

## **Chapter 5**

# **Implementation**

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### **Introduction**

Public Law 101-510, besides establishing the procedures for selecting bases to be closed or realigned, establishes procedures for carrying out approved closures and realignments. The law also describes the applicability of other public laws and Federal regulations to the implementation of base closures and realignments (see Appendix A).

### **Requirement to Close and Realign Bases**

The Secretary of Defense must close and realign all military installations recommended for closure and realignment by the Commission, unless the President does not approve the recommendations or a joint resolution of disapproval is enacted.

The Secretary must initiate all the closures and realignments within two years and complete all the closures within six years, beginning on the date the President approves the recommendations.

### **Implementation Procedures and Funding**

The Secretary may (in implementing the approved base closures and realignments) acquire land, construct replacement facilities, and plan and design for relocating activities.

Public Law 101-510 establishes a special Department of Defense Base Closure Account 1990, to fund costs associated with closing and realigning bases. The Secretary may also use the Account to provide: economic adjustment assistance to communities; community planning assistance; and, outplacement assistance to civilian employees.

The Secretary may use the Account to provide for environmental restoration and mitigation at closing and realigning bases. The

Secretary is required to ensure that environmental restoration of property made excess as a result of closing or realigning bases be carried out as soon as possible with funds available for such purposes.

### **Property Disposal**

The Administrator of General Services is required to delegate to the Secretary of Defense the Administrator's property disposal authorities under public law to: utilize excess property; dispose of surplus property; grant approvals and make determinations; and, make excess or surplus property available for wildlife conservation purposes. The Secretary is required to follow General Services Administration regulations in carrying out his property disposal authorities under public law.

Before the Secretary can dispose of any surplus real property or facility, he is required to consult with the Governor of the State and the heads of local governments about the local community's plans for the use of the property. For almost 30 years, DoD has helped local communities plan for the reuse of closing bases. This program, managed by DoD's Office of Economic Adjustment, is discussed later in this chapter.

The Secretary may transfer real property or facilities at a closing or realigning base to a Military Department or the Coast Guard, with or without reimbursement. This authority is important to help ensure DoD retains its best assets in cases where the transfer from one Department to another could not be identified during the base closure and realignment selection process.

### **Applicability of the National Environmental Policy Act**

The National Environmental Policy Act (NEPA) will apply to the actions DoD takes in implementing approved base closures and realignments. NEPA will apply in disposing of property and in relocating functions from a base being closed or realigned to a receiving base. However, in applying NEPA to property disposal or relocating functions, DoD need not consider: (1) the need for closing or realigning the base; (2) the need for transferring functions to a base selected as a receiving base; or (3) alternatives to the closing, realigning or receiving bases.

## **Congressional Oversight**

DoD is required to report annually to the defense committees of Congress the following information concerning implementation of approved base closures and realignments:

- o A schedule of closure and realignment actions for the year,
- o The costs required and savings to be achieved,
- o An assessment of the environmental effects of the actions,
- o A description of actions at receiving bases, and
- o An assessment of the environmental effects at the receiving bases.

Finally, DoD is required to report to the Congress the funds remaining in the Base Closure Account after the Account has terminated. Unobligated funds which remain in the Account after termination will be held in the Account until transferred by law.

## **Easing the Impact**

Closing military bases is difficult, especially for the communities affected. DoD has for years managed programs designed to assist communities, homeowners and employees in adjusting to the closure of bases.

## **Economic Adjustment Assistance**

Economic adjustment assistance for communities can alleviate local impacts of Defense program changes. Impacts may result from major base closure or realignment actions that reduce local employment. Other actions may increase Defense activity and place new demands on communities for increased public services (sewer, water, roads, schools, etc.). Changes can impact on individuals and have secondary effects on area businesses, local governments, and other elements of the local economy.

The Department takes the lead in efforts to alleviate these problems. An Economic Adjustment Program was initiated for this purpose in May 1961. Since 1970, adjustment assistance has been rendered through the President's Economic Adjustment Committee (EAC) which is composed of 18 Federal departments and agencies, and chaired by the Secretary of Defense. The DoD Office of Economic Adjustment (OEA) serves as the permanent staff for the Committee.

The EAC works with local, state and federal agency representatives to develop strategies and coordinate action plans to generate new job opportunities and to alleviate social and economic impacts resulting from Defense program changes. Whenever possible, former military bases are converted for productive civilian uses, i.e. airports, industrial parks, schools, hospitals, recreational areas, etc. Available federal, state and local government resources are utilized to spur private sector investments and jobs. To assist communities, the Secretary of Defense can make grants to qualified local government entities for development of community adjustment plans.

The Office of Economic Adjustment has recently completed a survey of the economic progress of nearly 100 communities affected by base closures during the past 29 years. The survey measured job replacement generation and reuses for the former bases, as accomplished and reported by the communities themselves. The survey findings were conservative since they excluded secondary and off-base jobs. The survey found:

- o New jobs replace DoD civilian losses. A total of 158,000 civilian jobs are now located on former defense facilities to replace the loss of 93,000 former DoD civilian and contractor jobs,
- o New educational opportunities. A number of four-year colleges and post-secondary vocational technical (vo-tech) institutes or community colleges, as well as high school vo-tech programs have been established at former bases. The reuse of the former Defense facilities for new vocational technical education has provided a strong job-inducement contribution to future community economic development programs,

- o Student enrollments. There are 73,000 college and post-secondary students; 20,000 secondary vo-tech students; and 62,000 trainees now receiving education and training at 57 former Defense bases, and
- o Industrial and aviation uses. Office industrial parks or plants have been established at 75 of the former Defense bases. Forty-two of the former bases are being used as municipal or general aviation airports.

The transition period (often 3-5 years) in securing new civilian uses can be difficult for many communities. Yet, the experience of communities affected by earlier base closures clearly indicates communities can successfully adjust.

More recently, OEA has been working with 21 communities which are near bases recommended for closure by the 1988 Base Closure Commission (see Appendix F). OEA has provided \$1.6 million in grants to these affected communities to help develop local reuse plans, and is working through the EAC to help these communities implement their reuse plans. Until the property at the closing bases is officially turned over for public and private use, base reuse and economic development is understandably limited. However, the Department of Defense is committed to working with communities throughout the entire process.

### Environmental Restoration at Closing Bases

DoD is obligated under the Defense Environmental Restoration Program and the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) to restore contaminated sites on military bases.

DoD is committed to restoring closing bases to safe condition within the capabilities of technology and the availability of funds. The Base Closure Account, described earlier in this Chapter, can be used to fund this environmental restoration.

DoD also has several initiatives underway to expedite the environmental restoration process and thereby speed local economic recovery.

- o Environmental Response Task Force. DoD is forming an environmental response task force to report on ways to: improve interagency coordination of environmental response actions; streamline and consolidate regulations, practices and policies; and, improve environmental restoration at closing bases.
- o Model Program. DoD has established a model program which will test: expediting clean-up; accelerating the contracting process; alternatives for avoiding disputes; concurrent regulatory review; and, options for local reuse while clean-up is in progress.
- o Ongoing efforts. DoD is reemphasizing ongoing efforts including expanded use of: Interagency Agreements which specify details for restorations at National Priority List (NPL) sites; and, Memoranda of Agreement between DoD and States for resolving technical disputes at NPL sites.

### **Homeowners Assistance Program**

The Homeowners Assistance Program has been in operation since 1966 to assist DoD military and civilian employees who are forced to move as a result of a base closure.

The Government helps eligible employees who cannot sell their homes within a reasonable time by either: buying their homes for 75 percent of their pre-closure announcement value; or reimbursing them for most lost equity should the homeowners sell the house for less than the pre-closure announcement value. The program also provides relief for displaced employees facing foreclosure.

The program is initially funded with appropriated funds; however, the fund is replenished with the proceeds from the sale or rental of houses purchased by the Government under the program.

## Civilian Employee Assistance

The DoD Priority Placement Program is another program that was originally established to help DoD civilian employees adjust to the base closures of the 1960s.

A state-of-the-art automated referral system is currently in operation. Over the years since its inception, the referral system has helped more than 98,000 employees find new assignments. This system supports the Priority Placement Program and is cost effective. Periodic surveys have shown that 99 percent of placements are considered successful by the supervisors with whom the employees have been placed. Over two-thirds of the employees placed through the system have maintained their grades and salaries, or have advanced. Nearly the same number of placements have been within the commuting area of the original jobs. When that is not possible, relocation expenses are paid when an employee is placed in a job outside the present commuting area. The program has successfully placed nearly every employee willing to relocate.

The Department recognizes that placements may become increasingly difficult, and is working with the Office of Personnel Management (OPM) in promoting timely registration of our civilian employees in the Interagency Placement Assistance Program (IPAP) and the Displaced Employee Program (DEP). The IPAP helps place employees who are facing separation from their government positions, before the reduction-in-force starts. The DEP provides for priority placement referral of separated employees to other Federal agencies. In addition, DoD and OPM have also initiated a project to link data systems. Upon completion, the linked systems will support a significantly expanded Defense Referral System.