

# Making the Case for a New Round of BRAC

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## KEY TAKEAWAYS

The report on force structure and infrastructure for the FY 2021 budget request is the Department of Defense's best chance to make the case for a new BRAC round.

The department's case for a new round of BRAC should focus on potential savings and implementing the National Defense Strategy.

The report needs to both show the importance of a new BRAC round and accommodate legitimate concerns that Congress has with BRAC.

The John S. McCain National Defense Authorization Act (NDAA) for Fiscal Year (FY) 2019 requires the Department of Defense (DOD) to submit a report on force structure and infrastructure capabilities with the FY 2021 budget request.<sup>1</sup> When delivered in February 2020, the Section 2821 report will be the third infrastructure-capacity report that the DOD has submitted in a little over three years.<sup>2</sup> These infrastructure-capacity reports use predetermined force structures to assess what infrastructure is needed to house them and assess whether the department has an excess or shortage of capacity.

The first report, delivered in March 2016, found an excess capacity of 22 percent.<sup>3</sup> The second, delivered in October 2017, used a different force structure and reported a 19 percent excess capacity.<sup>4</sup> The third iteration will use the FY 2018 NDAA force structure as its baseline<sup>5</sup> and be the DOD's best chance for the

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This paper, in its entirety, can be found at <http://report.heritage.org/ib4992>

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foreseeable future to make a case for a new round of Base Realignment and Closures (BRAC).

The DOD did not request BRAC authority in FY 2019, perhaps sensing no chance of it being granted. Up to that point, the DOD had requested BRAC authority for six consecutive years since the September 2011 deadline for implementing the 2005 round. In his confirmation hearing, Secretary of Defense Mark Esper stated, “In an era of mounting physical challenges and competing demands, we must actively seek ways to free up time, money, and manpower to invest back into our top priorities.”<sup>6</sup> A new round of BRAC would allow the department to free time, money, and manpower in installations for other uses. With that in mind, the department needs to leverage the requirement for a new infrastructure capacity report to make a compelling, well-articulated case for BRAC.

## Major Elements of the Section 2821 Report

There are two substantial differences between the Section 2821 report and the previous infrastructure-capacity reports: the force structure to be used and the identification of deficit or surplus capacities by location within the country.

The March 2016 infrastructure report used the 2019 projected forces from the President’s Budget for FY 2016.<sup>7</sup> This force structure reflected reductions planned by the Obama Administration. Substantial congressional opposition to that reduced force structure prompted a change in the force structure in the report from October 2017. That report used the end-strength numbers from FY 2012, before the Budget Control Act of 2011 was enacted, which limited the amount of money that could be dedicated to defense.<sup>8</sup> The 2012 force is substantially larger than those used in the previous report. This mostly accounts for the 3 percent difference in the excess capacity found by the two reports.

The Section 2821 report is required to use the “end-strength levels and major military force units (including land force divisions, carrier and other major combatant vessels, air wings, and other comparable units) authorized in the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91).”<sup>9</sup> The force described by the 2018 NDAA is, on average, bigger than the baseline from the March 2016 report and smaller than the baseline from the October 2017 report. In the aggregate, the end-strength numbers are closer to the numbers used in the March 2016 report. By that criteria alone, the forthcoming report will likely find the DOD’s excess capacity at somewhere between 19 percent and 22 percent, possibly closer to 22 percent.

Another major difference between the upcoming report and its predecessors is the requirement to submit to Congress “[a]n identification of any deficit or surplus capability in such infrastructure, real property, and facilities— (A) for each military department; and (B) for locations within the continental United States and territories.”<sup>10</sup> This represents a major departure from previous reports, which did not name the locations of installations with capacity surpluses or shortfalls. Previous methodology was intentionally constructed to not reveal the locations of the installations, but just assess the aggregate functions of the installations. It used overall categories—such as depots, space operations, and maneuver areas—to assess the installations and their capacity.<sup>11</sup>

Part of why the Pentagon has avoided being too specific in identifying locations of excess capacity is to avoid telegraphing what a potential BRAC list could look like. If a list with specific locations of excess DOD capacity were made public, it would likely immediately weaken the real estate markets where the installations are located, from changing loan conditions to increasing hesitancy to invest in the region.

These broad categories were mostly unique to each service with some exceptions that overlapped across services. The lack of uniform categories makes it harder for Congress to see a holistic picture of the excess capacity, which is why Congress required this report to be consistent across the services.<sup>12</sup> The DOD will have difficulty fulfilling the congressional requirement for uniformity, especially considering their current challenges with creating uniformity in their inventory data.<sup>13</sup> However, the department should fulfill the requirement because it will help future real property management.

## Recommendations

These new conditions imposed by Congress in the mandated report pose a new significant obstacle to the DOD securing authorization for a new BRAC round. The details required by Congress will be hard to compile and even more challenging to present in a report. The department and the communities that host bases have no desire to weaken their local markets by having their bases classified as carrying excess capacity before a potential BRAC. Further, if the Pentagon fails to deliver on any of these new conditions, lawmakers will likely point to those shortcomings as a reason to not even discuss a new BRAC round.

However, this report also is the department’s best chance to make its case for a new round of BRAC in the near future. To maximize the odds of securing congressional support for a new BRAC round, the Department of Defense should:

- **Make the case for BRAC.** The department needs to make the case for a new round of BRAC based on two key tenets: potential savings and the National Defense Strategy. A new BRAC round could save \$2 billion by reducing unneeded infrastructure.<sup>14</sup> Additionally, a new round of BRAC would permit the department to assess its infrastructure against the threats outlined by the National Defense Strategy, providing a holistic look at all of the infrastructure.
- **Include BRAC in the FY 2021 budget.** The Pentagon needs to ask for a new BRAC round in the FY 2021 budget. If there is no request for authority as in the FY 2020 and the FY 2019 budget requests, Congress will not even discuss the issue of another BRAC round. It must start with a request in the FY 2021 budget.
- **Avoid being too specific.** Describing capacity excesses by specific location will lead to undesired outcomes and potentially derail another BRAC before it begins. The DOD should avoid providing installation-level detail in their capacity analysis and attempt to negotiate alternatives with the chairs of the House and Senate Armed Services Committees to make sure that they are fulfilling congressional intent.
- **Reform the BRAC process.** Congress has legitimate grievances with how the 2005 BRAC round was conducted. The 2005 round revealed shortcomings in the process that need to be addressed for any future rounds. In its request for a new round, the department could greatly benefit by submitting legislative language to reform the process.<sup>15</sup> Congress should be heavily involved in this area early in the process, especially in determining the metrics for a BRAC round to ensure harmonized expectations, particularly with costs and how much excess capacity will be reduced.

## Conclusion

The Section 2821 report will be the best chance for the Department of Defense to make the case for a new round of BRAC. It will need to address the lawmakers' concerns and hesitations in authorizing a new BRAC, from concerns about a growing force to community recovery processes<sup>16</sup> and how the bases are chosen. Congress and the executive branch need to rebuild the collaborative relationship that enabled the first rounds of BRAC. It

will take work, but BRAC provides a great framework to develop that work. The Department of Defense needs to use this coming report to make the strongest case possible for a new round of BRAC.

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## Endnotes

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2. Frederico Bartels, “New Department of Defense Infrastructure Study Would Delay BRAC Until 2021,” Heritage Foundation *Issue Brief* No. 4856, May 21, 2018, <https://www.heritage.org/defense/report/new-department-defense-infrastructure-study-would-delay-brac-until-2021>.
3. U.S. Department of Defense, “Infrastructure Capacity,” March 2016, <https://defensecommunities.org/wp-content/uploads/2015/01/2016-4-Interim-Capacity-Report-for-Printing.pdf> (accessed August 5, 2019).
4. U.S. Department of Defense, “Infrastructure Capacity,” October 2017, <https://fas.org/man/eprint/infrastructure.pdf> (accessed August 5, 2019).
5. National Defense Authorization Act for Fiscal Year 2018, Public Law 115–91, Title IV.
6. Mark Esper, “Confirmation Hearing Opening Statement,” testimony before the Committee on Armed Services, U.S. Senate, July 16, 2019, [https://www.armed-services.senate.gov/imo/media/doc/Esper\\_07-16-19.pdf](https://www.armed-services.senate.gov/imo/media/doc/Esper_07-16-19.pdf) (accessed August 7, 2019).
7. U.S. Department of Defense, “Infrastructure Capacity,” March 2016, <https://defensecommunities.org/wp-content/uploads/2015/01/2016-4-Interim-Capacity-Report-for-Printing.pdf> (accessed August 5, 2019).
8. Brendan W. McGarry, “The Defense Budget and the Budget Control Act: Frequently Asked Questions,” Congressional Research Service, *Report to Congress*, July 13, 2018, <https://fas.org/sgp/crs/natsec/R44039.pdf> (accessed August 6, 2019).
9. John S. McCain National Defense Authorization Act for Fiscal Year 2019, § 2821(a)(1)(B).
10. *Ibid.*, § 2821(c)(2).
11. U.S. Department of Defense, “Infrastructure Capacity,” October 2017, p. 22, <https://fas.org/man/eprint/infrastructure.pdf> (accessed August 5, 2019).
12. John S. McCain National Defense Authorization Act for Fiscal Year 2019, § 2821(b).
13. U.S. Government Accountability Office, “Defense Real Property: DOD Needs to Take Additional Actions to Improve Management of Its Inventory Data,” November 13, 2018, <https://www.gao.gov/products/GAO-19-73> (accessed August 6, 2019).
14. Jim Mattis, “Written Statement for the Record,” testimony before the Committee on Armed Forces, U.S. House of Representatives, June 12, 2017, <https://docs.house.gov/meetings/AS/AS00/20170612/106090/HHRG-115-AS00-Bio-MattisJ-20170612.pdf> (accessed August 7, 2019).
15. For concepts on how to reform BRAC, see Frederico Bartels, “Guidelines for a Better—and Necessary—Round of BRAC,” Heritage Foundation *Background* No. 3257, October 19, 2017, <https://www.heritage.org/defense/report/guidelines-better-and-necessary-round-brac>.
16. For a great study on the transition of former military sites, see Michael Touchton and Amanda J. Ashley, *Salvaging Community: How American Cities Rebuild Closed Military Bases* (Ithaca, NY: Cornell University Press, 2019).