



August 13, 2010

The Honorable Robert M. Gates
U.S. Secretary of Defense
100 Defense Pentagon
Washington, DC 20301-1000

Re: Recommendation to Close Joint Forces Command

Dear Secretary Gates,

On August 10, officials from the Department of Defense (DOD) briefed committee staff on your recommendation to close Joint Forces Command (JFCOM). Although we applaud your efforts to identify and eliminate waste and duplication within the Department, we have two significant concerns about your JFCOM closure proposal.

First, we are troubled that your recommendation appears to rely upon the findings of a recent Defense Business Board report. Although that report was far-reaching in its review, we have not received any indication that members of the Board conducted a significant analysis of JFCOM, its functions, or its operations, nor have we received that analysis.

In fact, it is our understanding that the Board did never visited JFCOM or received briefings from the command on its activities before issuing its report. Indeed, based on the roll-out of the report, the extent of the Board's investigation appears to have been limited to a review of the JFCOM website and a collection of contractor data. We find it troubling that the Defense Business Board based a closure recommendation on an investigation that appears to lack analytical rigor. It is even more troubling that you adopted the Board's recommendation, despite its obvious failings.

Second, we object to your plans to erode the base closure and realignment limitations associated with 10 USC 2687. This section of title 10, U.S. Code, was established to ensure that Congress has sufficient time and opportunity to review Department of Defense proposals that would result in the closure or realignment of significant military facilities. It also includes requirements intended to ensure that such decisions are made only after a comprehensive review of costs, impacts, and alternatives.

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Although compliance with 10 USC 2687 would result in only a few months delay in implementation of your JFCOM closure recommendation, your closure strategy appears to have been crafted to avoid the need to comply with the legislative requirements. However, this strategy – use of the clause allowing for workload reductions that do not count against the realignment limitation – is clearly in violation of the legislative intent of the section, and would set the unacceptable precedent that the Department could close or realign any installation without compliance with the section. Furthermore, JFCOM occupies a significant leased facility in Suffolk, Virginia that should not be considered part of Naval Station Norfolk, or any other installation – your JFCOM closure recommendation would result in the closure of this facility, requiring application of 10 USC 2687.

We recognize that the Department has, in recent history, not applied 10 USC 2687 for base closures and realignments. Instead, the Congress and the Department have sought to close and realign installations and functions through the Base Closure and Realignment Commission (BRAC) process, which was crafted to avoid political interference and ensure that decisions are made only after complete reviews of impacts, costs, savings, and alternatives.

As you know, the last BRAC round was conducted in 2005, and implementation of that round is nearly complete. In light of the significant impact of JFCOM closure on the joint operations and activities of the U.S. military, the financial and personnel costs that may result, and the substantial impact on the local community, we believe that your recommendation to close JFCOM should more appropriately be considered within the context of a BRAC process. We understand that you have “authorized each of the military departments to consider consolidation or closure of excess bases and other facilities where appropriate.” This is a highly troubling statement, particularly if your intent is to conduct base closures outside of the BRAC process. It is of additional concern considering that your approach to the JFCOM closure proposal seeks to erode the intent and impact of 10 USC 2687 regarding future closures.

Mr. Secretary, we continue to support efforts to eliminate waste and duplication within the Department of Defense. However, it is of the utmost importance that decisions that may have significant negative impacts on costs, efficiencies, and operations such as base realignments and closures are considered within an established and authorized process. As such, we urge you to conduct a more complete review of JFCOM functions and activities without a predisposed intent to close the command, and to reconsider your recommendation to close JFCOM outside of a BRAC or 10 USC 2687 process.



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