

DISAPPROVING THE RECOMMENDATIONS OF THE DE-
FENSE BASE CLOSURE AND REALIGNMENT COMMIS-
SION

AUGUST 1, 1995.—Committed to the Committee of the Whole House on the State
of the Union and ordered to be printed

Mr. SPENCE, from the Committee on National Security,
submitted the following

ADVERSE REPORT

together with

ADDITIONAL VIEWS

[To accompany H.J. Res. 102]

[Including cost estimate of the Congressional Budget Office]

The Committee on National Security, to whom was referred the joint resolution (H.J. Res. 102) disapproving the recommendations of the Defense Base Closure and Realignment Commission, having considered the same, reports unfavorably thereon and recommends that the joint resolution do not pass.

PURPOSE

The purpose of House Joint Resolution 102 is to disapprove the recommendations of the Defense Base Closure and Realignment Commission.

COMMITTEE ACTION

House Joint Resolution 102 was introduced by Representative Frank Tejeda of Texas (for himself, Mr. Bonilla, Mr. Gonzalez, and Mr. Smith of Texas) on July 18, 1995 and was referred to the Committee on National Security. The resolution meets the requirements for a resolution of disapproval as provided in section 2908(a) of Public Law 101-510, the Defense Base Closure and Realignment

Act of 1990 (Title XXIX of the National Defense Authorization Act for Fiscal Year 1991).

On July 26, 1995 the committee considered House Joint Resolution 102 and, a quorum being present, voted 43–10 to report the resolution adversely to the House.

DISCUSSION

Department of Defense procedures to develop recommended list

On February 28, 1995, following an extensive review of Department of Defense military installations, Secretary of Defense William J. Perry presented to Congress and the Defense Base Closure and Realignment Commission his list of recommended actions affecting 146 domestic military installations, including 33 major bases recommended for closure, 26 major bases recommended for realignment, and an additional 27 changes to prior base closure round decisions, or “redirects”.

As provided by law, the selection process for bases to be included on the DOD list was built around the following standards: (1) the force-structure plan submitted to Congress with the DOD budget request for fiscal year 1996; and (2) the selection criteria finalized by DOD after public comment. Of the following eight criteria, the first four concerned military value and were to receive preference:

- (1) The current and future mission requirements and the impact on operational readiness of the Department of Defense’s total force;
- (2) The availability and condition of land, facilities, and associated air space at both the existing and potential receiving locations;
- (3) The ability to accommodate contingency, mobilization, and future total force requirements at both the existing and potential receiving locations;
- (4) The cost and manpower implications;
- (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 communities;
- (7) The ability of both the existing and potential receiving communities’ infrastructure to support forces, missions, and personnel; and
- (8) The environmental impact.

The Defense Base Closure and Realignment Commission

The commission charged with reviewing and revising the DOD list included Chairman Alan J. Dixon; Alton W. Cornella; Rebecca G. Cox; Gen. James B. Davis, USAF (Ret.); S. Lee Kling; Rear Adm. Benjamin F. Montoya, USN (Ret.); Maj. Gen. Josue Robles, Jr., USA (Ret.); and Wendi L. Steele.

The statutory test applied by the commission in justifying modifications to DOD’s list involves a finding of “substantial deviation” from the force-structure plan and selection criteria. The commission could recommend changes for those bases where it could establish a substantial deviation.

In keeping with this test and with the mandate of Public Law 101-510 "to provide a fair process that will result in the timely closure and realignment of military installations inside the United States," the commission on July 1, 1995 submitted to the President a recommendation to close or realign 132 military installations in the United States, including 123 of the 146 closure or realignment recommendations of the Secretary of Defense, and 9 of the 36 military installations identified by the commission as candidates for consideration during its deliberations. According to the commission, these actions would result in one-time costs of approximately \$3.6 billion. The commission expects \$1.6 billion in annual savings and net present value savings of \$19.3 billion over the next 20 years to result from the 1995 base closure recommendations.

The final closure and realignment list was the culmination of 167 visits to military installations and 16 hearings held across the United States. The effort produced thousands of pages of oral testimony and written documentation from Members of Congress, officials representing the affected communities, the Pentagon, the General Accounting Office, and the Environmental Protection Agency; all of this material was reviewed by the commission.

Overview of congressional defense base closure and realignment process

Under the provisions of Public Law 101-510, congressional consideration of the base closure recommendations must be carried out on an expedited basis. The commission's recommendations will automatically go into effect unless both houses of Congress pass a resolution of disapproval rejecting the package in its entirety. The law does not permit additions, deletions, or amendments to the recommendations affecting installations on the list.

The procedures also provide that in considering a resolution to disapprove the commission's recommendations, the committee after the President transmits the list to Congress or be discharged from further consideration.

On or after the third day after the committee has reported the resolution, or has been discharged from further consideration, any Member of Congress can move to proceed to the consideration of the resolution, after giving notice the preceding calendar day.

The period established for congressional disapproval ends at: (1) the end of the 45-day period beginning on the date on which the President transmits the report, excluding any recess period of more than three days (the period expires on September 27); or (2) the adjournment sine die of Congress for the session, whichever comes first.

DEPARTMENTAL POSITION

The Department of Defense opposes passage of House Joint Resolution 102.

COMMITTEE POSITION

The committee recommends that the resolution to disapprove the recommendations of the Defense Base Closure and Realignment Commission should be rejected.

On July 26, 1995 the committee considered House Joint Resolution 102 and, a quorum being present, voted 43-10 to report the resolution adversely to the House.

FISCAL DATA

Pursuant to clause 7 of rule XIII of the Rules of the House of Representatives, the committee attempted to ascertain annual outlays resulting from the joint resolution during fiscal year 1996 and the four following fiscal years. The results of such efforts are reflected in the cost estimate prepared by the Director of the Congressional Budget Office under section 403 of the Congressional Budget Act of 1974, which is included in this report pursuant to clause 2(l)(3)(C) of House rule XI.

COST ESTIMATE

Congressional Budget Office cost estimate

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, July 28, 1995.

Hon. FLOYD SPENCE,
*Chairman, Committee on National Security,
House of Representatives, Washington, DC*

DEAR MR. CHAIRMAN: The Congressional Budget Office has examined H.J. Res. 102, a resolution disapproving the recommendations of the Defense Base Closure and Realignment Commission, as ordered reported by the House National Security Committee on July 26, 1995.

The Defense Base Closure and Realignment Act of 1990 set up a process by which military installations would be recommended for closure or realignment by an independent commission. The Department of Defense (DoD) would implement the recommendations unless the Congress were to enact a joint resolution disapproving them.

On July 1, 1995, the Commission released its recommendations, which called for closing or realigning the activities at 132 installations. When measured in 1996 dollars, the Commission's analysis indicates that these actions would save \$3.9 billion between 1996 and 2001, and \$1.6 billion annually after that, assuming that appropriations are reduced accordingly.

Under current law, if no action is taken by the Congress, DoD will begin closing and realigning the affected bases in 1996. Therefore, enactment of H.J. Res. 102 would cost money relative to current law because savings from the base closures would be forgone. CBO has not prepared an independent estimate of the magnitude of the costs involved.

We expect the enactment of the resolution would not have a significant direct impact on the budgets of state and local governments. By preventing bases from being closed or realigned, the resolution could affect economic conditions in particular states and localities, but any such impacts would be considered indirect.

This resolution would not affect direct spending or receipts of the federal government; therefore, it has no pay-as-you-go implications.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Kent Christensen.
Sincerely,

JAMES L. BLUM
(For June E. O'Neill, Director).

COMMITTEE COST ESTIMATE

The committee concurs with the estimate of the Congressional Budget Office.

INFLATION IMPACT STATEMENT

Pursuant to clause 2(l)(4) of rule XI of the Rules of the House of Representatives, the committee believes that disapproval of the resolution will have no measurable inflationary impact.

OVERSIGHT FINDINGS

With respect to clause 2(l)(3)(A) of rule XI of the Rules of the House of Representatives, this legislation results from statutory requirements governing the base closure and realignment process.

With respect to clause 2(l)(3)(B) of rule XI of the Rules of the House of Representatives, this legislation does not include any new budget, spending, or credit authority.

With respect to clause 2(l)(3)(D) of rule XI of the Rules of the House of Representatives, the committee has not received a report from the Committee on Government Reform and Oversight pertaining to the subject matter of H.J. Res. 102.

ROLLCALL VOTE

In accordance with clause 2(l)(2)(B) of rule XI of the Rules of the House of Representatives, a rollcall vote was taken with respect to H.J. Res. 102. This vote is attached to this report.

H.J. Res. 102 was ordered adversely reported to the House, a quorum being present, by a vote of 43–10.

Representative	Aye	Nay	Present	Representative	Aye	Nay	Present
Mr. Spence	X	.....	.....	Mr. Dellums	X	.....	.....
Mr. Stump	X	.....	.....	Mr. Montgomery	X	.....	.....
Mr. Hunter	X	.....	.....	Mr. Schroeder .....	.....	X	.....
Mr. Kasich	X	.....	.....	Mr. Skelton	X	.....	.....
Mr. Bateman .....	.....	.....	.....	Mr. Siskis	X	.....	.....
Mr. Hansen	X	.....	.....	Mr. Spratt	X	.....	.....
Mr. Weldon	X	.....	.....	Mr. Ortiz .....	.....	X	.....
Mr. Dornan	X	.....	.....	Mr. Pickett	X	.....	.....
Mr. Hefley	X	.....	.....	Mr. Evans .....	.....	X	.....
Mr. Saxton	X	.....	.....	Mr. Tanner	X	.....	.....
Mr. Cunningham	X	.....	.....	Mr. Browder .....	.....	x	.....
Mr. Buyer	X	.....	.....	Mr. Taylor	X	.....	.....
Mr. Torkildsen	X	.....	.....	Mr. Abercrombie .....	.....	x	.....
Mrs. Fowler	X	.....	.....	Mr. Edwards .....	.....	x	.....
Mr. McHugh	X	.....	.....	Mr. Tejada .....	.....	x	.....
Mr. Talent .....	.....	X	.....	Mr. Meehan	X	.....	.....
Mr. Everett	X	.....	.....	Mr. Underwood .....	.....	x	.....
Mr. Bartlett	X	.....	.....	Ms. Harman	X	.....	.....
Mr. McKeon	X	.....	.....	Mr. McHale	X	.....	.....
Mr. Lewis	X	.....	.....	Mr. Geren	X	.....	.....
Mr. Watts	X	Mr. Peterson	X
Mr. Thornberry	X	Mr. Jefferson
Mr. Hostettler	X	Ms. DeLauro	X

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Representative	Aye	Nay	Present	Representative	Aye	Nay	Present
Mr. Chambliss	X	Mr. Ward	X
Mr. Hilleary	X	.....	.....	Mr. Kennedy	X	.....	.....
Mr. Scarborough	X						
Mr. Jones	X						
Mr. Longley	X						
Mr. Tiahrt	X						
Mr. Hastings	X						

ADDITIONAL VIEWS OF MAC THORBERRY

The ability to train top-quality pilots for service in our military is a key component of our nation's defense capabilities. The decision to close Reese Air Force Base was made with outdated information that mistakenly led both the Air Force and the Base Closure and Realignment Commission to believe that adequate capacity would remain if Reese was closed. I believe this decision is ill advised and I fear that it will result in a capacity shortage to train pilots within the next five years. Similarly, I disagree with some of the Commission's other recommendations, including the closing of Kelly Air Force Base. However, I am committed to reducing our nation's defense infrastructure to a level appropriate for our post-Cold War military forces. The closure of bases is a difficult but necessary decision that must be made so that we may better allocate limited defense funds to meet the important modernization needs of future years. Therefore, despite my serious reservations about some of the recommendations, I voted to effectively support the recommendation as a whole.

MAC THORBERRY.

ADDITIONAL VIEWS OF MR. MONTGOMERY

Since the enactment of the Base Closure and Realignment Act of 1990, three rounds of base closure proceedings have passed. With the final round complete, I feel it is now time to allow the Department of Defense an opportunity to adjust to the changes that have been made and posture our military facilities in a way that provides the highest state of readiness.

The third and final Defense Base Closure and Realignment Commission, chaired by former Senator Alan J. Dixon, was comprised of commissioners representing a broad cross section of our country. These commissioners were retired military flag officers, successful business people and individuals who had worked in the legislative process. The staff was of the highest caliber with some having worked for the Commission for six years. The military personnel assigned to the Commission were equally as dedicated. They all worked extremely hard to get the facts about each installation on the list and judge the facility on its merits even when it meant going against the Department of Defense recommendation. The commissioners and staff traveled relentlessly to make personal visits to the installations and to hear the communities' views on the proposed recommendations. I salute them for their diligence and fairness in reaching their decisions.

G.V. MONTGOMERY.

STATEMENT SUBMITTED FOR THE RECORD BY HON. JOHN
TANNER

In this time of shrinking budgets and with consideration for our constantly changing world situation, it is increasingly important that we keep our defense expenditures balanced. Understanding that as we shrink our personnel numbers and reduce our weapons purchases, it is important to keep in mind that our infrastructure should be reduced as well. Despite knowing that we must reduce our infrastructure, these decisions are still extremely painful. No one wants the closures to be made in their district. And, that is why we created the BRAC commission—to take the politics out of the base closure decision process. West Tennessee has taken big hit in this round of closures. But, before I speak to this disappointment, let me preface my remarks with the effect of the events of BRAC 93 on West Tennessee.

In the BRAC 93 process in West Tennessee, we fought the BRAC decision because they decided to relocate the Naval Air Technical Training Center Naval Air Station Memphis to Naval Air Station Pensacola. However, despite my fight to illustrate the costly mistake that the commission had made, I understood that after the commission's final rulings, we had to allow the commission independence from parochial interests. Despite our well-fought loss, we have since worked with the Navy, the Department of Defense, the Department of Labor, and many other agencies to develop a positive action plan for our base. We have a joint use plan, two new commands, the Bureau of Naval Personnel and the Defense Finance and Accounting Service Centers are both moving to NSA Memphis. In fact, if the BRAC 95 decision becomes law, then we will receive two new Navy commands including the Navy Recruiting Command and the Navy Personnel Research and Development Center.

I wanted to temper my disappointment with the BRAC decision regarding the depot in Memphis with the events at Naval Air Station Memphis (soon to be Naval Support Activity Memphis). The Defense Depot Memphis, Tennessee received instructions for full closure. Since, Memphis is the civilian distribution center of the United States and knowing that the workers at the Depot are first class, this determination was a great disappointment. There are several reasons that depot in Memphis should not have been closed. Accordingly, I wanted my concerns about DDMT on record.

First, Memphis should have been considered as a Primary Distribution Site in the Defense Logistics Agency system. Substantial capital investments in mechanization consolidation and containerization and storage thruput capacity—all key characteristics of a PDS have been made at the depot in recent years. In fact, DDMT was designated as a PDS in 1992, but was subsequently stripped of such designation by DLA. These benefits should have

been realized and I believe could have significantly changed Memphis's ranking in the process. Second, Memphis has over 200 truck lines, 44 air carriers, 9 airlines, 2 military air terminals, 6 commercial barge lines, and 6 class 1 railroads. It is clear that if the military was to move toward privatization of distribution functions, that Memphis would be the ideal location for distribution of any materiel that the military has to offer. And lastly, the cost to move DDMT is going to be prohibitive, and as I felt when we faced the move of the NATTC, the costs are not always adequately gauged, when decisions to move commands are made.

Regardless of my personal contention with this decision, we have to work within the process. It would be nearly impossible to close any bases in the United States if members of Congress were required to close bases in their district and eliminate the jobs of their constituents, no matter how much we need to close a facility. We must shrink the infrastructure and save defense dollars for readiness. That is the most important goal that we face. I stand with my fellow West Tennesseans ready to work to make the depot a benefit to the Memphis community. It is a good facility and will be a benefit to Memphis.

JOHN TANNER.

ADDITIONAL REMARKS SUBMITTED BY JAMES V. HANSEN

I am deeply concerned over the administration's unfortunate decision to interject presidential politics into the apolitical BRAC process. President Clinton's unprecedented direction to the Pentagon to "privatize in place" the majority of the jobs at the McClellan and Kelly Air Logistics Centers is nothing more than an attempt to circumvent the independent BRAC process for the political expediency of guaranteed jobs in northern California. The administration's defense of this plan, most recently by the Deputy Secretary of Defense John White, has been misleading and disingenuous. As the Washington Post correctly pointed out in a July 4th editorial, "if the privatization is real, it will merely perpetuate the expensive overcapacity that the base closing is supposed to reduce." This position is strongly supported by the General Accounting Office's Analysis of DoD's Process and Recommendations for Closure and Realignment. That report stated the Air Force's recommendation not to close any maintenance depots "did not appear to be well thought out or adequately supported." And, that they "do not fully address the problem of significant excess capacity in the depot system."

Deputy Secretary White has suggested the Pentagon plan will "cut costs through elimination of excess facilities." Privatization in place will actually be more expensive because the Department of Defense will still be responsible for guaranteeing, and paying for, work completed by the least cost effective depots, and will not reap the savings the BRAC Commission projected by shedding significant overhead and consolidating workloads to the remaining depots. Both Mr. White and the President point to the privatization of logistics functions at the Newark Air Force Base as their model for "privatization in-place." The General Accounting Office has characterized this experiment as a failure. Specifically, the GAO noted "one time closure costs have doubled in the past year and may still be underestimated. As a result, the payback period has increased to at least 17 years and as much as over 100 years. Moreover, projected costs of conducting post-privatization operations could exceed the cost of current Air Force operations and reduce or eliminate projected savings." One of the primary factors cited for this problem is the failure of the closure/privatization to reduce excess capacity.

Although the administration raised the specter of combat readiness and national security, the fact is the Air Force refused to support rejection of the BRAC recommendations on these grounds. What will have a disastrous effect on our national security is a policy that will waste precious defense dollars on excess capacity while abrogating the Department's commitment to a ready and controlled source of quality depot maintenance.

The administration's compromise rests on the promise of jobs and the false assertion that BRAC did not consider cumulative economic impact in its deliberations. The fact is, BRAC did consider economic impact and California only tied as the fourth hardest hit state; with Alabama, Alaska, Guam, North Dakota, and Connecticut being hit proportionately harder. I find it the height of hypocrisy that a President who has supported billions of dollars in defense cuts did not think those cuts would equate to job losses. In-

teresting enough, even the people this meddling was designed to protect do not support the privatization proposal. While the workers at Kelly and McClellan proudly supported their depots, many of them now want the option to relocate with the workload and not face the uncertainty of a shaky economic experiment.

I also want to address the administration's claim that the BRAC Commission somehow overstepped their mandate. This is simply not true. This Commission, as Chairman Dixon stated in his new conference on June 30th, concurred with a greater percentage of Pentagon recommendations than either of the previous three rounds. This Commission was also the first BRAC Commission whose list of recommendations will save more money than the administration's list. The only person who has played outside of the rules in this process is the President. I do not consider the President's letter to Chairman Dixon of July 13, 1995 as a legally bind part of the BRAC recommendations. I was particularly troubled by the letter's characterization of any legislative action taken by the Congress in this matter as a violation of Public Law. When the fact is, the President's direction to "privatize in-place," and the Pentagon's plan for implementation, appear to be in violation of several sections of current law.

Simply stated, the President's direction to privatize in-place is a bad one. It will result in dramatically reduced savings and increased maintenance costs for the Air Force. It will deny depot workers the option of keeping their jobs and moving to one of the remaining depots. And most importantly, it will call into question the integrity of the entire BRAC process. I believe we should not allow President Clinton to undermine our national security by turning our Armed Forces into a laboratory for economic and social experimentation.

JAMES V. HANSEN.

ADDITIONAL VIEWS

We supported the motion to report H.J. Res. 102 adversely to the House. We believe that the Defense Base Closure and Realignment Commission did an admirable job in balancing the recommendations of the Department of Defense with its statutory charter to provide an independent assessment of current and future base infrastructure requirements. While we do not necessarily agree with each of the recommendations contained in the report of the Commission, we recognize that further infrastructure reductions are important if we are to accrue the savings necessary to provide for future modernization of the armed forces.

At the same time, we are seriously concerned about the handling of the Commission's recommendations by the President. As members of the House, we are well aware of the significant local economic impact a base closure or major realignment can have on a local community. We are dismayed by the interjection of political considerations into the deliberations within the Execution Branch over the disposition of the Commission's recommendations. While the President ultimately accepted the base closure recommendations produced by the Commission, he did so with a significant caveat concerning the implementation of the recommendations to close McClellan Air Force Base and realign Kelly Air Force Base.

In our judgment, the letter of the President of July 13, 1995, communicating his approval of the recommendations of the Defense Base Closure and Realignment Commission has no standing beyond such certification. Public Law 101-510 does not provide for any such communication to contain assumptions about the implementation of the recommendations of the Commission. Privatization of workloads at those particular installations was but one option in the recommendation to close them. Should Congress prohibit or restrict the privatization of depot workloads, it is our view that such legislative authority remains within the clear purview of the Congress. The executive may not, by fiat, prohibit the Congress from taking such an action.

RON LEWIS.
J.C. WATTS, Jr.
"DUKE" CUNNINGHAM.
JOEL HEFLEY.
CURT WELDON.
SAXBY CHAMBLISS.
JOHN M. MCHUGH.
BOB STUMP.
TILLIE K. FOWLER.
JAMES V. HANSEN.

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