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SUMMARY

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Excess Military Infrastructure and the Base Realignment and Closure (BRAC) Process

The Department of Defense (DOD) has maintained excess infrastructure for decades, which some defense officials and Members of Congress have said is fiscally inefficient and results in increased operation and maintenance costs to support unnecessary facilities.

The Base Realignment and Closure (BRAC) process has been the primary means by which DOD and Congress determine how to dispose of military infrastructure. Other authorities for identifying and reducing sizable elements of excess infrastructure or for identifying and reducing infrastructure for disposal exist in statute but have been rarely exercised. Individual buildings and facilities may be eliminated by demolition through the traditional military construction (MILCON) process.

Congress has authorized five rounds of base closures under BRAC authorities – 1988, 1991, 1993, 1995, and 2005. DOD last requested that Congress authorize new BRAC authorities in 2017. DOD's estimates for the amount of excess infrastructure have evolved over the past decade, due to factors that include new methodologies for evaluating infrastructure and changes to the size of the current and projected force structure.

Among the bases that the five previous BRAC rounds identified for closure, DOD has completed the disposition of land for about 90% of those properties. Disposal of some acreage of land remains pending for 42 of the bases, according to DOD data for 2023, the most recent data available.

In January 2025, DOD provided to Congress an updated report about excess infrastructure and indicated that the military services continue to have excess capacity in certain types of facilities at some military installations. According to this report, the services have developed plans to address excesses and deficits primarily by working within the existing programs for MILCON and facilities, sustainment, restoration, and modernization (FSRM). These long-term plans involve a combination of consolidation, demolition, and, when appropriate, new construction.

Contents

Contacts

The Base Realignment and Closure (BRAC) Process

The Base Realignment and Closure (BRAC) process has been the primary means by which the U.S. Department of Defense (DOD) and Congress determine how to dispose of excess military infrastructure.

DOD initiated large-scale closures of World War II era infrastructure during the 1960s and 1970s. Congress enacted legislation in 1977 that effectively limited the executive branch's ability to further close or realign major military installations. The statute, later codified in Title 10, Section 2687 of the *U.S. Code* (Section 612 of the Military Construction Authorization Act of 1978, P.L. 95-82), generally required DOD to conduct comprehensive and lengthy assessments of major basing decisions as part of a congressional report-and-wait process. These assessments could be challenged in court on environmental grounds or on questions related to their sufficiency, further lengthening a proposed closure process.[1] The new legislation effectively halted DOD's ability to unilaterally close or realign domestic bases.[2]

In 1988, Congress established an alternative legal mechanism for the closure or realignment of military installations by granting temporary authorities to an independent commission for the review and approval of basing changes recommended by the Secretary of Defense, known as a Base Realignment and Closure Commission. Since 1988, Congress has authorized five rounds of base closures: 1988, 1991, 1993, 1995, and 2005. The last of these authorities expired in 2006.[3]

As codified in 10 U.S.C. 2687 and based on amendments to the Defense Base Closure and Realignment Act of 1990 (P.L. 101-510) and past practice, a BRAC process framework is to include[4]

- establishment of an independent commission;
- reliance on objective and uniform criteria, including Government Accountability Office (GAO) review and certification of DOD data;
- deliberations designed to be transparent that include open hearings, solicitation of feedback, and data available for public review;
- a requirement that the final list of closure and realignment recommendations be accepted or rejected in their entirety; and
- a unique property disposal process that allows for direct input from local communities.[5]

Under the framework authorized for previous BRAC processes, the President received the BRAC Commission's recommendations and made a decision whether to accept or reject them. When accepted, the recommendations were forwarded to Congress. Congress had the option to reject

[1] For details, see Schlossberg, George, "How Congress Cleared the Bases," Journal of Defense Communities, vol. 1, available at https://files.monterey.org/Document%20Center/City%20Hall/City%20Manager/Community%20Partnership/The%20Monterey%20Model/Literature/BRAC-History.pdf.

[2] In general terms, 10 U.S.C. 2687 establishes reporting thresholds based on the number of DOD civilians affected by the reduction. A second statute enacted later, 10 U.S.C. 993, establishes reporting thresholds based on the number of servicemembers.

[3] See Section 2909 of P.L. 101-510 as amended by Section 3007 of P.L. 107-107. (10 U.S.C. 2687 note.)

[4] P.L. 100-526, Title II, Closure and Realignment of Military Installations. (10 U.S.C. 2687 note.)

[5] CRS analysis of 10 U.S.C. 2687, Defense Base Closure and Realignment Act of 1990 (P.L. 101-510), reports from completed BRACs.

the recommendations in their entirety within 45 days by enacting a joint resolution or other statutory vehicle, but otherwise the law required DOD to begin BRAC implementation by default. During the implementation phase, DOD was required to initiate closures and realignments within two years and complete all actions within about six years. Past BRAC processes represent legislative compromises between the co-equal legislative and executive branches wherein both share power and responsibility for managing the closure and realignment of military bases.

On average, each BRAC round resulted in a 5% reduction in DOD infrastructure (in terms of total plant replacement value – i.e., the estimated total cost of replacing infrastructure facilities at current construction costs).[6]

DOD BRAC Requests

Each year with annual budget requests for the fiscal years (FY) 2013 through 2018, DOD submitted to Congress a request for a new BRAC round as a means of realizing greater efficiency and reducing infrastructure.[7] Congress declined those requests for BRAC authorities. The last time DOD submitted to Congress a request for new BRAC authorities was in 2017, as a component of the FY2018 budget request.[8] DOD did not request new BRAC authorities in 2018 when it submitted a request for the FY2019 budget and has not requested BRAC authorities since.[9]

Excess Infrastructure

DOD's estimates for the amount of infrastructure it deems to be "excess" have evolved over the past decade, due to factors that include new methodologies for evaluating infrastructure needs and changes to the size of the current and projected force structure.[10] Periodically, Congress has requested reports or briefings from DOD regarding estimates of excess infrastructure. The data provided in the three most recent DOD reports to Congress about excess infrastructure, from 2017, 2020, and 2025, are briefly outlined below.

2017 Infrastructure Capacity Report

In 2017, DOD submitted a report to Congress that compared force-wide infrastructure with the military services' requirements to support their projected force structure for FY2019. The report provided overarching data for individual DOD components. The report asserted that[11]

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[6] Department of Defense, *Infrastructure Capacity,* October 2017, p. 4, on file with author.

[7] The White House, "H.R. 3219—Make America Secure Appropriations Act, 2018," press release, July 24, 2017, https://trumpwhitehouse.archives.gov/briefings-statements/h-r-3219-make-america-secure-appropriations-act-2018/. CRS Report R45705, *Base Closure and Realignment (BRAC): Background and Issues for Congress*.

[8] DOD, "DoD Releases Fiscal Year 2018 Budget Proposal," press release, May 23, 2017, https://www.defense.gov/News/Releases/Release/Article/1190216/dod-releases-fiscal-year-2018-budget-proposal/.

[9] Ibid. See also Joe Gould, "Despite skipping BRAC request, Pentagon should still cut infrastructure costs, says Reed," *Defense News*, March 2, 2018. https://www.defensenews.com/congress/2018/03/02/despite-skipping-brac-request-pentagon-should-still-cut-infrastructure-costs-says-reed/.

[10] Department of Defense, *Infrastructure Capacity,* October 2017, p. 4, on file with author. This document shows revised estimates for infrastructure deemed excess when comparing the department's FY2012 force structure requirements to the requirements for the projected force structure for FY2019. DOD, *Infrastructure Capability*, November 2020 on file with author. This report states that DOD revised its methodology from that used for the 2017 report.

[11] Department of Defense, *Infrastructure Capacity,* October 2017, p. 4, on file with author.

- 33% of Army infrastructure was considered to be excess capacity;
- 7% of Navy infrastructure was considered to be excess capacity;
- 32% of Air Force infrastructure was considered to be excess capacity;
- 12% of the Defense Logistics Agency's infrastructure was considered to be excess capacity; and
- Across DOD in total, 22% of infrastructure was considered to be excess capacity.

The report concluded with a request for Congress to grant additional BRAC authorities, stating: "The time to authorize another BRAC round is now."[12]

GAO later issued a report identifying problems with the methodology DOD used in the 2017 excess infrastructure report and other previous reports. GAO concluded: "DOD's 2017 excess capacity analysis does not have the accuracy and analytical sufficiency to provide Congress with a reasonable estimate of the actual excess capacity within the department."[13]

2020 Infrastructure Capability Report

In 2020, DOD provided to Congress an excess capacity report using a new methodology; it concluded: "In the aggregate, the Army and Air Force have some excess infrastructure capacity, while the Navy and Marine Corps largely have deficits."[14] Unlike some prior reports, the 2020 report did not include overarching percentages for the amount of excess capacity across DOD. Rather, it provided some descriptions for the nature of the excess infrastructure. For example, the report stated that no individual Army installation could absorb a brigade-level combat team without expending resources to adjust existing infrastructure.[15] The report said aggregate summaries of excess space available can be misleading because incremental pieces of excess space do not necessarily indicate infrastructure available to support operational units.

> For example, an aggregate comparison of battalion headquarters requirements to battalion headquarters square footage at an installation may indicate space is available to host 16.8 battalion headquarters. If 14 battalions are currently assigned to the installation, an aggregate assessment would imply that up to three additional battalions could be added to the installation. However, if in reality each of the 14 battalion headquarters buildings on the installation had an average of 20 percent excess capacity, then this dispersed excess would not equate to surplus capacity for three battalion headquarters. The reason there is zero effective stationing capacity in this example is that no one building has enough excess square footage to absorb a full additional battalion headquarters. Mission command requirements preclude distributing battalion staff across multiple buildings.[16]

In the case of the Navy and Marine Corps, the analysis concluded that "there is insufficient infrastructure to meet existing requirements." The report noted Navy deficits in hangars, magazines and shipyard drydocks.[17] The Air Force analysis identified excess capacity but

[12] Department of Defense, *Infrastructure Capacity*, October 2017, p. 34.

[13] GAO, *DOD Needs to Improve the Accuracy of Its Excess Capacity Estimates*, May 2018, p. 16, https://www.gao.gov/assets/gao-18-230.pdf.

[14] DOD, *Infrastructure Capability*, November 2020, cover letter to defense committees, on file with author.

[15] DOD, *Infrastructure Capability*, November 2020, p. 9, on file with author.

[16] DOD, *Infrastructure Capability*, November 2020, p. 5, on file with author.

[17] DOD, *Infrastructure Capability*, November 2020, p. 10, on file with author

cautioned that the analysis did not account for plans (at that time) to grow the number of squadrons and to incorporate emerging Space Force requirements.[18]

2025 Excess Capacity Briefing

The committee report accompanying the Senate version of an FY2024 National Defense Authorization Act directed DOD to provide a briefing on excess capacity and efforts to reduce it.[19] DOD provided the briefing in January 2025.

Like the 2020 report, this briefing did not include overarching percentages for the amount of excess capacity. The briefing provided for each service a detailed list of categories of military facilities, which included, for example, dining facilities, enlisted unaccompanied housing, or vehicle maintenance shops. For each category, the services provided data on the extent the service may have an excess (or a deficit) in capacity. The briefing stated that some installations may have both excess capacity for certain types of facilities and deficits in capacity for other types of facilities.[20]

The Army reported having both excess and deficits for some categories of facilities. In the case of brigade combat headquarters facilities, the Army reported about 57,000 square feet of excess capacity and 1,110,000 square feet of deficits.[21] In other words, the Army simultaneously has extra space, and additional needs, but the extra space is not located in the right place to meet those needs. Across all facility categories and the entire service, the active component Army has about 2 million square feet of excess space and about 2 million square feet in deficits.[22]

The briefing provided information about excess and/or underutilized facilities for the Navy, Marine Corps, and Air Force. The Army was the only service that provided detailed information about deficits.

The briefing outlined efforts by the services to reduce and consolidate infrastructure to align with current force structure plans. These plans involve working within the existing statutes and service programs for military construction (MILCON) and facilities, sustainment, restoration and modernization (FSRM). These long-term plans rely on a combination of consolidation, demolition, and, when services assess appropriate, new construction. The Army and the Air Force both reported policies that require "one-for-one" offsets that align new construction with demolition or disposal plans to reduce long-term growth of infrastructure.[23]

BRAC Costs and Savings

BRAC activities have generally incurred upfront spending. This includes costs related to the realignment of certain military units, which may be funded through military construction (MILCON) accounts or facilities, sustainment, restoration, and modernization (FSRM)

[18] DOD, *Infrastructure Capability*, November 2020, pp. 15-16, on file with author.

[19] S.Rept. 118-58, page 359.

[20] DOD, *Briefing on Excess Capacity*, September 24, 2024 (transmitted to Congress in January 2025), p. 17, on file with author.

[21] DOD, *Briefing on Excess Capacity*, September 24, 2024 (transmitted to Congress in January 2025), p. 17, on file with author.

[22] DOD, *Briefing on Excess Capacity*, September 24, 2024 (transmitted to Congress in January 2025), p. 17, on file with author.

[23] DOD, *Briefing on Excess Capacity*, September 24, 2024 (transmitted to Congress in January 2025), p. 69, on file with author.

accounts.[24] It may also include maintenance and caretaker costs or environmental restoration of certain closure sites. These activities are typically funded by a subcomponent of MILCON accounts that is specified for BRAC-related activities.

DOD officials have maintained that BRAC generates long-term cost savings, as the upfront spending may be offset by a reduction in costs related to maintaining excess facilities. However, GAO reported that DOD's "expenditures for [BRAC]-related activities exceeded initial estimates"[25]—in some areas by billions of dollars—partly due to environmental restoration activities that were not fully captured, and may not have been identifiable, in initial DOD estimates. Specifically, GAO found that DOD expenditures associated with the five BRAC rounds through FY2020 totaled $64.5 billion, about 50% more than the initial BRAC Commission estimates ($43 billion) and estimates contained in DOD budget requests ($41.7 billion).[26]

In some instances, DOD has overestimated the long-term savings expected from BRAC activities. The 2005 BRAC Commission concluded that DOD's initial estimate of $49 billion in net savings over a 20-year period was "vastly overestimated."[27] Portions of the estimate were "not truly savings in the commonly understood sense of the term," according to the commission report.[28]

DOD has reported an estimated $12 billion dollars in annual recurring savings from BRAC actions.[29] However, GAO in 2022 audited that estimate and concluded that "it is unlikely that the savings estimates from previous BRAC rounds remain valid," and DOD acknowledged to GAO that it "did not have complete records for the prior calculations."[30]

Cleanup Costs

For the years of FY2018 through FY2024, DOD requested a total of $2.06 billion for ongoing BRAC-related activities. Congress consistently appropriated money in excess of DOD's request

[24] FSRM funding is typically appropriated within DOD components' Operation and Maintenance budgets. For additional information about infrastructure funding, see CRS In Focus IF12773, *Defense Primer: Military Infrastructure Funding*.

[25] U.S. Government Accountability Office, *Base Realignment and Closure: DOD Should Provide Congress More Complete and Transparent Information*, GAO-22-105207, September 2022, Highlights page and Table 1 on p. 8, https://www.gao.gov/assets/d22105207.pdf.

[26] U.S. Government Accountability Office, *Base Realignment and Closure: DOD Should Provide Congress More Complete and Transparent Information*, GAO-22-105207, September 2022, Table 1, p. 8, https://www.gao.gov/assets/d22105207.pdf.

[27] 2005 Defense Base Closure and Realignment Commission, *Report to the President*, September 8, 2005, p. 3, https://www.epa.gov/sites/default/files/documents/bracreportcomplete.pdf. The report stated: "In many cases…DoD claimed savings from proposals on the basis of eliminated military personnel. Yet, because total end strength was not being reduced proportionately, these so-called "savings" will not actually reduce total DoD spending levels. Hence, they are not truly savings in the commonly understood sense of the term. No new equipment or increases in operations could be purchased with these "reductions" in military personnel. Because these military personnel would not be eliminated, but merely reassigned to higher-priority tasks, the Commission concluded that DoD's initial estimates of $49 billion in net savings over a 20-year period were vastly overestimated, although "military value"—the primary selection criterion—might be increased."

[28] 2005 Defense Base Closure and Realignment Commission, *Report to the President*, September 8, 2025, p. 3, https://www.epa.gov/sites/default/files/documents/bracreportcomplete.pdf.

[29] U.S. Government Accountability Office, *Base Realignment and Closure: DOD Should Provide Congress More Complete and Transparent Information*, GAO-22-105207, September 2022, pp. 16-18, https://www.gao.gov/assets/d22105207.pdf.

[30] U.S. Government Accountability Office, *Base Realignment and Closure: DOD Should Provide Congress More Complete and Transparent Information*, GAO-22-105207, September 2022, p. 19, https://www.gao.gov/assets/d22105207.pdf.

by enacting appropriations totaling more than $3.12 billion for the same period.[31] In total, Congress provided about $1.06 billion in excess of the DOD's budget requests for BRAC activities with the stated intent that DOD use the funding to accelerate environmental remediation at certain BRAC sites and address problems that include perfluoroalkyl and polyfluoroalkyl substance (PFAS) contamination and radiologically contaminated materials.[32]

DOD Disposal of Land

According to data provided by DOD's Office of Local Defense Community Cooperation (OLDCC), the five BRAC rounds designated a total of 424 military bases or parts of bases for closure or realignment.[33] For about 90% of those bases, DOD has completed the disposition of land directed by the BRAC process. Disposal of some acreage of land remains pending for 42 of the bases, according to OLDCC data for 2023.[34]

The FY2025 President's budget request included $448 million for environmental restoration and caretaker costs for facilities closed under the five BRAC rounds.[35]

Other Base Closure Authorities

Notwithstanding temporary BRAC authorities discussed above, the Secretary of Defense's standing authorities to close bases and carry out the associated realignments of military forces are outlined in Title 10, Sections 2687 and 993 of the *U.S. Code*. Both statutes are limited to bases in the United States and its territories and do not apply to military installations in foreign countries.[36]

In 1977, as DOD was seeking to close certain bases that had supported a larger World War II-era force structure, Congress enacted Title 10, Section 2687 of the *U.S. Code*, the first statutory restriction on the President's ability to close or realign military installations. Amended since then, the statute has retained elements that establish procedures the Secretary of Defense must follow before closing a military installation at which a threshold number (currently 300) of civilian personnel are authorized to be employed, and procedures the Secretary of Defense must follow before realigning an installation that would reduce the number of civilian workers by more than 50% or by more than 1,000 civilian workers.[37]

More recently, Congress in 2011 enacted Title 10, Section 993 of the *U.S. Code*, introducing additional reporting requirements that may restrict the Secretary's ability to realign installations if

[31] CRS analysis of Military Construction, Veterans Affairs and Related Agencies Acts, FY2018 through FY2024.

[32] CRS analysis of Military Construction, Veterans Affairs and Related Agencies Acts, FY2018 through FY2024. For stated intent, see for example, Explanatory Statement accompanying P.L. 115-141, pp. 1555-1556, CPRT-115HPRT29457.pdf.

[33] Based on CRS analysis of DOD data provided by the OLDCC. On file with author.

[34] Based on CRS analysis of DOD data provided by the OLDCC. On file with author.

[35] CRS Insight IN12407, *FY2025 Military Construction Appropriations: A Summary*, by Andrew Tilghman.

[36] 10 U.S.C. §2687(g)(1) and 10 U.S.C. §993(d)(2) define the term "military installation" to mean "a base, camp, post, station, yard, center, homeport facility for any ship, or other activity under the jurisdiction of the Department of Defense, including any leased facility, which is located within any of the several States, the District of Columbia, the Commonwealth of Puerto Rico, American Samoa, the Virgin Islands, the Commonwealth of the Northern Mariana Islands, or Guam. Such term does not include any facility used primarily for civil works, rivers and harbors projects, or flood control projects."

[37] 10 U.S.C. §2687.

the plan would reduce the number of servicemembers assigned at a military installation by more than 1,000.[38]

Demolition Authorities

DOD and the military services may carry out demolition projects for unused facilities if the cost of the demolition project does not exceed the cost threshold for minor military construction, which is currently set at $9 million.[39] The services may use annual appropriations from the minor military construction accounts or in some instances Congress may provide a specific account for the purpose of funding demolition projects.[40] For larger demolition projects, DOD may seek authorization and appropriation as part of the annual military construction budget request.

Issues and Options for Congress

Recent Legislative Activity

In Section 2822 of the FY2025 NDAA (P.L. 118-159), Congress directed the Secretaries of the Military Departments to develop a strategy to demolish certain underutilized facilities.[41] Congress may consider authorizing and appropriating funding for demolition projects to carry out those plans.

The FY2025 NDAA, Section 2848, authorized a pilot program intended to optimize and consolidate DOD facilities while also improving health and resilience in defense communities. The pilot program authorizes DOD to use minor military construction funding for up to five projects not otherwise authorized in law if those projects meet certain requirements for optimizing and consolidating facilities.[42] The provision limits the cost of each of the five individual projects to $25 million. Congress may evaluate DOD's response to this temporary authority and determine whether or not to permanently authorize such policy options.

Congress may also consider fencing or authorizing transfer of funds for facility consolidation or demolition. During the submission of DOD's budget request for FY2025, the Army proposed a legislative provision that would create a single "fenced" fund solely to invest in facility consolidation projects along with new authority to perform new construction, renovation, and demolition within the same project (currently those three activities are spread across separate parts of the budget).[43]

In the FY2024 Military Construction, Veterans Affairs and Related Agencies Appropriations Act (MILCON-VA), Section 134 provided $45 million ($15 million each for the Army, Navy, and Air

[38] 10 U.S.C. §993.

[39] 10 U.S.C. §2805(a)(2).

[40] For example, see Section 134 of the FY2024 Military Construction, Veterans Affairs and Related Agencies Appropriations Act. See *Congressional Record*, vol. 170 (March 5, 2024), p. S1108, at PDF p. 57, https://www.congress.gov/118/crec/2024/03/05/170/39/CREC-2024-03-05.pdf.

[41] P.L. 118-159, §2822.

[42] P.L. 118-159, §2848.

[43] DOD, *Briefing on Excess Capacity*, September 24, 2024 (transmitted to Congress in January 2025), p. 17, on file with author.

Force) in additional funds for unspecified minor construction for the purpose of demolition and "to address excess and obsolete infrastructure found on installations."[44]

BRAC

The initial four BRAC rounds were conducted in the context of the post-Cold War era at a time when military budgets and force structure were shrinking. The 2005 BRAC round occurred in a post-9/11 environment with the Armed Forces deployed in Iraq and Afghanistan, and with stable or increasing force structure and defense budgets. The 2022 National Defense Strategy emphasizes a global environment shaped by great power competition with Russia and China, and identifies China as the "pacing challenge."[45] While DOD has not requested a new BRAC since 2017, Congress may consider whether or not to authorize a BRAC Commission to evaluate whether DOD's existing infrastructure aligns with current and future force structure and national security planning if the Trump Administration were to announce changes to such plans.

Base Closure Authorities in Statute

Congress may evaluate existing authorities for DOD to carry out base closure and realignment outside of a BRAC process. Congress may consider whether or not to amend provisions in Title 10, Section 2687, and/or Section 993 of the *U.S. Code* to either extend congressional oversight powers or restore executive branch authority for making changes to military infrastructure.

Direction of Specific Basing Activities

During the annual defense budgeting process, Congress may exercise oversight or provide direction to DOD regarding base closures, unit realignments, or land conveyances via annual defense authorization and/or appropriation legislation. This may include provisions that direct or prohibit certain changes at specific locations. An example of this may include provisions in recent Military Construction, Veterans Affairs and Related Agencies legislation that prohibits the closure or realignment of Naval Base Guantanamo Bay in Cuba.[46]

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[44] P.L. 118-42, Division A, Section 134.

[45] Department of Defense, *2022 National Defense Strategy*, October 22, 2022, p. 1, https://media.defense.gov/2022/Oct/27/2003103845/-1/-1/1/2022-NATIONAL-DEFENSE-STRATEGY-NPR-MDR.pdf.

[46] See, for example, P.L. 118-42, Division A, Section 138, p. 14.

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