representatives of the homeless and the homeless assistance planning boards, if any, in the communities in the vicinity of the installation; and

(V) specifies the manner in which buildings and property, resources, and assistance on or off the installation will be made available for homeless assistance purposes.

(ii) It is the sense of Congress that the Secretary of Housing and Urban Development shall, in completing the review of a plan under this subparagraph, take into consideration and be receptive to the predominant views on the plan of the communities in the vicinity of the installation covered by the plan.

(iii) The Secretary of Housing and Urban Development may engage in negotiations and consultations with a redevelopment authority before or during the course of a review under clause (i) with a view toward resolving any preliminary determination of the Secretary that a redevelopment plan does not meet a requirement set forth in that clause. The redevelopment authority may modify the redevelopment plan as a result of such negotiations and consultations.

(iv) Upon completion of a review of a redevelopment plan under clause (i), the Secretary of Housing and Urban Development shall notify the Secretary of Defense and the redevelopment authority concerned of the determination of the Secretary of Housing and Urban Development under that clause.

(v) If the Secretary of Housing and Urban Development determines as a result of such a review that a redevelopment plan does not meet the requirements set forth in clause (i), a notice under clause (iv) shall include--

(I) an explanation of that determination; and

(II) a statement of the actions that the redevelopment authority must undertake in order to address that determination.

(I)(i) Upon receipt of a notice under subparagraph (H)(iv) of a determination that a redevelopment plan does not meet a requirement set forth in subparagraph (H)(i), a redevelopment authority shall have the opportunity to--

(I) revise the plan in order to address the determination; and

(II) submit the revised plan to the Secretary of Defense and the Secretary of Housing and Urban Development.

(ii) A redevelopment authority shall submit a revised plan under this subparagraph to such Secretaries, if at all, not later than 90 days after the date on which the redevelopment authority receives the notice referred to in clause (i).

(J)(i) Not later than 30 days after receiving a revised redevelopment plan under subparagraph (I), the Secretary of Housing and Urban Development shall review the revised plan and determine if the plan meets the requirements set forth in subparagraph (H)(i).

(ii) The Secretary of Housing and Urban Development shall notify the Secretary of Defense and the redevelopment authority concerned of the determination of the Secretary of Housing and Urban Development under this subparagraph.

(K)(i) Upon receipt of a notice under subparagraph (H)(iv) or (J)(ii) of the determination of the Secretary of Housing and Urban Development that a redevelopment plan for an installation meets the requirements set forth in subparagraph (H)(i), the Secretary of Defense shall dispose of the buildings and property at the installation.

(ii) For purposes of carrying out an environmental assessment of the closure or realignment of an installation, the Secretary of Defense shall treat the redevelopment plan for the installation (including the aspects of the plan providing for disposal to State or local governments, representatives of the homeless, and other interested parties) as part of the proposed Federal action for the installation.

(iii) The Secretary of Defense shall dispose of buildings and property under clause (i) in accordance with the record of decision or other decision document prepared by the Secretary in accordance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.). In preparing the record of decision or other decision document, the Secretary shall give substantial deference to the redevelopment plan concerned.

(iv) The disposal under clause (i) of buildings and property to assist the homeless shall be without consideration.

(v) In the case of a request for a conveyance under clause (i) of buildings and property for public benefit under section 203(k) of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 484(k)) or sections 47151 through 47153 of title 49, United States Code, the sponsoring Federal agency shall use the eligibility criteria set forth in such section or such

subchapter (as the case may be) to determine the eligibility of the applicant and use proposed in the request for the public benefit conveyance. The determination of such eligibility should be made before submission of the redevelopment plan concerned under subparagraph (G).

(L)(i) If the Secretary of Housing and Urban Development determines under subparagraph (J) that a revised redevelopment plan for an installation does not meet the requirements set forth in subparagraph (H)(i), or if no revised plan is so submitted, that Secretary shall--

(I) review the original redevelopment plan submitted to that Secretary under subparagraph (G), including the notice or notices of representatives of the homeless referred to in clause (ii)(II) of that subparagraph;

(II) consult with the representatives referred to in subclause (I), if any, for purposes of evaluating the continuing interest of such representatives in the use of buildings or property at the installation to assist the homeless;

(III) request that each such representative submit to that Secretary the items described in clause (ii); and

(IV) based on the actions of that Secretary under subclauses (I) and (II), and on any information obtained by that Secretary as a result of such actions, indicate to the Secretary of Defense the buildings and property at the installation that meet the requirements set forth in subparagraph (H)(i).

(ii) The Secretary of Housing and Urban Development may request under clause (i)(III) that a representative of the homeless submit to that Secretary the following:

(I) A description of the program of such representative to assist the homeless.

(II) A description of the manner in which the buildings and property that the representative proposes to use for such purpose will assist the homeless.

(III) Such information as that Secretary requires in order to determine the financial capacity of the representative to carry out the program and to ensure that the program will be carried out in compliance with Federal environmental law and Federal law against discrimination.

(IV) A certification that police services, fire protection services, and water and sewer services available in the communities in the vicinity of the installation concerned are adequate for the program.

(iii) Not later than 90 days after the date of the receipt of a revised plan for an installation under subparagraph (J), the Secretary of Housing and Urban Development shall--

(I) notify the Secretary of Defense and the redevelopment authority concerned of the buildings and property at an installation under clause (i)(IV) that the Secretary of Housing and Urban Development determines are suitable for use to assist the homeless; and

(II) notify the Secretary of Defense of the extent to which the revised plan meets the criteria set forth in subparagraph (H)(i).

(iv)(I) Upon notice from the Secretary of Housing and Urban Development with respect to an installation under clause (iii), the Secretary of Defense shall dispose of buildings and property at the installation in consultation with the Secretary of Housing and Urban Development and the redevelopment authority concerned.

(II) For purposes of carrying out an environmental assessment of the closure or realignment of an installation, the Secretary of Defense shall treat the redevelopment plan

submitted by the redevelopment authority for the installation (including the aspects of the plan providing for disposal to State or local governments, representatives of the homeless, and other interested parties) as part of the proposed Federal action for the installation. The Secretary of Defense shall incorporate the notification of the Secretary of Housing and Urban Development under clause (iii)(I) as part of the proposed Federal action for the installation only to the extent, if any, that the Secretary of Defense considers such incorporation to be appropriate and consistent with the best and highest use of the installation as a whole, taking into consideration the redevelopment plan submitted by the redevelopment authority.

(III) The Secretary of Defense shall dispose of buildings and property under subclause (I) in accordance with the record of decision or other decision document prepared by the Secretary in accordance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.). In preparing the record of decision or other decision document, the Secretary shall give deference to the redevelopment plan submitted by the redevelopment authority for the installation.

(IV) The disposal under subclause (I) of buildings and property to assist the homeless shall be without consideration.

(V) In the case of a request for a conveyance under subclause (I) of buildings and property for public benefit under section 203(k) of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 484(k)) or sections 47151 through 47153 of title 49, United States Code, the sponsoring Federal agency shall use the eligibility criteria set forth in such section or such subchapter (as the case may be) to determine the eligibility of the applicant and use proposed in the request for the public benefit conveyance. The determination of such eligibility should be made before submission of the redevelopment plan concerned under subparagraph (G).

(M)(i) In the event of the disposal of buildings and property of an installation pursuant to subparagraph (K) or (L), the redevelopment authority for the installation shall be responsible for the implementation of and compliance with agreements under the redevelopment plan described in that subparagraph for the installation.

(ii) If a building or property reverts to a redevelopment authority under such an agreement, the redevelopment authority shall take appropriate actions to secure, to the maximum extent practicable, the utilization of the building or property by other homeless representatives to assist the homeless. A redevelopment authority may not be required to utilize the building or property to assist the homeless.

(N) The Secretary of Defense may postpone or extend any deadline provided for under this paragraph in the case of an installation covered by this paragraph for such period as the Secretary considers appropriate if the Secretary determines that such postponement is in the interests of the communities affected by the closure or realignment of the installation. The Secretary shall make such determinations in consultation with the redevelopment authority concerned and, in the case of deadlines provided for under this paragraph with respect to the Secretary of Housing and Urban Development, in consultation with the Secretary of Housing and Urban Development.

(O) For purposes of this paragraph, the term "communities in the vicinity of the installation", in the case of an installation, means the communities that constitute the political jurisdictions (other than the State in which the installation is located) that comprise the redevelopment authority for the installation.

(P) For purposes of this paragraph, the term "other interested parties", in the case of an

installation, includes any parties eligible for the conveyance of property of the installation under section 203(k) of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 484(k)) or sections 47151 through 47153 of title 49, United States Code, whether or not the parties assist the homeless.

(8)(A) Subject to subparagraph (C), the Secretary may enter into agreements (including contracts, cooperative agreements, or other arrangements for reimbursement) with local governments for the provision of police or security services, fire protection services, airfield operation services, or other community services by such governments at military installations to be closed under this part, or at facilities not yet transferred or otherwise disposed of in the case of installations closed under this part, if the Secretary determines that the provision of such services under such agreements is in the best interests of the Department of Defense.

(B) The Secretary may exercise the authority provided under this paragraph without regard to the provisions of chapter 146 of title 10, United States Code.

(C) The Secretary may not exercise the authority under subparagraph (A) with respect to an installation earlier than 180 days before the date on which the installation is to be closed.

(D) The Secretary shall include in a contract for services entered into with a local government under this paragraph a clause that requires the use of professionals to furnish the services to the extent that professionals are available in the area under the jurisdiction of such government.

(c) APPLICABILITY OF NATIONAL ENVIRONMENTAL POLICY ACT OF 1969.--(1) The provisions of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) shall not apply to the actions of the President, the Commission, and, except as provided in paragraph (2), the Department of Defense in carrying out this part.

(2)(A) The provisions of the National Environmental Policy Act of 1969 shall apply to actions of the Department of Defense under this part (i) during the process of property disposal, and (ii) during the process of relocating functions from a military installation being closed or realigned to another military installation after the receiving installation has been selected but before the functions are relocated.

(B) In applying the provisions of the National Environmental Policy Act of 1969 to the processes referred to in subparagraph (A), the Secretary of Defense and the Secretary of the military departments concerned shall not have to consider--

(i) the need for closing or realigning the military installation which has been recommended for closure or realignment by the Commission;

(ii) the need for transferring functions to any military installation which has been selected as the receiving installation; or

(iii) military installations alternative to those recommended or selected.

(3) A civil action for judicial review, with respect to any requirement of the National Environmental Policy Act of 1969 to the extent such Act is applicable under paragraph (2), of any act or failure to act by the Department of Defense during the closing, realigning, or relocating of functions referred to in clauses (i) and (ii) of paragraph (2)(A), may not be brought more than 60 days after the date of such act or failure to act.

(d) WAIVER.--The Secretary of Defense may close or realign military installations under this part without regard to--

- (1) any provision of law restricting the use of funds for closing or realigning military installations included in any appropriations or authorization Act; and
- (2) sections 2662 and 2687 of title 10, United States Code.

(e) TRANSFER AUTHORITY IN CONNECTION WITH PAYMENT OF ENVIRONMENTAL REMEDIATION COSTS.--(1)(A) Subject to paragraph (2) of this subsection and section 120(h) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9620(h)), the Secretary may enter into an agreement to transfer by deed real property or facilities referred to in subparagraph (B) with any person who agrees to perform all environmental restoration, waste management, and environmental compliance activities that are required for the property or facilities under Federal and State laws, administrative decisions, agreements (including schedules and milestones), and concurrences.

(B) The real property and facilities referred to in subparagraph (A) are the real property and facilities located at an installation closed or to be closed, or realigned or to be realigned, under this part that are available exclusively for the use, or expression of an interest in a use, of a redevelopment authority under subsection (b)(6)(F) during the period provided for that use, or expression of interest in use, under that subsection. The real property and facilities referred to in subparagraph (A) are also the real property and facilities located at an installation approved for closure or realignment under this part after 2001 that are available for purposes other than to assist the homeless.

(C) The Secretary may require any additional terms and conditions in connection with an agreement authorized by subparagraph (A) as the Secretary considers appropriate to protect the interests of the United States.

(2) A transfer of real property or facilities may be made under paragraph (1) only if the Secretary certifies to Congress that--

(A) the costs of all environmental restoration, waste management, and environmental compliance activities otherwise to be paid by the Secretary with respect to the property or facilities are equal to or greater than the fair market value of the property or facilities to be transferred, as determined by the Secretary; or

(B) if such costs are lower than the fair market value of the property or facilities, the recipient of the property or facilities agrees to pay the difference between the fair market value and such costs.

(3) In the case of property or facilities covered by a certification under paragraph (2)(A), the Secretary may pay the recipient of such property or facilities an amount equal to the lesser of—

(A) the amount by which the costs incurred by the recipient of such property or facilities for all environmental restoration, waste, management, and environmental compliance activities with respect to such property or facilities exceed the fair market value of such property or facilities as specified in such certification; or

(B) the amount by which the costs (as determined by the Secretary) that would otherwise have been incurred by the Secretary for such restoration, management, and activities with respect to such property or facilities exceed the fair market value of such property or facilities as so specified

(4) As part of an agreement under paragraph (1), the Secretary shall disclose to the person to whom the property or facilities will be transferred any information of the Secretary

regarding the environmental restoration, waste management, and environmental compliance activities described in paragraph (1) that relate to the property or facilities. The Secretary shall provide such information before entering into the agreement.

(5) Nothing in this subsection shall be construed to modify, alter, or amend the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.) or the Solid Waste Disposal Act (42 U.S.C. 6901 et seq.).

(6) Section 330 of the National Defense Authorization Act for Fiscal Year 1993 (Public Law 102-484; 10 U.S.C. 2687 note) shall not apply to any transfer under this subsection to persons or entities described in subsection (a)(2) of such section 330, except in the case of releases or threatened releases not disclosed pursuant to paragraph (4).

(f) TRANSFER AUTHORITY IN CONNECTION WITH CONSTRUCTION OR PROVISION OF MILITARY FAMILY HOUSING.--(1) Subject to paragraph (2), the Secretary may enter into an agreement to transfer by deed real property or facilities located at or near an installation closed or to be closed under this part with any person who agrees, in exchange for the real property or facilities, to transfer to the Secretary housing units that are constructed or provided by the person and located at or near a military installation at which there is a shortage of suitable housing to meet the requirements of members of the Armed Forces and their dependents.

(2) A transfer of real property or facilities may be made under paragraph (1) only if--

(A) the fair market value of the housing units to be received by the Secretary in exchange for the property or facilities to be transferred is equal to or greater than the fair market value of such property or facilities, as determined by the Secretary; or

(B) in the event the fair market value of the housing units is less than the fair market value of property or facilities to be transferred, the recipient of the property or facilities agrees to pay to the Secretary the amount equal to the excess of the fair market value of the property or facilities over the fair market value of the housing units.

(3) Notwithstanding paragraph (2) of section 2906(a), the Secretary may deposit funds received under paragraph (2)(B) in the Department of Defense Family Housing Improvement Fund established under section 2883(a) of title 10, United States Code.

(4) The Secretary shall submit to the congressional defense committees a report describing each agreement proposed to be entered into under paragraph (1), including the consideration to be received by the United States under the agreement. The Secretary may not enter into the agreement until the end of the 30-day period beginning on the date the congressional defense committees receive the report regarding the agreement.

(5) The Secretary may require any additional terms and conditions in connection with an agreement authorized by this subsection as the Secretary considers appropriate to protect the interests of the United States.

(g) ACQUISITION OF MANUFACTURED HOUSING.--(1) In closing or realigning any military installation under this part, the Secretary may purchase any or all right, title, and interest of a member of the Armed Forces and any spouse of the member in manufactured housing located at a manufactured housing park established at an installation closed or realigned under this part, or make a payment to the member to relocate the manufactured housing to a suitable new site, if the Secretary determines that--

(A) it is in the best interests of the Federal Government to eliminate or relocate

the manufactured housing park; and

(B) the elimination or relocation of the manufactured housing park would result in an unreasonable financial hardship to the owners of the manufactured housing.

(2) Any payment made under this subsection shall not exceed 90 percent of the purchase price of the manufactured housing, as paid by the member or any spouse of the member, plus the cost of any permanent improvements subsequently made to the manufactured housing by the member or spouse of the member.

(3) The Secretary shall dispose of manufactured housing acquired under this subsection through resale, donation, trade or otherwise within one year of acquisition.

SEC. 2906. DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT 1990

(a) IN GENERAL.--(1) There is hereby established on the books of the Treasury an account to be known as the "Department of Defense Base Closure Account 1990" which shall be administered by the Secretary as a single account.

(2) There shall be deposited into the Account--

(A) funds authorized for and appropriated to the Account;

(B) any funds that the Secretary may, subject to approval in an appropriation Act, transfer to the Account from funds appropriated to the Department of Defense for any purpose, except that such funds may be transferred only after the date on which the Secretary transmits written notice of, and justification for, such transfer to the congressional defense committees;

(C) except as provided in subsection (d), proceeds received from the lease, transfer, or disposal of any property at a military installation closed or realigned under this part the date of approval of closure or realignment of which is before January 1, 2005; and

(D) proceeds received after September 30, 1995, from the lease, transfer, or disposal of any property at a military installation closed or realigned under title II of the Defense Authorization Amendments and Base Closure and Realignment Act (Public Law 100-526; 10 U.S.C. 2687 note).

(3) The Account shall be closed at the time and in the manner provided for appropriation accounts under section 1555 of title 31, United States Code. Unobligated funds which remain in the Account upon closure shall be held by the Secretary of the Treasury until transferred by law after the congressional defense committees receive the final report transmitted under subsection (c)(2).

(b) USE OF FUNDS.--(1) The Secretary may use the funds in the Account only for the purposes described in section 2905 with respect to military installations the date of approval of closure or realignment of which is before January 1, 2005, or, after September 30, 1995, for environmental restoration and property management and disposal at installations closed or realigned under title II of the Defense Authorization Amendments and Base Closure and Realignment Act (Public Law 100-526; 10 U.S.C. 2687 note). After July 13, 2001, the Account shall be the sole source of Federal funds for environmental restoration, property management, and other caretaker costs associated with any real property at military installations closed or realigned under this part or such title II.

(2) When a decision is made to use funds in the Account to carry out a construction project under section 2905(a) and the cost of the project will exceed the maximum amount authorized by law for a minor military construction project, the Secretary shall notify in writing the congressional defense committees of the nature of, and justification for, the project and the amount of expenditures for such project. Any such construction project may be carried out without regard to section 2802(a) of title 10, United States Code.

(c) REPORTS.--(1)(A) No later than 60 days after the end of each fiscal year in which the Secretary carries out activities under this part, the Secretary shall transmit a report to the congressional defense committees of the amount and nature of the deposits into, and the expenditures from, the Account during such fiscal year and of the amount and nature of other expenditures made pursuant to section 2905(a) during such fiscal year.

(B) The report for a fiscal year shall include the following:

(i) The obligations and expenditures from the Account during the fiscal year, identified by subaccount, for each military department and Defense Agency.

(ii) The fiscal year in which appropriations for such expenditures were made and the fiscal year in which funds were obligated for such expenditures.

(iii) Each military construction project for which such obligations and expenditures were made, identified by installation and project title.

(iv) A description and explanation of the extent, if any, to which expenditures for military construction projects for the fiscal year differed from proposals for projects and funding levels that were included in the justification transmitted to Congress under section 2907(1), or otherwise, for the funding proposals for the Account for such fiscal year, including an explanation of--

(I) any failure to carry out military construction projects that were so proposed; and

(II) any expenditures for military construction projects that were not so proposed.

(2) No later than 60 days after the termination of the authority of the Secretary to carry out a closure or realignment under this part with respect to military installations the date of approval of closure or realignment of which is before January 1, 2005, and no later than 60 days after the closure of the Account under subsection (a)(3), the Secretary shall transmit to the congressional defense committees a report containing an accounting of--

(A) all the funds deposited into and expended from the Account or otherwise expended under this part with respect to such installations; and

(B) any amount remaining in the Account.

(d) DISPOSAL OR TRANSFER OF COMMISSARY STORES AND PROPERTY PURCHASED WITH NONAPPROPRIATED FUNDS.--(1) If any real property or facility acquired, constructed, or improved (in whole or in part) with commissary store funds or nonappropriated funds is transferred or disposed of in connection with the closure or realignment of a military installation under this part the date of approval of closure or realignment of which is before January 1, 2005,, a portion of the proceeds of the transfer or other disposal of property on that installation shall be deposited in the reserve account established under section 204(b)(7)(C) of the Defense Authorization Amendments and Base Closure and Realignment Act (10 U.S.C. 2687 note).

(2) The amount so deposited shall be equal to the depreciated value of the investment made with such funds in the acquisition, construction, or improvement of that particular real property or facility. The depreciated value of the investment shall be computed in accordance with regulations prescribed by the Secretary of Defense.

(3) The Secretary may use amounts in the account (in such an aggregate amount as is provided in advance in appropriation Acts) for the purpose of acquiring, constructing, and improving--

(A) commissary stores; and

(B) real property and facilities for nonappropriated fund instrumentalities.

(4) As used in this subsection:

(A) The term "commissary store funds" means funds received from the adjustment of, or surcharge on, selling prices at commissary stores fixed under section 2685 of title 10, United States Code.

(B) The term "nonappropriated funds" means funds received from a nonappropriated fund instrumentality.

(C) The term "nonappropriated fund instrumentality" means an instrumentality of the United States under the jurisdiction of the Armed Forces (including the Army and Air Force Exchange Service, the Navy Resale and Services Support Office, and the Marine Corps exchanges) which is conducted for the comfort, pleasure, contentment, or physical or mental improvement of members of the Armed Forces.

(e) ACCOUNT EXCLUSIVE SOURCE OF FUNDS FOR ENVIRONMENTAL RESTORATION PROJECTS.—Except as provided in section 2906A(e) with respect to funds in the Department of Defense Base Closure Account 2005 under section 2906A and except for funds deposited into the Account under subsection (a), funds appropriated to the Department of Defense may not be used for purposes described in section 2905 (a)(1)(C). The prohibition in this subsection shall expire upon the closure of the Account under subsection (a)(3).

SEC. 2906A. DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT 2005.

(a) IN GENERAL.—(1) If the Secretary makes the certifications required under section 2912(b), there shall be established on the books of the Treasury an account to be known as the "Department of Defense Base Closure Account 2005" (in this section referred to as the "Account"). The Account shall be administered by the Secretary as a single account.

(2) There shall be deposited into the Account—

(A) funds authorized for and appropriated to the Account;

(B) any funds that the Secretary may, subject to approval in an appropriation Act, transfer to the Account from funds appropriated to the Department of Defense for any purpose, except that such funds may be transferred only after the date on which the Secretary transmits written notice of, and justification for, such transfer to the congressional defense committees; and

(C) except as provided in subsection (d), proceeds received from the lease, transfer, or disposal of any property at a military installation that is closed or realigned under this part pursuant to a closure or realignment the date of approval of which is after January 1, 2005.

(3) The Account shall be closed at the time and in the manner provided for appropriation accounts under section 1555 of title 31, United States Code. Unobligated funds which remain in the Account upon closure shall be held by the Secretary of the Treasury until transferred by law after the congressional defense committees receive the final report transmitted under subsection (c)(2),

(b) USE OF FUNDS.—(1) The Secretary may use the funds in the Account only for the purposes described in section 2905 with respect to military installations the date of approval of closure or realignment of which is after January 1, 2005.

(2) When a decision is made to use funds in the Account to carry out a construction project under section 2905(a) and the cost of the project will exceed the maximum amount authorized by law for a minor military construction project, the Secretary shall notify in writing the congressional defense committees of the nature of, and justification for, the project and the amount of expenditures for such project. Any such construction project may be carried out without regard to section 2802(a) of title 10, United States Code.

(c) REPORTS.—(1)(A) No later than 60 days after the end of each fiscal year in which the Secretary carries out activities under this part using amounts in the Account, the Secretary shall transmit a report to the congressional defense committees of the amount and nature of the deposits into, and the expenditures from, the Account during such fiscal year and of the amount and nature of other expenditures made pursuant to section 2905(a) during such fiscal year.

(B) The report for a fiscal year shall include the following:

(i) The obligations and expenditures from the Account during the fiscal year, identified by subaccount, for each military department and Defense Agency.

(ii) The fiscal year in which appropriations for such expenditures were made and the fiscal year in which funds were obligated for such expenditures.

(iii) Each military construction project for which such obligations and expenditures were made, identified by installation and project title.

(iv) A description and explanation of the extent, if any, to which expenditures for military construction projects for the fiscal year differed from proposals for projects and funding levels that were included in the justification transmitted to Congress under section 2907(1), or otherwise, for the funding proposals for the Account for such fiscal year, including an explanation of—

(I) any failure to carry out military construction projects that were so proposed; and

(II) any expenditures for military construction projects that were not so proposed.

(2) No later than 60 days after the termination of the authority of the Secretary to carry out a closure or realignment under this part with respect to military installations the date of approval of closure or realignment of which is after January 1, 2005, and no later than 60 days after the closure of the Account under subsection (a)(3), the Secretary shall transmit to the congressional defense committees a report containing an accounting of—

(A) all the funds deposited into and expended from the Account or otherwise expended under this part with respect to such installations; and

(B) any amount remaining in the Account.

(d) DISPOSAL OR TRANSFER OF COMMISSARY STORES AND PROPERTY PURCHASED WITH NONAPPROPRIATED FUNDS.—(1) If any real property or facility acquired, constructed, or improved (in whole or in part) with commissary store funds or nonappropriated funds is transferred or disposed of in connection with the closure or realignment of a military installation under this part the date of approval of closure or realignment of which is after January 1, 2005, a portion of the proceeds of the transfer or other disposal of property on that installation shall be deposited in the reserve account established under section 204(b)(7)(C) of the Defense Authorization Amendments and Base Closure and Realignment Act (10 U.S.C. 2687 note).

(2) The amount so deposited shall be equal to the depreciated value of the investment made with such funds in the acquisition, construction, or improvement of that particular real property or facility. The depreciated value of the investment shall be computed in accordance with regulations prescribed by the Secretary.

(3) The Secretary may use amounts in the reserve account, without further~ appropriation, for the purpose of acquiring, constructing, and improving—

(A) commissary stores; and

(B) real property and facilities for nonappropriated fund instrumentalities.

(4) In this subsection, the terms commissary store funds", "nonappropriated funds", and "nonappropriated fund instrumentality" shall have the meaning given those terms in section 2906(d)(4).

(e) ACCOUNT EXCLUSIVE SOURCE OF FUNDS FOR ENVIRONMENTAL RESTORATION PROJECTS.—Except as provided in section 2906(e) with respect to funds in the Department of Defense Base Closure Account 1990 under section 2906 and except for funds deposited into the Account under subsection (a), funds appropriated to the Department of Defense may not be used for purposes described in section 2905(a)(1)(C). The prohibition in this subsection shall expire upon the closure of the Account under subsection (a)(3).

SEC. 2907. REPORTS

As part of the budget request for fiscal year 1993 and for each fiscal year thereafter for the Department of Defense, the Secretary shall transmit to the congressional defense committees of Congress--

(1) a schedule of the closure and realignment actions to be carried out under this part in the fiscal year for which the request is made and an estimate of the total expenditures required and cost savings to be achieved by each such closure and realignment and of the time period in which these savings are to be achieved in each case, together with the Secretary's assessment of the environmental effects of such actions; and

(2) a description of the military installations, including those under construction and those planned for construction, to which functions are to be transferred as a result of such closures and realignments, together with the Secretary's assessment of the environmental effects of such transfers.

SEC. 2908. CONGRESSIONAL CONSIDERATION OF COMMISSION REPORT

(a) **TERMS OF THE RESOLUTION.**--For purposes of section 2904(b), the term "joint resolution" means only a joint resolution which is introduced within the 10-day period beginning on the date on which the President transmits the report to the Congress under section 2903(e), and--

- (1) which does not have a preamble;
- (2) the matter after the resolving clause of which is as follows: "That Congress disapproves the recommendations of the Defense Base Closure and Realignment Commission as submitted by the President on _____", the blank space being filled in with the appropriate date; and
- (3) the title of which is as follows: "Joint resolution disapproving the recommendations of the Defense Base Closure and Realignment Commission."

(b) **REFERRAL.**--A resolution described in subsection (a) that is introduced in the House of Representatives shall be referred to the Committee on Armed Services of the House of Representatives. A resolution described in subsection (a) introduced in the Senate shall be referred to the Committee on Armed Services of the Senate.

(c) **DISCHARGE.**--If the committee to which a resolution described in subsection (a) is referred has not reported such a resolution (or an identical resolution) by the end of the 20-day period beginning on the date on which the President transmits the report to the Congress under section 2903(e), such committee shall be, at the end of such period, discharged from further consideration of such resolution, and such resolution shall be placed on the appropriate calendar of the House involved.

(d) **CONSIDERATION.**--(1) On or after the third day after the date on which the committee to which such a resolution is referred has reported, or has been discharged (under subsection (c)) from further consideration of, such a resolution, it is in order (even though a previous motion to the same effect has been disagreed to) for any Member of the respective House to move to proceed to the consideration of the resolution. A member may make the motion only on the day after the calendar day on which the Member announces to the House concerned the Member's intention to make the motion, except that, in the case of the House of Representatives, the motion may be made without such prior announcement if the motion is made by direction of the committee to which the resolution was referred. The motion is highly privileged in the House of Representatives and is privileged in the Senate and is not debatable. The motion is not subject to amendment, or to a motion to postpone, or to a motion to proceed to the consideration of other business. A motion to reconsider the vote by which the motion is agreed to or disagreed to shall not be in order. If a motion to proceed to the consideration of the resolution is agreed to, the respective House shall immediately proceed to consideration of the joint resolution without intervening motion, order, or other business, and the resolution shall remain the unfinished business of the respective House until disposed of.

(2) Debate on the resolution, and on all debatable motions and appeals in connection therewith, shall be limited to not more than 2 hours, which shall be divided equally between those favoring and those opposing the resolution. An amendment to the resolution is not in order.

A motion further to limit debate is in order and not debatable. A motion to postpone, or a motion to proceed to the consideration of other business, or a motion to recommit the resolution is not in order. A motion to reconsider the vote by which the resolution is agreed to or disagreed to is not in order.

(3) Immediately following the conclusion of the debate on a resolution described in subsection (a) and a single quorum call at the conclusion of the debate if requested in accordance with the rules of the appropriate House, the vote on final passage of the resolution shall occur.

(4) Appeals from the decisions of the Chair relating to the application of the rules of the Senate or the House of Representatives, as the case may be, to the procedure relating to a resolution described in subsection (a) shall be decided without debate.

(e) CONSIDERATION BY OTHER HOUSE.--(1) If, before the passage by one House of a resolution of that House described in subsection (a), that House receives from the other House a resolution described in subsection (a), then the following procedures shall apply:

(A) The resolution of the other House shall not be referred to a committee and may not be considered in the House receiving it except in the case of final passage as provided in subparagraph (B)(ii).

(B) With respect to a resolution described in subsection (a) of the House receiving the resolution--

(i) the procedure in that House shall be the same as if no resolution had been received from the other House; but

(ii) the vote on final passage shall be on the resolution of the other House.

(2) Upon disposition of the resolution received from the other House, it shall no longer be in order to consider the resolution that originated in the receiving House.

(f) RULES OF THE SENATE AND HOUSE.--This section is enacted by Congress--

(1) as an exercise of the rulemaking power of the Senate and House of Representatives, respectively, and as such it is deemed a part of the rules of each House, respectively, but applicable only with respect to the procedure to be followed in that House in the case of a resolution described in subsection (a), and it supersedes other rules only to the extent that it is inconsistent with such rules; and

(2) with full recognition of the constitutional right of either House to change the rules (so far as relating to the procedure of that House) at any time, in the same manner, and to the same extent as in the case of any other rule of that House.

SEC. 2909. RESTRICTION ON OTHER BASE CLOSURE AUTHORITY

(a) IN GENERAL.--Except as provided in subsection (c), during the period beginning on November 5, 1990, and ending on April 15, 2006, this part shall be the exclusive authority for selecting for closure or realignment, or for carrying out any closure or realignment of, a military installation inside the United States.

(b) RESTRICTION.--Except as provided in subsection (c), none of the funds available to the Department of Defense may be used, other than under this part, during the period specified in subsection (a)

(1) to identify, through any transmittal to the Congress or through any other public announcement or notification, any military installation inside the United States as an installation to be closed or realigned or as an installation under consideration for closure or realignment; or

(2) to carry out any closure or realignment of a military installation inside the United States.

(c) EXCEPTION.--Nothing in this part affects the authority of the Secretary to carry out

(1) closures and realignments under title II of Public Law 100-526; and

(2) closures and realignments to which section 2687 of title 10, United States Code, is not applicable, including closures and realignments carried out for reasons of national security or a military emergency referred to in subsection (c) of such section.

SEC. 2910. DEFINITIONS

As used in this part:

(1) The term "Account" means the Department of Defense Base Closure Account 1990 established by section 2906(a)(1).

(2) The term "congressional defense committees" means the Committee on Armed Services and the Committee on Appropriations of the Senate and the Committee on Armed Services and the Committee on Appropriations of the House of Representatives.

(3) The term "Commission" means the Commission established by section 2902.

(4) The term "military installation" means a base, camp, post, station, yard, center, homeport facility for any ship, or other activity under the jurisdiction of the Department of Defense, including any leased facility. Such term does not include any facility used primarily for civil works, rivers and harbors projects, flood control, or other projects not under the primary jurisdiction or control of the Department of Defense. [*The preceding sentence shall take effect as of November 5, 1990, and shall apply as if it had been included in section 2910(4) of the Defense Base Closure and Realignment Act of 1990 on that date.*]

(5) The term "realignment" includes any action which both reduces and relocates functions and civilian personnel positions but does not include a reduction in force resulting from workload adjustments, reduced personnel or funding levels, or skill imbalances.

(6) The term "Secretary" means the Secretary of Defense.

(7) The term "United States" means the 50 States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, the Virgin Islands, American Samoa, and any other commonwealth, territory, or possession of the United States.

(8) The term "date of approval", with respect to a closure or realignment of an installation, means the date on which the authority of Congress to disapprove a recommendation of closure or realignment, as the case may be, of such installation under this part expires. [*The date of approval of closure of any installation approved for closure before November 30, 1993 shall be deemed to be November 30, 1993.*]

(9) The term "redevelopment authority", in the case of an installation to be closed or realigned under this part, means any entity (including an entity established by a State or local government) recognized by the Secretary of Defense as the entity responsible for developing the redevelopment plan with respect to the installation or for directing the implementation of such

plan. [*The above revision shall take effect as if included in the amendments made by section 2918 of Pub. L. 103-160.*]

(10) The term "redevelopment plan" in the case of an installation to be closed or realigned under this part, means a plan that--

(A) is agreed to by the local redevelopment authority with respect to the installation; and

(B) provides for the reuse or redevelopment of the real property and personal property of the installation that is available for such reuse and redevelopment as a result of the closure or realignment of the installation.

(11) The term "representative of the homeless" has the meaning given such term in section 501(i)(4) of the Stewart B. McKinney Homeless Assistance Act (42 U.S.C. 11411(i)(4)).

SEC. 2911. CLARIFYING AMENDMENT

Section 2687(e)(1) of title 10, United States Code, is amended--

(1) by inserting "homeport facility for any ship," after "center,"; and

(2) by striking out "under the jurisdiction of the Secretary of a military department" and inserting in lieu thereof "under the jurisdiction of the Department of Defense, including any leased facility,".

SEC. 2912. 2005 ROUND OF REALIGNMENTS AND CLOSURES OF MILITARY INSTALLATIONS.

(a) **FORCE-STRUCTURE PLAN AND INFRASTRUCTURE INVENTORY.**—

(1) **PREPARATION AND SUBMISSION.**—As part of the budget justification documents submitted to Congress in support of the budget for the Department of Defense for fiscal year 2005, the Secretary shall include the following:

(A) A force-structure plan for the Armed Forces based on an assessment by the Secretary of the probable threats to the national security during the 20-year period beginning with fiscal year 2005, the probable end-strength levels and major military force units (including land force divisions, carrier and other major combatant vessels, air wings, and other comparable units) needed to meet these threats, and the anticipated levels of funding that will be available for national defense purposes during such period.

(B) A comprehensive inventory of military installations world-wide for each military department, with specifications of the number and type of facilities in the active and reserve forces of each military department.

(2) **RELATIONSHIP OF PLAN AND INVENTORY.**— Using the force-structure plan and infrastructure inventory prepared under paragraph (1), the Secretary shall prepare (and include as part of the submission of such plan and inventory) the following:

(A) A description of the infrastructure necessary to support the force structure described in the force-structure plan.

(B) A discussion of categories of excess infrastructure and infrastructure capacity.

(C) An economic analysis of the effect of the closure or realignment of military installations to reduce excess infrastructure.

(3) SPECIAL CONSIDERATIONS.—In determining the level of necessary versus excess infrastructure under paragraph (2), the Secretary shall consider the following:

(A) The anticipated continuing need for and availability of military installations outside the United States, taking into account current restrictions on the use of military installations outside the United States and the potential for future prohibitions or restrictions on the use of such military installations.

(B) Any efficiencies that may be gained from joint tenancy by more than one branch of the Armed Forces at a military installation.

(4) REVISION.—The Secretary may revise the force-structure plan and infrastructure inventory; If the Secretary makes such a revision, the Secretary shall submit the revised plan or inventory to Congress as part of the budget justification documents submitted to Congress for fiscal year 2006.

(b) CERTIFICATION OF NEED FOR FURTHER CLOSURES AND REALIGNMENTS.—

(1) CERTIFICATION REQUIRED.—On the basis of the force-structure plan and infrastructure inventory prepared under subsection (a) and the descriptions and economic analysis prepared under such subsection, the Secretary shall include as part of the submission of the plan and inventory—

(A) a certification regarding whether the need exists for the closure or realignment of additional military installations; and

(B) if such need exists, a certification that the additional round of closures and realignments would result in annual net savings for each of the military departments beginning not later than fiscal year 2011.

(2) EFFECT OF FAILURE TO CERTIFY.—If the Secretary does not include the certifications referred to in paragraph (1), the process by which military installations may be selected for closure or realignment under this part in 2005 shall be terminated.

(c) COMPTROLLER GENERAL EVALUATION.—

(1) EVALUATION REQUIRED.—If the certification is provided under subsection (b), the Comptroller General shall prepare an evaluation of the following:

(A) The force-structure plan and infrastructure inventory prepared under subsection (a) and the final selection criteria prepared under section 2913, including an evaluation of the accuracy and analytical sufficiency of such plan, inventory, and criteria.

(B) The need for the closure or realignment of additional military installations.

(2) SUBMISSION.—The Comptroller General shall submit the evaluation to Congress not later than 60 days after the date on which the force-structure plan and infrastructure inventory are submitted to Congress.

(d) AUTHORIZATION OF ADDITIONAL ROUND; COMMISSION.—

(1) APPOINTMENT OF COMMISSION.—Subject to the certifications required under subsection (b), the President may commence an additional round for the selection of military installations for closure and realignment under this part in 2005 by transmitting

to the Senate, not later than March 15, 2005, nominations pursuant to section '2902(c) for the appointment of new members to the Defense Base Closure and Realignment Commission.

(2) EFFECT OF FAILURE TO NOMINATE.—If the President does not transmit to the Senate the nominations for the Commission by March 15, 2005, the process by which military installations may be selected for closure or realignment under this part in 2005 shall be terminated.

(3) MEMBERS.—Notwithstanding section 2902(c) (1), the Commission appointed under the authority of this subsection shall consist of nine members.

(4) TERMS; MEETINGS; TERMINATION.—Notwithstanding subsections (d), (e)(1), and (1) of section 2902, the Commission appointed under the authority of this subsection shall meet during calendar year 2005 and shall terminate on April 15, 2006.

(5) FUNDING.—If no funds are appropriated to the Commission by the end of the second session of the 108th Congress for the activities of the Commission in 2005, the Secretary may transfer to the Commission for purposes of its activities under this part in that year such funds as the Commission may require to carry out such activities. The Secretary may transfer funds under the preceding sentence from any funds available to the Secretary. Funds so transferred shall remain available to the Commission for such purposes until expended.

SEC. 2913. SELECTION CRITERIA FOR 2005 ROUND.

(a) PREPARATION OF PROPOSED SELECTION CRITERIA.—

(1) IN GENERAL.—Not later than December 31, 2003, the Secretary shall publish in the Federal Register and transmit to the congressional defense committees the criteria proposed to be used by the Secretary in making recommendations for the closure or realignment of military installations inside the United States under this part in 2005.

(2) PUBLIC COMMENT.—The Secretary shall provide an opportunity for public comment on the proposed criteria for a period of at least 30 days and shall include notice of that opportunity in the publication required under this subsection.

(b) MILITARY VALUE AS PRIMARY CONSIDERATION.— The selection criteria prepared by the Secretary shall ensure that military value is the primary consideration in the making of recommendations for the closure or realignment of military installations under this part in 2005. Military value shall include at a minimum the following:

(1) Preservation of training areas suitable for maneuver by ground, naval, or air forces to guarantee future availability of such areas to ensure the readiness of the Armed Forces.

(2) Preservation of military installations in the United States as staging areas for the use of the Armed Forces in homeland defense missions.

(3) Preservation of military installations throughout a diversity of climate and terrain areas in the United States for training purposes.

(4) The impact on joint warfighting, training, and readiness.

(5) Contingency, mobilization, and future total force requirements at both existing and potential receiving locations to support operations and training.

(c) SPECIAL CONSIDERATIONS.—The selection criteria for military installations shall also address at a minimum the following:

(1) The extent and timing of potential costs and savings, including the number of years, beginning with the date of completion of the closure or realignment, for the savings to exceed the costs.

(2) The economic impact on existing communities in the vicinity of military installations.

(3) The ability of both existing and potential receiving communities' infrastructure to support forces, missions, and personnel.

(4) The impact of costs related to potential environmental restoration, waste management, and environmental compliance activities.

(d) EFFECT ON DEPARTMENT AND OTHER AGENCY COSTS.—Any selection criteria proposed by the Secretary relating to the cost savings or return on investment from the proposed closure or realignment of military installations shall take into account the effect of the proposed closure or realignment on the costs of any other activity of the Department of Defense or any other Federal agency that may be required to assume responsibility for activities at the military installations.

(e) FINAL SELECTION CRITERIA.—Not later than February 16, 2004, the Secretary shall publish in the Federal Register and transmit to the congressional defense committees the final criteria to be used in making recommendations for the closure or realignment of military installations inside the United States under this part in 2005. Such criteria shall be the final criteria to be used, along with the force-structure plan and infrastructure inventory referred to in section 2912, in making such recommendations unless disapproved by an Act of Congress enacted on or before March 15, 2004.

(f) RELATION TO CRITERIA FOR EARLIER ROUNDS.—Section 2903(b), and the selection criteria prepared under such section, shall not apply with respect to the process of making recommendations for the closure or realignment of military installations in 2005.

SEC. 2914. SPECIAL PROCEDURES FOR MAKING RECOMMENDATIONS FOR REALIGNMENTS AND CLOSURES FOR 2005 ROUND; COMMISSION CONSIDERATION OF RECOMMENDATIONS.

(a) RECOMMENDATIONS REGARDING CLOSURE OR REALIGNMENT OF MILITARY INSTALLATIONS.—If the Secretary makes the certifications required under section 2912(b), the Secretary shall publish in the Federal Register and transmit to the congressional defense committees and the Commission, not later than May 16, 2005, a list of the military installations inside the United States that the Secretary recommends for closure or realignment on the basis of the force-structure plan and infrastructure inventory prepared by the Secretary under section 2912 and the final selection criteria prepared by the Secretary under section 2913.

(b) PREPARATION OF RECOMMENDATIONS.—

(1) IN GENERAL.—The Secretary shall comply with paragraphs (2) through (6) of section 2903(c) in preparing and transmitting the recommendations under this section. However, paragraph (6) of section 2903(e) relating to submission of information to Congress shall be deemed to require such submission within 48 hours.

(2) CONSIDERATION OF LOCAL GOVERNMENT VIEWS.—(A) In making recommendations to the Commission in 2005, the Secretary shall consider any notice received from a local government in the vicinity of a military installation that the government would approve of the closure or realignment of the installation,

(B) Notwithstanding the requirement in subparagraph (A), the Secretary shall make the recommendations referred to in that subparagraph based on the force-structure plan, infrastructure inventory, and final selection criteria otherwise applicable to such recommendations.

(C) The recommendations shall include a statement of the result of the consideration of any notice described in subparagraph (A) that is received with respect to a military installation covered by such recommendations. The statement shall set forth the reasons for the result.

(c) RECOMMENDATIONS TO RETAIN BASES IN INACTIVE STATUS.—In making recommendations for the closure or realignment of military installations, the Secretary may recommend that an installation be placed in an inactive status if the Secretary determines that—

- (1) the installation may be needed in the future for national security purposes; or
- (2) retention of the installation is otherwise in the interest of the United States.

(d) COMMISSION REVIEW AND RECOMMENDATIONS.—

(1) IN GENERAL.—Except as provided in this subsection, section 2903(d) shall apply to the consideration by the Commission of the recommendations transmitted by the Secretary in 2005. The Commission's report containing its findings and conclusions, based on a review and analysis of the Secretary's recommendations, shall be transmitted to the President not later than September 8, 2005.

(2) AVAILABILITY OF RECOMMENDATIONS TO CONGRESS.—After September 8, 2005, the Commission shall promptly provide, upon request, to any Member of Congress information used by the Commission in making its recommendations.

(3) LIMITATIONS ON AUTHORITY TO ADD TO CLOSURE OR REALIGNMENT LISTS.—The Commission may not consider making a change in the recommendations of the Secretary that would add a military installation to the Secretary's list of installations recommended for closure or realignment unless, in addition to the requirements of section 2903(d)(2)(C)—

(A) the Commission provides the Secretary with at least a 15-day period, before making the change, in which to submit an explanation of the reasons why the installation was not included on the closure or realignment list by the Secretary; and

(B) the decision to add the installation for Commission consideration is supported by at least seven members of the Commission.

(4) TESTIMONY BY SECRETARY.—The Commission shall invite the Secretary to testify at a public hearing, or a closed hearing if classified information is involved, on any proposed change by the Commission to the Secretary's recommendations.

(5) SITE VISIT.—In the report required under section 2903(d)(2)(A) that is to be transmitted under paragraph (1), the Commission may not recommend the closure of a military installation not recommended for closure by the Secretary under subsection (a) unless at least two members of the Commission visit the installation before the date of the transmittal of the report.

(6) COMPTROLLER GENERAL REPORT.—The Comptroller General report required by section 2903(d)(5)(B) analyzing the recommendations of the Secretary and the selection process in 2005 shall be transmitted to the congressional defense committees not later than July 1, 2005.

(e) REVIEW BY THE PRESIDENT.—

(1) IN GENERAL.—Except as provided in this subsection, section 2903(e) shall apply to the review by the President of the recommendations of the Commission under this section, and the actions, if any, of the Commission in response to such review, in 2005. The President shall review the recommendations of the Secretary and the recommendations contained in the report of the Commission under subsection (d) and prepare a report, not later than September '23, 2005, containing the President's approval or disapproval of the Commission's recommendations.

(2) COMMISSION RECONSIDERATION.—If the Commission prepares a revised list of recommendations under section 2903(e)(3) in 2005 in response to the review of the President in that year under paragraph (1), the Commission shall transmit the revised list to the President not later than October 20, 2005.

(3) EFFECT OF FAILURE TO TRANSMIT.—If the President does not transmit to Congress an approval and certification described in paragraph (2) or (4) of section 2903(e) by November 7, 2005, the process by which military installations may be selected for closure or realignment under this part in 2005 shall be terminated.

(4) EFFECT OF TRANSMITTAL.—A report of the President under this subsection containing the President's approval of the Commission's recommendations is deemed to be a report under section 2903(e) for purposes of sections 2904 and 2908.

**FY 2002 National Defense Authorization Act
BRAC 2005 Timeline**

- Now thru
May 16, 05 DoD Deliberative Process. DoD undertakes internal data gathering and analytic process necessary to formulate recommendations and meet the statutory reporting requirements outlined below.
- Dec 31, 03 Draft Selection Criteria. Not later than this date the Secretary of Defense "shall publish in the Federal Register and transmit to the congressional defense committees the criteria proposed to be used by the Secretary in making recommendations for the closure or realignment of military installations inside the United states." There is a 30 day public comment period.
- Feb ~, 04 Force Structure Plan & Infrastructure Inventory to Congress. As part of the FY 05 Budget justification documents submitted to Congress, the Secretary shall include the following:
- A "force-structure plan for the Armed Forces based on an assessment by the Secretary of the probable threats to the national security during the 20-year period beginning with fiscal year 2005, the probable end-strength levels and major military force units (including land force divisions, carrier and other major combatant vessels, air wings, and other comparable units) needed to meet these threats, and the anticipated levels of funding that will be available for national defense purposes during such period."
 - A "comprehensive inventory of military installations world-wide for each military department, with specifications of the number and type of facilities in the active and reserve forces of each military department."
 - A "description of infrastructure necessary to support the force structure described in the force structure plan."
 - A "discussion of excess categories of excess infrastructure and infrastructure capacity."
 - An "economic analysis of the effect of the closure or realignment of military installations to reduce excess infrastructure."
 - A "certification regarding whether the need exists for the closure or realignment of additional military installations; and if such need exists, a certification that the additional round of closures and realignments would result in annual net savings for each of the military departments beginning not later than fiscal year 2011."
- Feb 16, 04 Final Selection Criteria. Not later than this date the Secretary of Defense shall "publish in the Federal Register and transmit to the congressional defense committees the final criteria to be used in making recommendations for the closure and realignment of military installations inside the United States."
- Mar 15, 04 Deadline for Congressional disapproval of Final Selection Criteria

Apr ~, 04 Comptroller General Evaluation. Not later than 60 days after the date on which the force-structure plan and infrastructure inventory are submitted to Congress, the Comptroller General shall prepare an evaluation of the force-structure plan, infrastructure inventory, selection criteria, and the need for the closure and realignment of additional military installations

Feb ~, 05 Revisions to Force-Structure Plan and Infrastructure Inventory. If the Secretary has made any revisions to the force-structure plan and infrastructure inventory, the Secretary shall submit those revisions to Congress as part of the FY 06 Budget justification documents

Mar 15, 05 Nomination of Commissioners. Not later than this date, the President must transmit to the Senate nominations for the appointment of new members to the Defense Base Closure and Realignment Commission.

May 16, 05 Secretary of Defense Recommendations. Not later than this date, the Secretary must publish in the Federal Register and transmit to the congressional defense committees and the Commission, a list of the military installations that the Secretary recommends for closure or realignment.

Jul 1, 05 Comptroller General Analysis. Not later than this date, the Comptroller General shall transmit to the congressional defense committees, a report containing a detailed analysis of the Secretary's recommendations and selection process.

Sep 8, 05 Commission's Recommendations. Not later than this date, the Commission must transmit to the President "a report containing its findings and conclusions based on a review and analysis of the Secretary's recommendations."

Sep 23, 05 President's Approval or Disapproval of Commission Recommendations. Not later than this date, the President shall transmit to the Commission and to the Congress, "a report containing the President's approval or disapproval of the Commission's recommendations."

If the President approves the recommendations, the recommendations are binding 45 "legislative" days after Presidential transmission or adjournment sine die, unless Congress enacts joint resolution of disapproval.

Oct 20, 05 Commission's Revised Recommendations. If the President disapproves the Commission's initial recommendations, the Commission must submit revised recommendations to the President not later than this date.

Nov 7, 05 President's Approval or Disapproval of Revised Recommendations. The President must approve the revised recommendations and transmit approval to Congress by this date or the process ends. The recommendations become binding 45 "legislative" days after Presidential transmission or adjournment sine die, unless Congress enacts joint resolution of disapproval.

Apr 15, 06 Commission terminates

1995 Base Closures and Realignment

<u>Number</u>	<u>Name</u>
1	Army Bio-Medical Research Lab, Fort Detrick, MD
2	Aviation-Troop Command (ATCOM), MO
3	Bellmore Logistics Activity, NY
4	Bergstrom AFB, TX
5	Big Coppett Key, FL
6	Branch U.S. Disciplinary Barracks, Lompoc, CA
7	Camp Bonneville, WA
8	Camp Kilmer, NJ
9	Camp Pedricktown, NJ
10	Chicago O'Hare IAP ARS, IL
11	Concepts Analysis Agency, Bethesda, MD
12	DCMC International, Dayton, OH
13	DCMD South, Marietta, GA
14	DCMD West, El Segundo, CA
15	Defense Distribution Depot Columbus, OH
16	Defense Distribution Depot Letterkenny, PA
17	Defense Distribution Depot McClellan, CA
18	Defense Distribution Depot Memphis, TN
19	Defense Distribution Depot Ogden, UT
20	Defense Distribution Depot San Antonio, TX
21	Defense Industrial Supply Center, Philadelphia, PA
22	Detroit Arsenal, MI
23	East Fort Baker, CA
24	Eglin AFB, FL
25	Fitzsimons Army Medical Center, CO
26	Fleet and Industrial Supply Center, Guam
27	Fleet and Industrial Supply Center, Charleston, SC
28	Fleet and Industrial Supply Center, Oakland, CA
29	Fort Buchanan, Puerto Rico
30	Fort Chaffee, AR
31	Fort Dix, NJ
32	Fort Greely, AK

Chapter 1

Base Realignment and Closure Overview and Results

The Need for Base Realignments and Closures

The national security environment in America--the threats it faces and its force to counter them--has seldom been more dynamic. The military base structure from which our forces are organized, trained, equipped, and deployed plays an important role in ensuring mission effectiveness and efficiency. The Base Realignment and Closure (BRAC) process provided a unique opportunity to reshape the Department's physical plant, that is, its installations and associated weapons ranges, as well as the organization and stationing of its forces.

General Process

In 1988, 1991, 1993, and 1995, the Defense Department executed base realignments and closures through a legally specified process. That process, then and now, involves the President, the Defense Department, the Congress, an independent commission, and local communities.

Through the BRAC process, the Defense Department evaluates its current stationing plan against multiple variables: the changes in threat, force structure, technologies, doctrine, organization, business practices, and plant inventory. By assessing similar facilities using a set of comprehensive criteria, the Department develops realignment and closure recommendations in a fair, consistent, and transparent manner. An independent commission reviews the Secretary of Defense's BRAC recommendations and makes its own recommendations to the President. The President, in turn, reports his decision on the recommendations to the Congress for its review and approval. Both the President and the Congress are limited to accepting or rejecting the entire package of the Commission's recommendations.

Related Studies

As in previous BRAC rounds, the statutory focus for BRAC 2005 was on military installations and activities within the 50 States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, the Virgin Islands, American Samoa, and any other commonwealth, territory, or possession of the United States. The closure or realignment of military bases in foreign locations proceeds under a different, bilateral approval process between the United States and the host nation. Nevertheless, as in the early 1990s, changes in overseas basing and overall force projections affected BRAC 2005.

Before the initiation of formal BRAC 2005 activities, the Secretary of Defense requested that the Chairman of the Joint Chiefs direct geographic combatant commanders to prepare draft overseas basing plans for their respective areas of responsibility. These drafts were part of a larger interagency assessment of the Department's long-term overseas force projection and basing

needs. This assessment resulted in a series of recommendations that are included in the Department's "Integrated Global Presence and Basing Study" (IGPBS), which is classified. That study outlined the recommended size, character, and location of our long-term overseas force presence. On the basis of the IGPBS results, the Secretary of Defense announced that some forces currently based overseas will return to the United States over a period of years. The Department's BRAC analyses took into account all the basing recommendations of the IGPBS.

In addition to the interagency study, under section 2912 of the BRAC statute, the Department conducted an analysis of its facility inventory to determine whether its excess capacity warranted another BRAC round. For this assessment, the Department used a parametric approach to compare 1989 base loading, using indicators of forces and infrastructure existing at that time, to the proportionate requirements of forces and infrastructure projected for 2009. From this study, the Department concluded that it had an aggregate 24 percent of excess capacity. On March 23, 2004, the Secretary certified the need for an additional round of base realignments and closures.

While the parametric capacity analysis was useful to assess the need for an additional round of base realignments and closures, the results of the analysis could not be used to project the number of potential BRAC realignments or closures that could be achieved in each installation category. The report's methodology did not include a comparison of base capacity with specific *need* for that capacity. Nor did it include an assessment of particular characteristics of specific bases that are critical to assessing the relative military value of any specific BRAC option. Ultimately, specific BRAC recommendations are based on certified data regarding specific base capacity, the unique infrastructure needs of specific force elements or military functions, and the application of selection criteria that heavily weigh the military value of each installation considered for closure or realignment.

In addition to the Department's two studies, through the fiscal year 2004 Military Construction Appropriations Act (Public Law 108-132), the Congress created the Commission on Review of Overseas Military Facility Structure of the United States to provide Congress an independent assessment of the nation's requirements for overseas military bases. The Commission reported its findings on May 9, 2005.

Process Characteristics

The base closure process was designed in law to be objective, open, and fair. Each recommendation, rooted in the Department's long-term force structure plan and installation inventory, was measured against eight criteria that were previously subjected to both congressional review and public comment. In developing the criteria, the Department, pursuant to statute, gave priority consideration to military value (criteria 1-4), then considered costs and savings (criterion 5), and finally assessed the economic impact on local communities, the community support infrastructure, and the environmental impact (criteria 6-8). Ultimately, these criteria were amended and codified in law.

Each person submitting data for the BRAC analysis certified that the information was accurate and complete to the best of his or her knowledge and belief. The DoD Inspector General, the

Service audit agencies, and the Government Accountability Office oversaw the Department's procedures.

The Department's recommendations are the results of two and a half years of intense work. In his initial instruction in November 2002, the Secretary of Defense challenged the Department to use the opportunity of the BRAC authority to "reconfigure our current infrastructure into one in which operational capacity maximizes *both* war fighting capability and efficiency." The Secretary directed that senior civilian and military leadership across the Department engage in this effort.

As in the past, each Military Department analyzed and recommended ways to reshape its operational base structure to more effectively support its forces located in the United States. Seven joint cross-service groups scrutinized the bases and functions that constitute the Department's common support infrastructure. They were challenged to look beyond Service boundaries to create joint basing options. The groups were organized around the following functions: education and training, headquarters and support, industrial activities, intelligence, medical support, supply and storage, and technical functions. For BRAC 2005, the chairs of these seven groups were empowered to formulate their own recommendations for the Secretary's consideration.

Process Results

The Secretary of Defense initiated the BRAC 2005 process to rationalize the Department's base infrastructure within the United States in support of the Department's long-term strategic capabilities. The Secretary's initial BRAC planning guidance, contained in a memorandum dated November 15, 2002, focused the BRAC effort on five key goals:

- Transforming the current and future force and its support systems to meet new threats;
- Eliminating excess physical capacity;
- Rationalizing the base infrastructure with the new defense strategy;
- Maximizing both warfighting capability and efficiency; and
- Examining opportunities for joint activities.

This package of recommendations advances all of these goals. The following themes emerge from the Department's recommendations:

- Support force transformation. Forces returning from overseas will be transformed through technology enhancements, capabilities-based restructuring, and basing that provides the needed training infrastructure. Support functions within both the Active and Reserve Army components will be reorganized into capabilities-based combat forces.
- Rebase forces to address new threat, strategy, and force protection concerns. Dispersed forces and activities within the United States will be placed on more secure, military-controlled sites. This rebasing offers opportunities to increase combat power, enhance security, and promote efficiency while generating significant savings.

- Consolidate business-oriented support functions. Supply, maintenance, and medical functions will be consolidated to capitalize on proven, state-of-the-art business technologies and practices. Technical facilities, including research and development laboratories, will be consolidated to encourage better-focused investment strategies.
- Promote joint and multi-Service basing. Joint activities will be established in key administrative functions and selected training missions. A joint training environment will be created for initial pilot training for the new Joint Strike Fighter. Other multi-Service basing will encourage integration and achieve economies of scale.
- Achieve savings. The recurring and aggregate savings will almost equal the total savings of all previous BRAC rounds. Restructuring support functions will generate unprecedented savings. The reduction of support personnel and disposal of land and facilities are less predictive of savings. In comparing the one-time cost to the total net present value, the Department will realize two dollars in savings for every dollar in BRAC costs.

While it is difficult to measure the full extent of the improvements in effectiveness and efficiency of the BRAC 2005 recommendations, the following statistics illustrate the breadth and depth of the impact of these actions:

- Five percent of plant replacement value will be reduced;
- About 12 million square feet of leased space will be vacated for more secure, functionally enhanced facilities;
- About 18,000 civilian support positions will be eliminated; and
- At the 6-year point in implementation, the Department will begin to realize annual net savings of over \$5 billion from BRAC 2005 actions, in addition to about \$7 billion from previous BRAC rounds.

Conclusion

BRAC is a powerful management tool for the Department. It invites a comprehensive, long-term review of the Department's basing and offers a unique authority to reposition forces and reevaluate support missions. The rapidly changing national security threat and the evolving military response suggest that fundamental change will always be a part of the national defense mission. For this reason, the Department needs to conduct a BRAC review every five to ten years.

Chapter 2

Force Structure Plan

Introduction

The Chairman of the Joint Chiefs of Staff provided a long-term force structure plan for the Defense Department based on analysis of current and future threats, challenges, and opportunities and on the President's national strategy to meet such circumstances. In accordance with Section 2912 of the Defense Base Closure and Realignment Act of 1990, Public Law 101-510, as amended, the force structure plan for Base Realignment and Closure (BRAC) 2005 is based on the probable threats to national security for a 20-year period, from 2005 to 2024. In previous BRAC rounds, a similar requirement provided an assessment and projection of force structure for only 6 years into the future. It is important to note that this report focuses on a snapshot of force structure through Fiscal Years 2011 due to security classifications.

An unclassified portion of the force structure plan is included in this report. The entire plan is classified and available through restricted distribution. The force structure plan does not reflect temporary adjustments to the force structure of one or another military service that the Secretary of Defense may make from time to time in response to unique but transient conditions. The Secretary of Defense submitted the force structure plan to Congress in March 2004 and provided a revised submission in March 2005 per Public Law 101-510.

Strategy and Force Development

The President's National Security Strategy and the Secretary of Defense's Strategy provide a new focus for U.S. military forces. These strategies require that U.S. forces, by their presence and activities, assure friends and allies of the United States resolve and the ability to fulfill commitments. Military forces must dissuade adversaries from developing dangerous capabilities. In addition, forces must provide the President with a wide range of options to deter aggression and coercion, and if deterrence fails, forces must have the ability to defeat any adversary at the time, place, and in the manner of U.S. choosing.

Based on detailed analysis since the Secretary's 2001 Quadrennial Defense Review, the Department of Defense has updated its strategic thinking, incorporating lessons learned from recent military operations.

The Department's planning has informed decisions to date on the force's overall mix of capabilities, size, posture, patterns of activity, readiness, and capacity to surge globally.

Just as strategy is constantly updated to incorporate and account for a changing global security environment, force planning standards also are adaptive and dynamic over time.

The Department's force planning framework does not focus on specific conflicts. It helps determine capabilities required for a range of scenarios. The Department analyzes the force requirements for the most likely, the most dangerous, and the most demanding circumstances. Assessments of U.S. capabilities will examine the breadth and depth of this construct, not seek to optimize in a single area. Doing so allows decision makers to identify areas where prudent risk could be accepted and areas where risk should be reduced or mitigated.

The defense strategy requires the creation of new forms of security cooperation to support U.S. efforts to swiftly defeat an adversary with modest reinforcement. Specifically, security cooperation will underpin diversified, operational basing access and training opportunities for forward stationed forces, and strengthen U.S. influence with potential partners that could provide coalition capabilities for future contingencies. Security cooperation efforts will focus on activities to build defense relationships that promote U.S. and allied security interests, develop allied and friendly military capabilities for self-defense and coalition operations, and provide U.S. forces with peacetime and contingency access and en route infrastructure.

Transformation To A Capabilities-Based Approach

Continuous defense transformation is part of a wider governmental effort to transform America's national security institutions to meet 21st-century challenges and opportunities. Just as our challenges change continuously, so too must our military capabilities.

The purpose of transformation is to extend key advantages and reduce vulnerabilities. We are now in a long-term struggle against persistent, adaptive adversaries, and must transform to prevail.

Transformation is not only about technology. It is also about:

- Changing the way we think about challenges and opportunities;
- Adapting the defense establishment to that new perspective; and
- Refocusing capabilities to meet future challenges, not those we are already most prepared to meet.

Transformation requires difficult programmatic and organizational choices. We will need to divest in some areas and invest in others.

Transformational change is not limited to operational forces. We also want to change long-standing business processes within the Department to take advantage of information technology. We also are working to transform our international partnerships, including the capabilities that our partners and we can use collectively.

Derivative of a transformational mindset is adoption of a capabilities-based planning methodology. Capabilities-based planning focuses more on how adversaries may challenge us than on whom those adversaries might be or where we might face them. It focuses the Department on the growing range of capabilities and methods we must possess to contend with

an uncertain future. It recognizes the limits of intelligence and the impossibility of predicting complex events with precision. Our planning aims to link capabilities to joint operating concepts across a broad range of scenarios.

The Department is adopting a new approach for planning to implement our strategy. The defense strategy will drive this top-down, competitive process. Operating within fiscal constraints, our new approach enables the Secretary of Defense and Joint Force Commanders to balance risk across a range of areas.

We seek to foster a culture of innovation. The War on Terrorism imparts an urgency to defense transformation; we must transform to win the war.

Addressing Capabilities Through Force Transformation

The Department's transformation strategy will balance near-term operational risk with future risk in investment decisions. It will invest now in specific technologies and concepts that are transformational, while remaining open to other paths towards transformation. Capabilities will be developed, supported by force transformation, which will allow us to meet the defense strategy while remaining open to explore new and essential capabilities. This force transformation will allow us to create a new/future force structure, which will move from its current platform-centric condition to a more capabilities-based and network-centric philosophy that addresses the full spectrum of conflict. It will allow the U.S. military to create conditions for increased speed of command and opportunities for coordination across the battlespace.

Probable Threats To National Security

Range of Challenges

Uncertainty is the defining characteristic of today's strategic environment. We can identify trends but cannot predict specific events with precision. While we work to avoid being surprised, we must posture ourselves to handle unanticipated problems -- we must plan with surprise in mind.

We contend with uncertainty by adapting to circumstances and influencing events. It is not enough to react to change. We must safeguard U.S. freedoms and interests while working actively to forestall the emergence of new challenges.

The U.S. military predominates in the world in traditional forms of warfare. Potential adversaries accordingly shift away from challenging the United States through traditional military action and adopt asymmetric capabilities and methods. An array of traditional, irregular, catastrophic, and disruptive capabilities and methods threaten U.S. interests.

These categories overlap. Actors proficient in one can be expected to try to reinforce their position with methods and capabilities drawn from others.

Indeed, recent experience indicates that the most dangerous circumstances arise when we face a complex of such challenges. For example, our adversaries in Iraq and Afghanistan presented both traditional and irregular challenges. Terrorist groups like al Qaida pose irregular threats but also actively seek catastrophic capabilities. The government of North Korea at once poses traditional, irregular, and catastrophic challenges. In the future, the most capable opponents may seek to combine truly disruptive capacity with traditional, irregular, and catastrophic forms of warfare.

Traditional challenges come largely from states employing recognized military capabilities and forces in well-known forms of military competition and conflict. While traditional forms of military competition remain important, trends suggest that these challenges will receive lesser priority in the planning of adversaries vis-à-vis the United States. This can be attributed, in part, to U.S. and allied superiority in traditional forms of warfare and the enormous cost to develop, acquire, and maintain conventional capabilities. But it is also explained by the increasing attractiveness of irregular methods, as well as the increasing availability of catastrophic capabilities. Even where adversaries possess considerable capacity in traditional domains, they often seek to reinforce their position with catastrophic, irregular, and disruptive methods and capabilities. Therefore, some strictly traditional or hybrid challenges require the active maintenance of sufficient combat overmatch in key areas of traditional military competition.

Irregular challenges are characterized as “unconventional” methods employed by state and non-state actors to counter the traditional advantages of stronger opponents. Irregular methods of increasing sophistication -- including terrorism, insurgency, civil war, and third-party coercion -- will challenge U.S. security interests to a greater degree than they have in the past. Our adversaries are likely to exploit a host of irregular methods in an attempt to erode U.S. influence, power, and national will over time.

Two factors in particular have intensified the rapid growth and potential danger of irregular challenges: the rise of extremist ideologies and the erosion of traditional sovereignty. Worldwide political, religious, and ethnic extremism continue to fuel deadly and destabilizing conflicts. Particularly threatening are those extremist ideologies that sanction horrific violence targeted at civilians and noncombatants. Areas in Central and South America, Africa, the Middle East, and South, Central, and Southeast Asia have provided havens for terrorists, criminals, insurgents, and other groups that threaten global security. Many governments in these areas are unable or unwilling to extend effective control over their territory, thus increasing the area available to hostile exploitation. Irregular challenges in and from these areas will grow more intense over time and are likely to challenge the security of the United States and its partners for the indefinite future.

Our ongoing War on Terrorism and our resulting operational experience call for a reorientation of our military capabilities to contend with these challenges more effectively.

Catastrophic challenges involve the acquisition, possession, and use of weapons of mass destruction (WMD) or methods producing WMD-like effects. A number of state and non-state actors are vigorously seeking to acquire dangerous and destabilizing catastrophic capabilities. States seek these capabilities to offset perceived regional imbalances or to hedge against U.S.

.military superiority. Terrorists seek them because of the potential they hold for greater physical and psychological impact on targeted audiences.

Porous international borders, weak controls over weapons-related materials and expertise, and ongoing revolutions in information technology are increasingly enabling this trend. Particularly troublesome is the nexus of transnational terrorists, WMD proliferation, and rogue states. Unchecked, this confluence raises the prospect of direct WMD employment against the United States or our allies and partners. Indeed, many would-be adversaries likely believe the best way to check American reach and influence is to develop the capability to threaten the U.S. homeland directly. Catastrophic attacks could arrive via a number of delivery means ranging from rogue use of WMD-armed ballistic missiles to surreptitious delivery through routine commercial channels to innovative attacks like those undertaken on 9/11.

Elements of the U.S. national infrastructure are vulnerable to catastrophic attack. The interdependent nature of the infrastructure creates more vulnerability because attacks against one sector -- the electric power grid for instance -- would impact other sectors as well. Parts of the defense-related critical infrastructure are vulnerable to a wide range of attacks, especially those that rely on commercial sector elements with multiple single points of failure.

The continuing illicit proliferation of WMD technology and expertise makes contending with catastrophic challenges an enduring necessity. A single catastrophic attack against the United States is an unacceptable prospect. The strategic effect of such an attack transcends the mere economic and social costs. It represents a more fundamental, existential threat to our nation, our institutions, and our free society. Thus, new emphasis must be applied to capabilities that enable us to dissuade acquisition of catastrophic capabilities, deter their use, and finally, when necessary, defeat them prior to their posing direct threats to us and our partners.

Disruptive challenges are those posed by competitors employing breakthrough technology that might counter or negate our current advantages in key operational domains. In doing so, competitors seek to provide new military options that offset our advantages in niche areas and threaten our ability to operate from the strategic commons -- space, international waters and airspace, and cyberspace. Such developments will afford opponents only temporary advantage. In a few instances, however, the United States could confront technological breakthroughs that would fundamentally alter our approach to security. These might include, but are not limited to, breakthroughs in biotechnology, cyber-operations, space, directed-energy, and other emerging fields. Although such developments are unpredictable, we must be attentive to the consequences that such possibilities hold, and plan and invest accordingly.

The goal of our transformation is to contend effectively with these challenges and channel future security competition in ways favorable to the United States and its international partners. We accomplish this by assuring our allies and friends -- demonstrating our resolve to fulfill defense commitments and protect common interests; dissuading potential adversaries from adopting threatening capabilities and ambitions; deterring aggression and coercion by maintaining capable and rapidly deployable military forces. Finally, at the direction of the President, we will defeat adversaries at the time, place, and in the manner of our choosing -- setting the conditions for future security.

The Unclassified Force Structure Plan

The following table shows the programmed force structure, manning, and funding for the Army, Navy, Marine Corps, and Air Force for Fiscal Years 2005, 2007, 2009, and 2011. When reviewing this plan, it should be noted that it depicts only Service force units; that is, not all of the force structure is identified. For example, the unclassified version does not account for Army non-divisional units including its associated assets like aviation and special operations; Navy non-carrier-based aircraft and construction battalions; and Air Force airlift, special operation, tankers, and missiles.

Service Force Units

	FY05	FY07	FY09	FY11
Army UEx				
Active	6	11	13	13
Reserve	1	5	8	8
Army Divisions				
Active	5			
Reserve	7	3		
Aircraft Carriers	12	11	11	11
Carrier Air Wings				
Active	10	10	10	10
Reserve	1	1	1	1
Battle Force Ships	324	325	337	342
Air Force AEFs				
	10	10	10	10
USMC Divisions				
Active	3	3	3	3
Reserve	1	1	1	1

End-strength (k)

	FY05	FY07	FY09	FY11
USA* AC	482	482	482	482
RC	555	555	555	555
USN AC	366	345	345	345
RC	83	71	70	70
USMC* AC	175	175	175	175
RC	40	40	40	40
USAF AC	360	356	350	350
RC	183	182	182	183

* The Army projects it will end FY05 with end strength of 511,800 or 29,400 above the baseline of 482,400. The Marine Corps projects it will end FY05 with end strength of 177,675 or 2,675 above the baseline of 175,000. The FY05 Supplemental request includes \$1.7 billion to support these overstrengths. In FY06, the Army and Marine Corps plan to exceed the funded end strength levels by at least 30,000 and 3,000 end strength, respectively. Both Services plan to seek Supplemental funding for any additional end strength above the baseline in support of the Global War on Terrorism.

Anticipated Level of Funding (\$B)

	FY05	FY07	FY09	FY11
USA	115	110.1	120.3	125.6
USN	103.7	110.5	122.7	131.5
USMC	18.9	18.5	20.6	21.9
USAF	119.6	133.3	138.7	146.8

Chapter 3 Analytical Process

Background

Planning Guidance

The Secretary of Defense's memorandum of November 15, 2002, *Transformation Through Base Realignment and Closure*, initiated the Department's BRAC process. The Secretary emphasized the need to eliminate excess physical capacity and transform the Department by rationalizing infrastructure with the defense strategy. This direction, along with later Department of Defense policy guidance, established policies, procedures, and authorities for selecting bases for realignment or closure. All U.S. installations, as defined by law, were considered equally. Copies of the Department's policy memoranda are provided in Appendix E.

Changes From Earlier BRAC Rounds

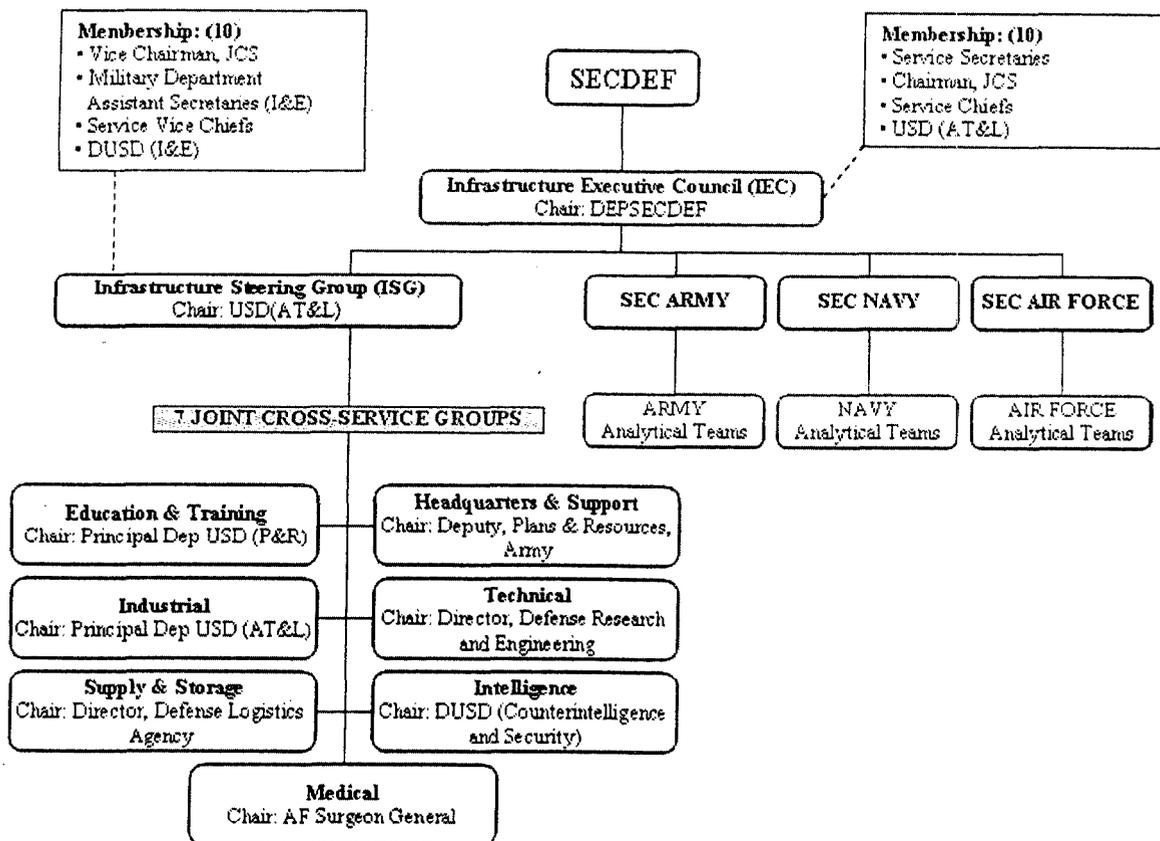
The BRAC 2005 process differed in a number of ways from procedures established in earlier BRAC rounds. These changes reflect congressional requirements established in BRAC legislation as well as alterations in the Department's analytical process designed to ensure the most comprehensive review of DoD's infrastructure. Significant legislative changes include the following:

- The Secretary of Defense was required to provide, with the Fiscal Year 2005 budget justification documents, a detailed report regarding the need for BRAC 2005.
- The force structure plan must include a 20-year threat assessment rather than the 6-year threat assessment required in previous BRAC rounds.
- Authority to proceed with BRAC 2005 was contingent on the Secretary of Defense's certification that further base closures and realignments are needed and that such actions would result in annual net savings for each of the Military Departments beginning not later than Fiscal Year 2011. (The Secretary forwarded his certification to Congress in March 2004.)
- Military value must be the primary consideration in making realignment and closure recommendations and factors related to other criteria must be addressed. (In prior rounds the Department made military value the primary consideration as a matter of policy.)
- The Commission will have one additional member, totaling nine.
- The Commission may *add* an installation to the Secretary of Defense's list of recommended closures and realignments only if:
 - Seven of the nine Commissioners support the addition,

- At least two Commissioners visit the added installation, and
- The Commission provides the Secretary 15 days to explain why an installation was not included in a BRAC recommendation.
- The Commission shall invite the Secretary of Defense to testify at a public hearing, or a closed hearing if classified information is involved, on any of the Commission's proposed changes to the Secretary's recommendations.
- Key dates, such as the nomination of members for the Defense Base Closure and Realignment Commission, were adjusted.
- Regarding implementation and reuse of an installation, DoD is authorized no-cost conveyances but is directed to seek fair market value, as determined by the Secretary of Defense.
- The Secretary of Defense may implement a closure through privatization in place only if that method of realignment or closure is specifically authorized in the Commission's recommendations and is the most cost-effective method of implementation.

BRAC 2005 Organizational Structure

The Secretary of Defense's November 15, 2002, memorandum, *Transformation Through Base Realignment and Closure*, established a separate governing structure to oversee and operate the Department's BRAC 2005 process. The following chart illustrates this structure.



BRAC Management Structure

The Infrastructure Executive Council (IEC), chaired by the Deputy Secretary of Defense, and composed of the Secretaries of the Military Departments and their Chiefs of Service, the Chairman of the Joint Chiefs of Staff, and the Under Secretary of Defense (Acquisition, Technology & Logistics) (USD (AT&L)), was the policy-making and oversight body for the entire BRAC 2005 process. This group ultimately shaped a coherent package of recommendations to present to the Secretary of Defense for his review and approval. The IEC met more than 20 times during the BRAC process.

The subordinate Infrastructure Steering Group (ISG), chaired by the USD(AT&L) and composed of the Vice Chairman of the Joint Chiefs of Staff, the Military Department Assistant Secretaries for Installations and Environment, the Service Vice Chiefs, and the Deputy Under Secretary of Defense (Installations & Environment), oversaw the joint cross-service analyses of common business-oriented functions and ensured the integration of that process with the Military Departments' analysis of all other functions. The ISG met more than 60 times during the BRAC process, setting milestones and resolving issues as the analyses unfolded.

Joint Cross-Service Groups

To facilitate a robust joint analysis during BRAC 2005, the Secretary of Defense chartered seven joint cross-service groups (JCSGs) to make realignment and closure recommendations related to common business-oriented support functions. The JCSGs, each of which had representatives from the Military Services, the Office of the Secretary of Defense, and the Joint Staff, were chartered as analytical proponents with exclusive authority to make recommendations related to assigned support functions. Each performed a broad, comprehensive review of these functions. The final BRAC 2005 package illustrates that these JCSGs generated a significant portion of the overall recommendations. By contrast, during the BRAC 1995 round, joint analytical groups simply developed alternatives for consideration by the Military Departments. Few of these suggestions were included in the Secretary's 1995 recommendations.

The seven joint cross-service groups established for BRAC 2005 were:

- Education and Training (E&T),
- Headquarters and Support Activities (H&SA),
- Industrial (IND),
- Intelligence (INTEL),
- Medical (MED),
- Supply and Storage (S&S), and
- Technical (TECH).

A summary of each JCSG's analytical process, along with its recommendations, is presented in Part 2 of this volume. Detailed JCSG reports are provided in Volumes VI-XII.

The Military Departments

The Military Departments analyzed the remaining Service-unique or operational functions. A summary of each Military Department's analytical process, along with its recommendations, is in Part 2 of this volume. Detailed Military Department reports are provided in Volumes III-V.

Special Joint Teams

During the BRAC analytical effort, the Department formed several teams to facilitate a common approach among analytical proponents. A Joint Action Scenario Team (JAST), chaired by the Army, was established to develop and manage the process for conducting joint analyses of Military Department-to-Military Department joint basing or joint use opportunities and scenarios that were outside the purview of the JCSGs. This advisory group tracked suggestions for the joint basing of operational forces and assisted Military Department analytical groups in assessing these opportunities.

The Department also established four Joint Process Action Teams (JPATs). Each JPAT (named for the selection criterion on which it worked) was tasked to develop procedures, analytical tools, and databases to facilitate a common analytical approach to the four nonmilitary value selection criteria. JPAT 5 focused on the Cost of Base Realignment Actions (COBRA) model and was chaired by the Army. JPAT 6, Economic Impact, was chaired by the Office of the Secretary of Defense; JPAT 7, Community Infrastructure Impact, was chaired by the Air Force; and JPAT 8, Environmental Impact, was chaired by the Navy. The work of each JPAT is discussed later in this chapter.

Government Accountability Office, Inspector General, and Other Groups

The Government Accountability Office (GAO), the DoD Inspector General, and the audit agencies of the Military Departments played a key role in monitoring each phase of the BRAC analytical process. The GAO had full access to the Department's non-deliberative meetings, briefings, proceedings, and analytical work. The Department provided the GAO the minutes of deliberative meetings once they were signed. This degree of access should assist the GAO in rendering its independent assessment of the Department's BRAC process, as required by Public Law 101-510, as amended.

In the latter stages of the BRAC analysis, the Department engaged a small group of executive-level former government officials. Called the "Red Team," this group was asked to provide an independent assessment of candidate recommendations. The team included:

- The Honorable Hansford T. Johnson, General, USAF Retired, former Assistant Secretary and Acting Secretary of the Navy and member of the 1993 BRAC Commission;
- The Honorable Robert B. Pirie, Jr., former Assistant Secretary, Under Secretary, and Acting Secretary of the Navy and former Assistant Secretary of Defense; and

- General Leon E. Salomon, USA Retired, former Commander of the U.S. Army Materiel Command.

The Red Team met with each Military Department and JCSG. It reviewed candidate recommendations, report drafts, and supporting materials. The team's insights provided valuable feedback and suggestions for improving the quality of the candidate recommendation packages relative to the standard by which the Commission may alter the Secretary's recommendations.

Analytical Framework

Public Law 101-510, as amended, requires that the Department base its recommendations on its 20-year force structure plan, the inventory of installations and facilities provided to the Congress in March 2004, and the final BRAC selection criteria. The Department also established a set of overarching BRAC principles to guide the analytical process.

20-Year Force Structure Plan

The Defense Base Closure and Realignment Act of 1990, as amended, required the Department to develop a 20-year force structure plan as the basis for its BRAC analysis. This plan, provided previously to Congress, is based on an assessment of probable threats to national security during the 20-year period beginning with fiscal year 2005. It identifies the probable Military Department end-strength levels and the major military units needed to meet these threats, along with anticipated levels of funding available for national defense purposes during this period. The Military Departments and JCSGs used the force structure plan to guide their analyses and to develop candidate recommendations.

As part of the assessment of probable threats to national security, the National Defense Authorization Act for 2004 requires the Department to "determine the potential, prudent, [sic] surge requirements to meet those threats." The Military Departments and JCSGs incorporated surge assessments in multiple steps of their analyses. Each determined the surge capacities needed to support the Department's force structure plan, evaluated the capability of assigned installations and facilities to surge, and incorporated these capabilities in their capacity assessments. During the military value analysis, analytical proponents evaluated infrastructure supporting their functions within the framework provided by the BRAC selection criteria. Criteria 1, "current and future" mission capabilities, and criteria 3, "ability to accommodate contingency, mobilization, surge, and future total force requirements," capture the concept of surge. By appropriately weighting criteria attributes and metrics, Military Departments and JCSGs ensured that surge was appropriately reflected in military value analyses. Finally, during scenario analysis, proponents analyzed alternative infrastructure configurations within the context of the force structure plan and selection criteria. This analysis provided another opportunity to fully consider surge since it incorporated surge considerations made during the evaluation of capabilities necessary to support the force structure and capacity and military analyses. Policy Memorandum 7, Appendix E, provides additional information on the Department's approach to evaluating surge requirements

The classified force structure plan is Volume II of this report. An unclassified discussion of the force structure plan is included in Chapter 2 of this volume.

BRAC 2005 Selection Criteria

The BRAC 2005 statute directed the Department to provide draft selection criteria to the Congress and the public for a period of review and comment before final criteria could be adopted and applied in the BRAC analytical process. On December 23, 2003, the Secretary of Defense provided the Congress draft criteria and published them in the Federal Register for public comment. Following review of these comments, the Secretary published final criteria on February 12, 2004. The Congress later amended and codified these criteria in the National Defense Authorization Act for FY 2005. The final BRAC 2005 Selection Criteria follow:

Military Value

- (1) The current and future mission capabilities and the impact on operational readiness of the total force of the Department of Defense, including the impact on joint warfighting, training, and readiness.
- (2) The availability and condition of land, facilities, and associated airspace (including training areas suitable for maneuver by ground, naval, or air forces throughout a diversity of climate and terrain areas and staging areas for the use of the Armed Forces in homeland defense missions) at both existing and potential receiving locations.
- (3) The ability to accommodate contingency, mobilization, surge, and future total force requirements at both existing and potential receiving locations to support operations and training.
- (4) The cost of operations and the manpower implications.

Other Considerations

- (5) The extent and timing of potential costs and savings, including the number of years, beginning with the date of completion of the closure or realignment, for the savings to exceed the costs.
- (6) The economic impact on existing communities in the vicinity of military installations.
- (7) The ability of the infrastructure of both the existing and potential receiving communities to support forces, missions, and personnel.
- (8) The environmental impact, including the impact of costs related to potential environmental restoration, waste management, and environmental compliance activities.

Installation Inventory

As required by Public Law 101-510, as amended, the Department submitted its inventory of military installations and facilities to the Congress in March 2004. The Department derived the inventory of owned facilities from the DoD's Facilities Assessment Database (FAD), a resource updated annually from the real property records of the Military Departments. The Department owns more than 520,000 facilities (buildings and structures), of which about 87 percent are in the United States and territories. These real property records provided the basis for determining facilities subject to BRAC analysis.

BRAC Principles

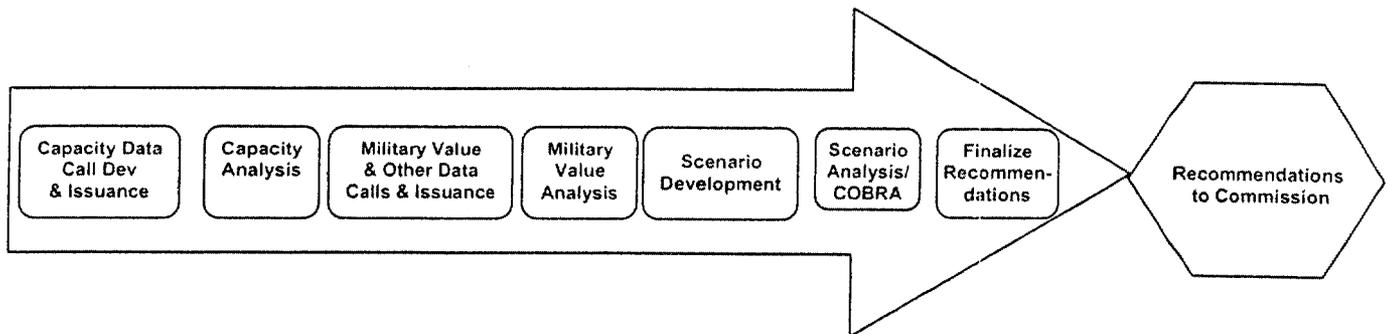
To assist in the development of scenarios for base realignment or closures, the Department established the following BRAC principles. Policy Memorandum 2, Appendix E, provides additional information on the development of these principles.

- **Recruit and Train.** The Department must attract, develop, and retain active, reserve, civilian, and contractor personnel who are highly skilled and educated and have access to effective, diverse, and sustainable training space to ensure current and future readiness, to support advances in technology, and to respond to anticipated developments in joint and Service doctrine and tactics.
- **Quality of Life.** The Department must provide a quality of life, including a quality of workplace, that supports recruitment, learning, and training and enhances retention.
- **Organize.** The Department needs its force structure organized, equipped, and located to match the demands of the National Military Strategy. These forces must be effectively and efficiently supported by properly aligned headquarters and other DoD organizations and take advantage of opportunities for joint basing.
- **Equip.** The Department needs to retain, or make available within the private sector, research, development, acquisition, test, and evaluation capabilities. These functions must efficiently and effectively place superior technology in the hands of the warfighter to meet current and future threats and facilitate knowledge-enabled and net-centric warfare.
- **Supply, Service, and Maintain.** The Department needs access to logistical and industrial infrastructure capabilities that are optimally integrated into a skilled and cost-efficient national industrial base that provides agile and responsive global support to operational forces.
- **Deploy & Employ (Operational).** The Department needs secure installations that are optimally located for mission accomplishment (including homeland defense); that support power projection, rapid deployment, and expeditionary force requirements for reach-back capability; that sustain the capability to mobilize and surge; and that ensure strategic redundancy.

- **Intelligence.** The Department needs intelligence capabilities to support the National Military Strategy by delivering predictive analyses, warning of impending crises, providing persistent surveillance of our most critical targets, and achieving horizontal integration of networks and databases.

Analytical Process

During the BRAC 2005 process, the Military Departments and JCSGs followed a series of related, but separate analyses. These basic steps were capacity analysis, military value analysis, scenario development, and scenario analysis. Using these analytical elements, each proponent tailored its procedures to analyze its assigned installations and activities. The chart below provides a summary of this process.



Key Aspects of Process

<u>CAPACITY</u>	<u>MILITARY VALUE</u>	<u>SCENARIO DEVELOPMENT</u>	<u>SCENARIO ANALYSIS</u>
Inventory	Selection Criteria 1 - 4	•• 20-year force structure plan	• Selection Criterion 5 – Potential Costs & Savings (COBRA)
• What	• What's important	•• Capacity Analysis	• Criteria 6, 7, 8 – Economic, Community, & Environmental Impacts
• Where	• How to measure	• Military Value Analysis	
•• How Big	•• How to weight	•• Transformational ideas	
•• Usage	•• Rank order	•• Guiding principles	
• Surge			

Capacity Analysis

To maximize warfighting capabilities and the efficiency of the current domestic infrastructure, each Military Department and JCSG began its analysis by determining the capacity of the installations and activities within its purview. The intent of this analysis was to develop a comprehensive inventory based upon certified data that included both physical capacity (buildings, runways, maneuver acres, etc.) and operational capacity (workload or throughput). Each proponent prepared a comprehensive capacity data call to meet its requirements. The groups' task was to determine which bases and sites performed each function, how the physical and operational capacity at those installations was being used, whether surge capabilities would

meet contingency needs, and the maximum potential capacity at each location. Once the data call questions were completed, they were forwarded to the field by the Military Departments and Defense Agencies. Each group evaluated capacity analysis responses to identify opportunities for efficiency and effectiveness.

Military Value Analysis (Criteria 1-4)

As required by statute, the military value of an installation or activity was the primary consideration in developing the Department's recommendations for base realignments and closures. The Department determined that military value had two components: a quantitative component and a qualitative component. The qualitative component is the exercise of military judgment and experience to ensure rational application of the criteria. This component is discussed further in the context of scenario analysis. The quantitative component, explained in greater detail below, assigns attributes, metrics, and weights to the selection criteria to arrive at a relative scoring of facilities within assigned functions.

To arrive at a quantitative military value score, the proponents began by identifying attributes, or characteristics, for each criterion. The proponents then weighted attributes to reflect their relative importance based upon things such as their military judgment or experience, the Secretary of Defense's transformational guidance, and BRAC principles. A set of metrics was subsequently developed to measure these attributes. These were also weighted to reflect relative importance, again using, for example, military judgment, transformational guidance, and BRAC principles. Once attributes had been identified and weighted, the proponent developed questions for use in military value data calls. If more than one question was required to assess a given metric, these were also weighted. Each analytical proponent prepared a scoring plan, and data call questions were forwarded to the field. These plans established how answers to data call questions were to be evaluated and scored. With the scoring plans in place, the Military Departments and JCSGs completed their military value data calls. These were then forwarded to the field by the Military Departments and Defense Agencies. The analytical proponents input the certified data responses into the scoring plans to arrive at a numerical score and a relative quantitative military value ranking of facilities/installations against their peers.

Scenario Development

With capacity and military value analyses complete, the Military Departments and JCSGs then began an iterative process to identify potential closure and realignment scenarios. These scenarios were developed using either a data-driven optimization model or strategy-driven approaches. Each approach relied heavily on the military judgment and experience of analytical proponents.

The optimization models used by proponents incorporated capacity and military value analysis results and force structure capabilities to identify scenarios that maximized military value and minimized the amount of capacity retained. These models were also used to explore options that minimized the number of sites required to accommodate a particular function or maximized potential savings. As data results were analyzed, additional scenario options were evaluated.

A second, equally valid methodology of generating scenarios for analysis was driven by overarching Military Department or JCSG strategy. For example, the Headquarters and Support Activities JCSG identified a strategy objective that would reduce the number of single-function administrative installations. Scenarios identified by this method were verified against data collected in earlier capacity and military value analyses. Regardless of the initial approach to scenario development, qualitative or quantitative, all scenario proposals were refined through further analysis.

Scenario Analysis

During scenario analysis, proponents evaluated scenarios against selection criteria 5-8 and also looked again at military value, criteria 1-4. The overall scenario analysis process was characterized by an effort to identify options that best support force structure capabilities; enhance military value; provide, in the aggregate, significant infrastructure and/or cost savings; and are not limited by negative community, economic, or environmental consequences.

For the second look at military value, each scenario was evaluated against the military value ranking discussed previously to assess how the scenario compared to the quantitative assessment of military value (i.e., does the scenario favor a location with higher quantitative military value over a location with lower quantitative military value). Decision makers also applied their military judgment and experience to assess the overall military value of the proposal. Once the decision makers determined that the scenario was consistent with or enhanced military value, they proceeded to evaluate the scenario against the remaining selection criteria, as further explained below.

Determining Payback (Criterion 5)

Selection Criterion 5 requires the Department to consider the “extent and timing of potential costs and savings, including the number of years, beginning with the date of completion of the closure or realignment, for the savings to exceed the costs.” The analytical groups used the COBRA model to calculate estimated costs and savings associated with various alternatives. This model was used in previous BRAC analyses and was updated by JPAT 5.

Although the COBRA model is simply an estimating tool, its principal strength is the uniform approach it applies to all competing scenarios. Its cost and savings estimates are not “budget quality,” but COBRA’s consistent methodology ensures that the financial implications of each competing scenario are analyzed in a uniform manner. The GAO has consistently cited the use of the COBRA model as effective for estimating costs and savings. In general, COBRA-generated cost and savings estimates tended to prove conservative once more discrete, budget-quality assessments were accomplished early in the BRAC implementation phase.

Section 2913(d) of the Defense Base Closure and Realignment Act of 1990, as amended, requires the Department’s cost and savings criteria to “take into account the effect of the proposed closure or realignment on the costs of any other activity of the Department of Defense or any other Federal agency that may be required to assume responsibility for activities at the military installations.” By estimating the costs and savings to the Department of Defense

associated with a proposed closure or realignment action, the COBRA model takes into account the effect of the proposed closure or realignment action on the costs of all DoD activities, satisfying the requirements of Section 2913(d) with respect to activities of the Department of Defense.

With respect to determining the effect of the proposed action on the costs of “any other Federal agency that may be required to assume responsibility for activities” at a closing or realigning installation, the COBRA model is insufficient because it does not include estimates of non-DoD entity costs or savings. Furthermore, independently estimating the costs and savings to these agencies may be inadequate because such information is outside the control of the Department and therefore any effort to estimate these costs would be highly speculative. Additionally, the non-DoD agency may choose to relocate rather than remain and assume base operating responsibilities, potentially achieving savings that would skew any DoD cost estimates. Consequently, the Department cannot rely on the COBRA model or undertake independent estimates of the costs and savings to these agencies in order to take into account the effect on these costs and satisfy the requirements of Section 2913(d) with respect to non-DoD Federal agencies.

In order to satisfy the requirements of Section 2913(d) with respect to non-DoD Federal agencies, when a scenario directly impacted a non-DoD Federal agency, the scenario proponent assumed that such agency will be required to assume responsibility for base operating activities on the military installation. The scenario proponent further assumed that because such agency will be required to assume base operating responsibilities it did not have before the proposed action, the effect of the action will be to increase that agency’s costs. The scenario proponent documented these effects for consideration by decisionmakers.

Policy Memorandum 3, Appendix E, provides additional information on the Department’s approach to considering the costs and savings of its recommendations.

Determining Economic Impact (Criterion 6)

Selection criterion 6 requires the Department to consider the “economic impact on existing communities in the vicinity of military installations.” The Department used a certified database and calculator developed by JPAT 6 to assess the economic impact of closures and realignments on communities. The calculator, called the Economic Impact Tool (EIT), measured the total potential job change (direct and indirect) in the economic area or region of influence (ROI) of a scenario, and the total potential job change as a percentage of total employment in that region.

To assist in assessing the relative economic impact of a scenario, the EIT also displayed the:

- population and employment of the region of influence,
- installation’s authorized manpower,
- authorized manpower as a percentage of the region’s employment,
- total job change (the sum of the estimated direct and indirect job changes), and
- total job change as a percentage of the region’s employment.

Additionally, the EIT provided graphs displaying the total employment from 1988-2002, the annual unemployment rates from 1990-2003, and the per capita income during 1988-2002 for each region of influence. These graphs provided users a basis for assessing the relative impact a scenario might have on a local community's economy. Policy Memorandum 6, Appendix E, provides additional information on the Department's approach to evaluating economic impact.

As the Department finalized its recommendations, decision makers reviewed the aggregate economic impacts to understand how all the actions encompassed in the BRAC 05 recommendation package might affect a given ROI.

Assessing Community Infrastructure (Criterion 7)

Selection Criterion 7 requires the Department to consider the "ability of the infrastructure of both the existing and potential receiving communities to support forces, missions, and personnel." Using procedures that JPAT 7 developed, the Military Departments and JCSGs examined the ability of both the existing and potential receiving communities' infrastructure to support forces, missions, and personnel. The process required the evaluation of 10 key community attributes-- demographics, childcare, cost of living, education, employment, housing, medical care, safety/crime, transportation, and utilities. JPAT 7 created databases on each military installation for the Military Department and JCSG assessments. Policy Memorandum 4, Appendix E, provides additional information on the Department's approach to evaluating Community Impact.

As the Department finalized its recommendations, decision makers reviewed the aggregate of all recommendations in a community to assess the ability of the communities to support missions, forces, and personnel.

Determining Environmental Impact (Criterion 8)

Selection Criterion 8 requires the Department to consider the "environmental impact, including the impact of costs related to potential environmental restoration, waste management, and environmental compliance activities." To assist the Military Departments and JCSGs in assessing these impacts, JPAT 8 obtained environmental data from all DoD installations and provided procedural instructions on a range of environmental assessment issues.

Environmental Resources Impact To assess and consider the environmental resource impacts of different scenarios, JPAT 8 identified 10 environmental resource areas for consideration: air quality; cultural/archeological/tribal resources; dredging; land use constraints/sensitive resource areas; marine mammals/marine resources/marine sanctuaries; noise; threatened and endangered species/critical habitat; waste management; water resources; and wetlands. The Military Departments and the Defense Logistics Agency (DLA) arrayed environmental data on these resource areas for each of their installations in an environmental profile. The profiles also noted the Fiscal Year 2003 estimate of the costs to complete restoration of sites managed under the Defense Environmental Restoration Account (DERA).

Analytical groups used these profiles to assess each scenario. When a scenario appeared to merit additional review, the proponent requested a Summary of Scenario Environmental Impacts to

evaluate impacts in the 10 environmental resource areas and identify any one-time waste management and compliance costs. The Military Departments and JCSGs then evaluated their scenarios in light of any identified impacts.

Impact of Potential Environmental Restoration Costs. The Department considered the impact of costs related to potential environmental restoration through the review of certified data on preexisting environmental restoration projects at installations that were identified during scenario development as candidates for closure or realignment. In this regard, the certified data considered by the Military Departments and JCSGs included the Fiscal Year 2003 estimate of costs to complete for Installation Restoration (IR) sites managed and reported under the DERA.

Under DERA, the costs are generally calculated on a “clean-to-current-use” standard. The cost of environmental restoration did not dictate any installation closure decision. The presence of DERA-managed sites, however, was considered as a land use constraint for installations receiving missions as a result of a potential realignment decision.

Since the Department is legally obligated to perform environmental restoration whether a base is closed, realigned, or remains open, proponents did not consider environmental restoration costs in their payback calculations. Moreover the consideration of such costs could provide a perverse incentive that would reward (through retention) polluted sites and close clean sites. This approach was consistent with procedures used in prior BRAC rounds and responds to the Government Accountability Office (GAO) concerns. The GAO has stated that determining final restoration costs could be problematic before a closure decision, since neither reuse plans nor studies to identify related restoration requirements would have been initiated.

Impact of Potential Waste Management and Environmental Compliance Cost. Any one-time waste management and compliance costs associated with closing a facility (e.g., costs generated as the result of operation permit termination requirements) or similar one-time costs associated with realignment actions (expanding treatment or compliance operation permits) were also identified for inclusion in the payback calculations.

In addition to this overall effort to create environmental profiles of each installation that address major issues, the groups also asked scenario-specific questions about environmental issues at gaining and losing bases. The results are incorporated in their recommendations and justifications.

It should be noted that the process for applying criterion 8 did not include an environmental assessment or impact study under the National Environmental Policy Act of 1969 (42 USC 4321 et seq.) (NEPA). Under the BRAC statute (Section 2905(c) of the Defense Base Closure and Realignment Act of 1990, as amended through the FY05 Authorization Act), the NEPA process is not triggered until the implementation of the BRAC recommendations. Rather, the environmental part of the BRAC process was an effort to efficiently package and analyze the certified environmental data, thus making it easily accessible to the Military Departments and JCSGs for integration into their analytical processes. Policy Memoranda 4 and 8, Appendix E, provide additional information on the Department’s approach to evaluating environmental impact.

As the Department finalized its recommendations, decisionmakers reviewed the summary of aggregate environmental impacts for each affected installation to assess whether the combination of all the actions encompassed in the BRAC 2005 recommendation package might generate environmental concerns that would need further review.

Integrating Military Department and JCSG Recommendations

In the final stages of the scenario analysis process, using its analysis against all eight selection criteria, each analytical proponent deliberated and decided which of its scenarios to recommend to the ISG and IEC for approval. Any scenario so recommended became a candidate recommendation.

After the ISG and IEC completed their review and approval of individual candidate recommendations, the Department conducted a process of integration. Integration involved allocating costs and savings among candidate recommendations and combining multiple candidate recommendations into a single candidate recommendation where that would produce a complete closure or would make functional or strategic sense. All newly combined recommendations were then evaluated against selection criteria 5-8, as described above.

Chapter 4

Implementation and Reuse

When implementing decisions during the past four BRAC rounds, the Department worked diligently to assist its military and civilian personnel in transition, to transfer property for reuse, and to assist communities in converting surplus military installations to civilian reuse. The Department attempted to minimize involuntary separations of Defense civilians at closing or realigning installations through a variety of placement, retirement, and federal retraining programs.

As a result of prior BRAC efforts, the Department has transferred over 450,000 acres of land and related facilities by deed or long-term lease to other entities for reuse. These transfers have permitted the creation of more than 110,000 new jobs, and redevelopment is continuing at those former installations. New job creation has continued to increase at an average annual rate of nearly ten percent over the past four years. In implementing BRAC 2005 decisions, the Department plans to assist community redevelopment, capitalizing on its previous experience and adapting to changing economic and market conditions. While some installations will close and others will experience job losses through realignment, other installations will expand to accommodate missions and relocated personnel. Relocations of missions and associated personnel were a significant aspect of BRAC 2005.

Guiding Principles

Out of its experience assisting communities during the implementation of previous BRAC rounds, the Department believes that the following principles will be particularly useful in the transition in communities supporting the Department's mission:

- **Act expeditiously whether closing or realigning.** Relocating activities from installations designated for closure will, when feasible, be accelerated to facilitate the transfer of real property for community reuse. In the case of realignments, the Department will pursue aggressive planning and scheduling of related facility improvements at the receiving location.
- **Fully utilize all appropriate means to transfer property.** Federal law provides the Department with an array of legal authorities, including public benefit transfers, economic development conveyances at cost and no cost, negotiated sale to state or local government, conservation conveyances, and public sale, by which to transfer on closed or realigned installations. Recognizing that the variety of types of facilities available for civilian reuse and the unique circumstances of the surrounding communities does not lend itself to a "one-size-fits-all-solution," the Department will use this array of authorities in a way that considers individual circumstances.

- **Rely on and leverage market forces.** After four rounds of BRAC, both the public and private sectors are aware of the range of opportunities available for property reuse. A broad spectrum of practitioners has gained experience in all phases of base closure and redevelopment. This expertise should allow market forces to work effectively. Community redevelopment plans and military conveyance plans should be integrated to the extent practical and should take account of any anticipated demand for surplus military land and facilities. If installation growth is substantial, the Department will work with the surrounding community so that the public and private sectors can provide the services and facilities needed to accommodate new personnel and their families.
- **Collaborate effectively.** Experience suggests that collaboration is the linchpin to successful installation redevelopment. Only by collaborating with the local community can the Department close and transfer property in a timely manner and provide a foundation for solid economic redevelopment. While BRAC sometimes challenges the existing supportive partnership between the installation and the community, both parties can benefit from the change if they continue to recognize themselves as partners whose individual interests in carrying out BRAC decisions are interrelated. Existing partnerships may need to expand to include state officials because of their environmental, historic preservation, and economic development responsibilities. Military-community partnerships need to be flexible enough to adapt to the specific market forces and other circumstances at each location.
- **Speak with one voice.** The Department, executing disposal and reuse activities through the Military Departments and Defense Agencies, will provide clear and timely information through single focal points and will encourage affected communities to do the same. Timely information regarding facility and environmental conditions and closure and realignment schedules are critically important. In the past, when communities spoke with one voice about their reuse goals and activities, the Department was better positioned to consider local redevelopment plans. This was also true when installations and communities experienced substantial personnel increases. The Department recognizes that installation base commanders and local officials need to integrate elements of their growth planning so that appropriate off-base facilities and services are available for arriving personnel and their families.

Information About BRAC

The Department recognizes that BRAC decisions and their implementation are of high public interest. To keep information as current as possible, the Department maintains a BRAC 2005 website (www.defenselink.mil/BRAC). The Department's Office of Economic Adjustment (OEA) also maintains a website (www.oea.gov). Information on the OEA site could prove useful to local communities during their initial planning phases.

Concerns about the implementation of BRAC decisions are numerous and based on very installation-specific circumstances. For many of these concerns, sufficient information may be available only after BRAC decisions are finalized and installation-specific implementation plans

are developed. The Department, however, has highlighted three particular areas for attention: assistance for personnel, environmental responsibilities, and assistance for affected communities.

Assistance for Personnel

One of the Department's challenges at installations subject to BRAC decisions is the fair and effective management of human resources. The closure of installations with the potential for separating a large number of civilian employees presents major challenges to commanders and human resource personnel. While these installations will still have missions to accomplish, the employees will be stressed about their careers and employment security. In this atmosphere, productivity will suffer and the employees' overall quality of life may diminish. The Department has a number of mitigating placement, transition, and worker assistance programs to draw from, including the following:

- The Priority Placement Program provides for the referral and mandatory placement of displaced employees who are qualified for other vacancies within the Department. Other programs provide various types of referral and priority considerations for Defense and other Federal agencies' job vacancies.
- The Department's permanent Voluntary Early Retirement Authority allows eligible employees to retire early and receive a reduced annuity.
- The Voluntary Separation Incentive Program (with a cash payment) authorizes the Department to encourage displaced employees to separate voluntarily by resignation or retirement to avoid an involuntary separation of another employee.
- The Department's Homeowners Assistance Program provides financial assistance to relocating military and DoD civilians when they must sell their homes in a market that has been adversely impacted by a BRAC action.
- The U.S. Department of Labor provides funding for assistance to displaced Federal employees. Under the Workforce Investment Act, assistance may include counseling, testing, placement assistance, retraining, and other related services. This assistance is available through the appropriate state employment security agencies.

Military commanders and human resource personnel have learned from previous BRAC rounds the importance of stressing job placement and training to employees. When dislocations are likely to be large, establishing transition assistance offices at the installation encourages a strong partnership for providing the range of programs available from the Department of Labor and the Military Departments.

Realigning and Closing Bases: Environmental Responsibilities

The Department intends to transfer BRAC property expeditiously for reuse. However, the Department will comply with the National Environmental Policy Act (NEPA), which requires all Federal agencies to identify and consider possible environmental impacts of proposed reuse activities before transferring any real property. This analysis will also include the potential impacts on historical and cultural resources. While NEPA does not apply to the BRAC decisions themselves, the Act does require an environmental analysis for each installation receiving additional functions. Any mitigation that may be required will be identified and considered for implementation.

The Military Departments are responsible for environmental remediation of closing installations. Early in the implementation process, the Military Departments will assess and document the environmental condition of all transferable property in terms of the extent of contamination and the current phase of any remedial or corrective action.

If no remedial action on the installation is required, surplus real estate may be transferred. If remediation is required, the Military Department may complete the work before the transfer, or alternatively, with agreement from the affected community, the remediation to current use standards may be completed after transfer. Some property transfer negotiations have the new owner managing cleanup as a part of the redevelopment process. With regulatory concurrence, remediation and redevelopment activities may be integrated, potentially saving time and money. An ideal candidate for this type of transfer is property that has manageable environmental contamination, is readily marketable, and has community and regulator support.

Assistance for Communities

From a community's perspective, BRAC actions take several forms -- complete closure, partial closure, realignment with a loss, and realignment with gains. Complete closure means the end of the military use of the property. Realignment actions, from a community view, take two distinct forms--either gaining or losing jobs. During a gaining realignment, a community will experience growth as it receives an additional military presence. On the other hand, a losing realignment action may mean reducing a large military presence in a community but not closing the installation in its entirety. In those cases, real property may become available for civilian reuse.

From both the military and community perspectives, the challenges posed by losing scenarios, i.e., closures or realignments, differ from those posed by growth realignments. The Department's Office of Economic Adjustment (OEA) is prepared to help a community adjust to a significant BRAC action whether a loss or a gain. Such assistance from the Department and other Federal agencies is designed to facilitate the organization, planning, and execution of community-based adjustment strategies.

State and local officials may request OEA assistance. OEA maintains information on all aspects of local economic adjustment through a series of written documents, available on the OEA website--www.oea.gov.

Realignments With Growth at Receiving Installations

Significant personnel increases at a military installation may substantially increase demands on community services and facilities. These demands could affect current residents. For example, off-base housing scarcity and over-crowded schools have been major areas of concern shared by both the military and the community.

In a number of cases, the community will clearly be able to accommodate growth because the number and timing of arriving personnel is less than the community's excess capacity and near-term capability for expansion. This situation is not always the case, however. If questions arise regarding support capacity, OEA is prepared to assist communities in formulating growth management plans.

An essential first step for the community is forming a partnership with the military installation so that information and expectations can be shared. The preparation of a growth management plan involves study and analysis as well as participation by community leaders so that growth strategies get the support necessary for implementation. The overall goal is to formulate and implement a community adjustment strategy so that the off-base impacts of significant military expansions can be accommodated in a timely manner.

Closures and Losing Realignments

BRAC actions can affect local communities in terms of reduced economic activity and job cutbacks. In the previous four rounds, many BRAC actions had a negligible effect on the surrounding community's economy. However, over 100 BRAC actions significantly affected the local community, triggering a coordinated program of federal assistance from the Department of Defense and other Federal agencies.

Jobs gained through the economic redevelopment of former installations can be critically important to mitigate the impact of BRAC actions. Civilian redevelopment is often the single most important opportunity for an affected community to overcome adverse impacts while building upon a community's strengths and opportunities.

To ease the economic effects on communities, the Department seeks to close installations as expeditiously as possible. This strategy makes property available for community redevelopment objectives and also saves DoD resources. For some communities, surplus military installations represent advantageously located real estate in the midst of rapidly growing and prosperous local economies. For other communities, opportunity may be difficult to recognize initially. No matter the situation, the redevelopment of a former military installation is often a complex effort.

Because the needs of affected communities vary so greatly, the Department is prepared to assist communities in a variety of ways:

- In terms of planning, the Department provides detailed information on the condition of an installation so that community redevelopment plans and potential users can identify baseline conditions and any required environmental cleanup needs.

- While job creation, new business development, and tax-base expansion are common redevelopment goals adopted in communities, public use facilities may also be part of a base's redevelopment. Federal property laws provide a variety of property transfer mechanisms to satisfy and support diverse redevelopment scenarios.
- During the past four rounds of BRAC, OEA provided about \$280 million in economic planning and redevelopment assistance to local communities. Other Federal agencies provided approximately \$1.6 billion in coordinated grant assistance: Federal Aviation Administration (\$760 million); the Commerce Department's Economic Development Administration (\$611 million); and the Labor Department's Employment and Training Administration (\$223 million).

Redeveloping a military base becomes an opportunity for community leaders to reinvent the base's usefulness and prosper from a diverse range of new civilian activities. The Department provides important assistance for reuse planning and property transfer. Other Federal agencies can provide additional help in acquiring and redeveloping base property. States have assisted community efforts with technical and financial assistance and direct participation in redevelopment efforts. Most importantly, closed bases find new life through the commitment of community leaders to create and sustain a widely shared vision for base redevelopment.

The successful redevelopment of surplus military property does not occur without a genuine partnering between the Military Departments and the communities that will absorb the former installations. Likewise, it is important to recognize that this necessary Military-community partnership needs to be flexible to adapt to the specific market forces and private sector circumstances found at each location. Government agencies at all levels can bring critical knowledge and resources to this effort. The private sector's entrepreneurial perspective and capital ultimately turn reuse visions into viable economic redevelopment and job creation.

Installations:	Recommendations Impacting Installation	Report Location	Page
SFC Nelson B. Brittin U.S. Army Reserve Center			
	RC Transformation in New Jersey	Vol 1: Part 2 - Army Section	USA - 66
New Mexico			
Cannon Air Force Base			
	Cannon Air Force Base, NM	Vol 1: Part 2 - Air Force Section	USAF - 32
Holloman Air Force Base			
	Brooks City Base, TX	Vol 1: Part 2 - Medical Section	Med - 6
Jenkins Armed Forces Reserve Center Albuquerque			
	RC Transformation in New Mexico	Vol 1: Part 2 - Army Section	USA - 68
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SECRETARY OF THE AIR FORCE
WASHINGTON

MEMORANDUM FOR DISTRIBUTION C

NOV 26 2002

SUBJECT: Base Realignment and Closure 2005 (BRAC 2005)

The Secretary of Defense has distributed his kickoff memorandum and I have issued guidance to the MAJCOMs (Atch) on the subject. The Air Force recommendations to the SECDEF will be mine in consultation with General Jumper.

To support the Chief and me in this effort, I will select a Base Realignment and Closure Executive Group to conduct the Air Force analysis supported by a BRAC Division. The Assistant Secretary of the Air Force for Installations, Environment and Logistics will lead this effort. Working closely with an executive group, he will ensure that the Air Force analysis is accurate, timely and fully supportive of our recommendations. This will be an intense effort involving all disciplines across the Secretariat and Air Staff. I urge each of you to support this effort with your best and brightest. This effort is too important for anything less. We will issue a more detailed process that will lay out the BRAC organizational structure and internal control plan, but I want to ensure that all understand the significance of our upcoming effort to effectively align our forces and infrastructure to best carry out our Air Force mission tomorrow and long into the future.

A handwritten signature in black ink, appearing to read "James M. Conner".

Attachment:
Memorandum to MAJCOM Commanders



SECRETARY OF THE AIR FORCE
WASHINGTON

MEMORANDUM FOR ALMAJCOM/CC

NOV 26 2002

SUBJECT: 2005 Base Realignment and Closure (BRAC 2005)

The Secretary of Defense has kicked off BRAC 2005. His policy memorandum (Atch) provides the philosophy and guidance for development of closure and realignment candidates. SECDEF has established two senior groups to oversee and operate the BRAC 2005 process. The Infrastructure Executive Council (IEC) will be the policy making and oversight body for the entire BRAC 2005 process. The subordinate Infrastructure Steering Group (ISG) will directly oversee joint cross-service analyses of common business oriented functions, and will ensure their analyses are fully integrated with the Military Departments' analyses of their respective functional areas. The cross-service analysis led by the ISG will be conducted concurrently with the Air Force analyses. Functional experts at both HQ USAF and MAJCOM level will be required to support OSD joint groups in developing measures of merit and data elements, and assisting in the conduct of cross-service analyses. All Air Force elements should be as responsive as possible to the unique demands arising from what will certainly be a challenging but necessary approach to cross-service functions.

The BRAC 2005 process is critical to the Air Force's ability to successfully meet our future mission needs. We must not only reduce the budgetary demands from excess infrastructure, but also ensure that the resulting infrastructure can effectively support our projected missions as well as provide maximum flexibility and efficiency for the future.

To support the Chief and me in this effort, I will select a Base Realignment and Closure Executive Group to conduct the Air Force analysis supported by a BRAC Division. The Assistant Secretary of the Air Force for Installations, Environment and Logistics will lead this effort. Working closely with the executive group, he will ensure that the Air Force analysis is accurate, timely and fully supportive of our recommendations. The Base Realignment and Closure Group will develop for my approval the Air Force Base Closure Internal Control Plan for BRAC 2005. The policies, procedures, and responsibilities established therein will help to ensure a fair and complete process. I will continue to stress the need to ensure the accuracy of all data and inputs used during the process, as they form the basis, as directed by law, for closure and realignment recommendations.

The Air Force process will be carried out in two phases. The first phase includes: data collection and analysis of our projected force structure, infrastructure, and overseas basing considerations; a comparison of the infrastructure required to support the force structure; and an economic analysis. This phase must be completed in sufficient time for audit review and submitted to OSD for inclusion in the 05 PB.

The collection of data to conduct the analysis will involve electronic data retrieval and completion of questionnaires by each installation. All data provided by the installations will be reviewed and verified by MAJCOMs and Air Staff offices. Data certification is required at all levels: base, MAJCOM, and Air Staff. Certification procedures will be detailed in the Internal Control Plan. The Air Force Audit Agency will assist throughout the process.

The second phase of the Air Force process will involve the Executive Group reviewing and analyzing questionnaire data and developing various options for closure and realignment. I will make the final Air Force recommendations in consultation with General Jumper to the IEC. The emphasis throughout the process will be to ensure we retain the best locations for the future while reducing the overall Air Force physical plant consistent with the selection criteria and force structure.

During the interim period we face a number of programming decisions. However, we must be cognizant of the restrictions imposed by the base closure law and included in the SECDEF memorandum. BRAC 2005 is the exclusive process that must be used for recommending and carrying out all realignments and closures of military installations within the United States that exceed thresholds specified in Section 2687 of Title Ten of the United States Code. We must avoid taking any actions which predetermine or appear to predetermine a closure or realignment selection decision for any installation.

I cannot overemphasize the importance of this effort to the future of the Air Force. It is essential that we conduct a fair and effective process. With your full cooperation and support we will be assured of success.


James G. Roche
Secretary of the Air Force

Attachment:
SECDEF BRAC Memorandum