

July 26, 2005

MEMORANDUM FOR THE CHAIRMAN AND COMMISSIONERS
DEFENSE BASE CLOSURE AND REALIGNMENT ACT

From: GENERAL COUNSEL

Subj: REVIEW OF 1995 BRAC RECOMMENDATIONS; ENCLAVES, ANG CLOSURES;
CONDITIONAL AND "BELOW THE THRESHHOLD" ACTIONS; ETC

1. The rapid approach of final deliberations provides a timely opportunity to review the 1995 BRAC Commission Report and glean from it information that will be useful to future review, analysis, deliberations, and voting. The 140 base closure and realignment decisions made by the 1995 Commission have been carefully scrutinized. Highlights of the process are reflected below.

2. Overview of 1995 BRAC Report (chapter 1)

Army:	47 recommendations (by DoD and additions by Commission) 17 substantial deviations (36%) 2 additions
Navy:	52 recommendations (by DoD and additions by Commission) 15 substantial deviations (29%) 2 additions
Air Force:	29 recommendations (by DoD and additions by Commission) 14 substantial deviations (48%) 3 additions
Defense Logistics Agency (DLA)	11 recommendations (by DoD and additions by Commission) 2 substantial deviations (18%) 2 additions
Defense Investigative Service (DIS)	1 recommendation (by DoD) 0 substantial deviations 0 additions

3. DoD recommended actions: 65 close, 19 realign, 34 redirect, 15 disestablish, 1 relocate.

Army:	31 closures, 12 realignments, 1 redirect, 1 disestablish
Navy:	21 closures, 1 realignment, 19 redirects, 8 disestablish, 1 relocate to leased space
Air Force:	10 closures, 3 realignments, 11 redirects, 2 disestablish
DLA	2 closures, 3 redirects, 4 disestablish
DIS	1 relocate

4. Definitions and examples

a. Enclave -- A section of a military installation that remains intact from that part which is closed or realigned and which will continue with its current role and functions subject to specific modifications. Thirteen enclaves were either recommended by DoD and approved by the Commission or established by the Commission in 1995. Twelve of the enclaves were on Army installations; one was on a DLA installation (Pages 1-122/3/4 of the 1995 BRAC Report). The enclaves were for the Reserve Component, National Guard, and ammo or other storage.

b. Closure -- defined by DoD as "All missions of the installation have ceased or have been relocated; 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." In a closure, all missions carried out at a base either cease or relocate.

c. Realignment -- defined in the BRAC statute as "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." In realignment, a base remains open but loses and sometimes gains mission.

d. Relocate -- this term used to describe the movement of missions, units, or activities from a closing or realigning installation to another installation. Units do not realign from a closing or a realigning installation to another installation, they relocate.

e. Redirection refers to cases in which the BRAC Commission changes the recommendation of a previous commission. (Redirections are unlikely in 2005, since the last commission was 10 years ago and most actions directed at that time have been completed.) Two examples of 1995 redirections containing language that may be useful to effect desired results in 2005 follow:

In the case of MCAS, El Toro, the Commission recommendation was: "*Change the receiving sites from [those designated by DoD] to other air stations consistent with operational requirements.*" Pages 1-40/1 of 1995 BRAC Report.

In the case of Naval Activities, Guam, DoD recommended: "Relocate all ammunition vessels and associated personnel and support to Naval Magazine, Lualualei, Hawaii. Relocate all other combat logistics force ships . . ." The Commission, having found substantial deviation from criterion 1, recommended: "*Locate all Military Sealift Command assets and related personnel and support at available DoD activities or in rented facilities as required to support operational commitments.*" Pages 1-54/5 of 1995 BRAC Report.

f. Inactivate, disestablish -- terms used to describe actions which directly affect missions, units, or activities. E.g., fighter wings are inactivated (disestablished); bases are closed. Both, however, cease operations.

g. Thresholds actions -- The 300/1000-50% rule. Title 10 U.S.Code, Section 2687 BASE CLOSURES AND REALIGNMENTS, states that “no action may be taken to effect or implement the closure of (1) any military installation at which at least 300 civilian personnel are authorized to be employed, or (2) any realignment with respect to any military installation referred to in paragraph (1) involving a reduction by more that 1000, or by more than 50%, in the number of civilian personnel authorized to be employed as such military installation . . .”

Numerous recommendations by DoD in 1995 that were approved by the Commission fell below the 300/1000-50% threshold. The value and importance of closures and realignments under BRAC, including those that fall below the 300/1000-50% threshold, is that they are significantly expedited and otherwise facilitated.

Numerous DoD recommendations that included the movement of aircraft were also approved by the Commission in 1995. However, all aircraft movement involved “*squadrons and related activities*” or “[*specified squadron*] with its associated aircraft.”

h. 1995 Commission changes DoD recommendation from a closure to a realignment. A good example of such an action is Red River Army Depot, Texas. DoD recommended: “Close Red River Army Depot, Texas. Transfer the ammunition storage mission, intern training center, and civilian training education to Lone Star Army Ammunition Plant. Transfer the light combat vehicle maintenance mission to Anniston Army Depot. Transfer the Rubber Production Facility to Lone Star.” After finding substantial deviation from criterion 1, the 1995 Commission recommended: “*Realign Red River Army Depot, Texas by moving all maintenance missions, except for that related to the Bradley Fighting Vehicle Series, to other depot maintenance activities, including the private sector. Retain conventional ammunition storage, intern training center, Rubber Production Facility, and civilian training education at Red River.*” Pages 1-33/4 of 1995 BRAC Report.

4. Examples of typical 1995 Commission findings

The Commission finds the Secretary of Defense did not deviate substantially from the force-structure plan and final criteria. Therefore, the Commission recommends the following: [restatement of DoD’s recommendation]. There were 91 such findings, 65% of the 140 recommendations.

The Commission finds the Secretary of Defense deviated substantially from final criteria [criteria listed -- e.g., 1, 2, and 4]. Therefore, the Commission recommends the following: [recommended action]. There were 49 such findings, 35% of the 140 recommendations.

1995 BRAC Final Selection Criteria (military value given overall priority consideration) (Significant 2005 changes to criteria are indicated with bold text.)

1. The current and future mission **requirements capabilities** and the impact on operational readiness of DoD’s total force, **including the impact of joint warfighting, training, and readiness.** DoD substantially deviated from this criterion 37 times.

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 use of the Armed Forces in homeland defense missions**) at both the existing and potential receiving locations. DoD substantially deviated from this criterion 15 times.

3. The ability to accommodate contingency, mobilization, **surge**, and future total force requirements at both the existing and potential receiving locations **to support operations and training**. DoD substantially deviated from this criterion 6 times.

4. The cost of **operations** and **the** manpower implications. DoD substantially deviated from this criterion 22 times.

Return on Investment

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 cost. DoD substantially deviated from this criterion 19 times.

Impacts

6. The economic impact on **existing communities in the vicinity of military installations**. DoD substantially deviated from this criterion 1 time.

7. The ability of both the existing and potential receiving communities' infrastructure to support forces, missions, and personnel. DoD did not substantially deviate from this criterion.

8. The environmental impact, **including the impact of costs related to potential environmental restoration, waste management, and environmental compliance activities**. DoD substantially deviated from this criterion 1 time.

5. Other examples of Commission findings

With regard to the Bayonne Military Ocean Terminal in New Jersey, the 1995 Commission found substantial deviation from criteria 1 and 3, but agreed with the DoD recommendation to close the installation. However, instead of relocating units to specific locations as recommended by DoD, the 1995 Commission recommended the units be relocated *"to a location to be determined."* Pages 1-22/3 of the 1995 BRAC Report.

DoD recommended redirection of Griffiss Air Force Base, NY, 485th Engineering Installation Group from very specific locations identified by the 1993 Commission to *"Transfer its engineering and installation functions as operational requirements dictate in accordance with Department of the Air Force policy."* Pages 1-97/8 of the 1995 BRAC Report.

6. Actions taken in 1995 impacting Air Guard installations

DoD recommended closure of Moffett Federal Airfield Air Guard Station, CA; North Highlands Air Guard Station, CA; and Springfield-Berkley Municipal Airport Air Guard Station, Ohio. The 1995 Commission found substantial deviation in all three instances and kept the installations open. Pages 1-85/6, 1-86/7, and 1-103/4 respectively of the 1995 BRAC Report.

The 1995 Commission agreed with the DoD recommendation to close Ontario International Airport Air Guard Station, CA. Pages 1-88/9 of the 1995 BRAC Report. After finding that DoD had deviated substantially from criteria 4 and 5, the 1995 Commission agreed to conditionally close Roslyn Air Guard Station, NY, "*if the Roslyn Air Guard Station can be sold for its fair market value.*" Page 1-101 of the 1995 BRAC Report.



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