

Legislative Provisions Negatively Affecting Base Realignment and Closure (BRAC)

Exclusion list (House)

Requires "a list of core military installations that the Secretary considers absolutely essential to the national defense." The list must contain "at least 50 percent of the total number of military installations" inside the United States. An installation on the list cannot be considered for either closure or realignment.

Problems

- BRAC is likely to impact more than 50% of our installations
 - Department would have to subrogate military value to this arbitrary numerical requirement in order to comply with the provision
- This provision fails to recognize that each installation has a variety of functions within it that each have their own military values, requiring conflicting analyses and sub optimizing individual functions:
 - Gross Military Value comparison of entire installations for the exclusion list
 - Military Value of functions for closure and realignment
- The language does not distinguish between major and minor installations. It is reasonable to assume that the aggregate military value of major bases will exceed that of minor bases, therefore all major installations will have to be excluded from analysis as core installations.
- Because the Department cannot consolidate excess capacity nor accommodate new missions on any excluded installation (if current missions would be displaced), the Department loses the ability to rationalize its core infrastructure.
- The statute does not give the Secretary the opportunity to defend his exclusion list or sufficient time to conduct a credible analysis to accommodate a Commission change.

Force Structure (House)

Requires use of the "1991 Base Force force structure" in making closure or realignment recommendations. Mandates assumption that "there are no installations available outside the United States for the permanent basing of elements of the Armed Forces."

Problems

- Locks in decade-old force levels and structure tied to decade-old threats
- Prevents the intelligent consideration of surge requirements, artificially inflating the base capacity DoD must retain
- In a 1999 study, DoD found that it is more cost effective to obtain assets available in the private sector, if ever needed, than to retain them in a fallow condition

Legislative Provision on Overseas Basing

Overseas Basing Commission (Senate)

- Nine member Commission reports to the President and Congress on:
 - Forces required for forward deployment
 - Adequacy of training ranges
 - Support from host countries
 - Feasibility of closing, realigning or opening facilities
 - Report due August 30, 2004

Problems

- Department has already begun its review – the process will inform BRAC
- Overseas commission may be counter productive by conflicting with DoD's authority and intentions
- SecDef already asked Combatant Commanders to prioritize overseas military construction to use resources wisely
 - Trimmed \$263M in FY 03/04 MilCon spending