DCN 1124

United States Department of the Interior

OFFICE OF THE SECRETARY
Washington, D.C. 20240

November 26, 1993

Dr. William Perry
Deputy Secretary of Defense
1010 Defense Pentagon
Washington, DC 20301-1010

Dear Bill:

As you may know by now, while you and I were laboring to solve some of the transfer issues concerning the Presidio properties, a few of the folks at the Army were evidently pursuing their own solution to this dispute. We learned after the fact that during conference on the 1994 Defense Authorization Act language was inserted into the bill at the request of the Army that redefines entirely the Army's obligation to convey the Presidio to the Department of the Interior. Given this new statutory directive and the breadth of the Army's current reuse proposal for the Presidio, we are now faced with a situation that seriously threatens to jeopardize the successful conversion of the base. I am writing to ask your immediate help in resolving this matter.

Section 2856 of the authorization bill gives the Army absolute authority to retain "ownership" of the Presidio and transfer properties to the National Park Service as it sees fit. Specifically, it states: "The Secretary of Defense may not transfer any parcel of real property located at the Presidio of San Francisco, California, from the jurisdiction and control of the Department of the Army to the jurisdiction and control of the Department of the Interior unless . . . " the Army determines that such property is excess to its needs. Under this scheme, the Army is now the primary designer of the new national park by the exercise of its unfettered discretion to determine the lands and buildings it wishes to retain.

Designer, and in many ways architect and owner, however, were not the roles that the Base Realignment and Closure (BRAC) Commission envisioned for the Army when it made its recommendations to the President in 1988 and 1993. As you know, the Presidio was slated for closure in 1988 by the BRAC Commission because it was considered excess to the Army's needs. That event triggered the provisions of the Golden Gate National Recreation Area enabling legislation and set in motion the transformation of the Presidio into a national park. In July of this year, the Commission modified its earlier decision by including specific provision for the continued presence of the Sixth Army Headquarters at the Presidio, a decision strongly supported by the National Park Service, the Army, and interested members of Congress. Yet, the

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BRAC Commission was mindful of not disrupting the evolution of the Presidio into a park and directed the Department of the Army to enter into a leasing arrangement with the Department of the Interior for facilities necessary to accommodate only the Headquarters of the Sixth Army. Through this recent legislation, however, the Army has managed to subvert the intentions of the BRAC Commission.

Armed with this new found authority, the Army last week formally presented to the Interior Department its own proposal for reuse that stands in stark contrast to the National Park Service's General Management Plan now undergoing public comment, a Plan based on the BRAC directives. The Army plan looks more like the blueprint for a country club than for a military post. The proposal takes a very expansive and indulgent view of the needs of the Sixth Army Headquarters. It cherrypicks the prime properties, including the golf course and the most desirable houses, seeks to make provision for personnel not connected with Sixth Army Headquarters, and leaves the National Park Service with a set of disconnected locations.

As you can imagine, the conversion of the Presidio presents an unprecedented planning and financial challenge to this Department, and its ultimate success depends on our ability to steer it towards economic self-sustainability. The preferred alternative now being reviewed by the public sets out a course of action that will achieve maximization of revenues, yet promote activities consistent with the spirit and purposes of a national park, through a public benefit corporation with power to lease properties. This has not been an easy task given the scale and complexity of the project. Economic viability, however, cannot be achieved unless the National Park Service, and the corporation, have the power to utilize the income generating properties and the flexibility to package and market properties in an economically sensible manner. Under the plan envisioned by the Army, the National Park Service simply could not afford to take on this project.

The Army proposal also poses a real threat to a planning process that is nearing its final phase. The General Management Plan and the accompanying environmental impact statement are now before the public and the comment period ends in late December. The schedule calls for final approval in the Spring of 1994 with leasing beginning then. Now the National Park Service is faced with the prospect of having to integrate into the process a plan that substantially deviates from any alternative under consideration by the public. Such a result is untenable. It would require this Department to scrap a costly and intensive planning process and essentially start again. It would also frustrate our efforts to line up tenants and prevent us from entering into leases in the Spring. With less than a year before the Interior Department is to take possession of the Presidio, the delay to the planning process that would be caused by the Army proposal would derail our entire

effort.

We are thus at a critical period and need immediate resolution of this matter. I propose that we meet early next week to discuss how to proceed. I believe that we have to elevate to the Secretarial level negotiations concerning the distribution and assignment of specific properties to each party. I do not believe that further discussions at the ground level between representatives from the Sixth Army and the National Park Service in San Francisco will get anywhere. With this new authority, I suspect that any impetus for the Army to engage in swift, good faith negotiations has evaporated.

I realize that Togo West's appointment has been confirmed. If this is to go to him, I hope that we have reached agreement on the parameters to guide future discussions. Such parameters might include restricting reuse by the Sixth Army to those levels contemplated by the BRAC Commission.

While I am confident that this matter can be worked out, I want to stress that implementation of the Army's reuse scheme would torpedo the Department's Presidio project. Unless the Army proposal is substantially modified, the Interior Department will be forced to abandon its plan to convert the Presidio into a park and leave its future in the hands of the Army.

I look forward to hearing from you.

Sincerely,

Mike

I. Michael Heyman
Counselor to the Secretary

Rules and Regulations

Federal Register
Vol. 58, No. 228
Tuesday, November 30, 1993

This section of the FEDERAL REGISTER contains regulatory documents having general applicability and legal effect, most of which are keyed to and codified in the Code of Federal Regulations, which is published under 50 titles pursuant to 44 U.S.C. 1510.

The Code of Federal Regulations is sold by the Superintendent of Documents. Prices of new books are listed in the first FEDERAL REGISTER issue of each week.

OFFICE OF GOVERNMENT ETHICS

5 CFR Part 2634

RIN 3209–AAOO

Executive Branch Financial Disclosure, Qualified Trusts, and Certificates of Divestiture

AGENCY: Office of Government Ethics (OGE).

ACTION: Final rule.

SUMMARY: This final rule makes effective a proposed amendment to 5 CFR part 2634, which was published on September 1, 1993, at 58 FR 46096–46097. No changes are necessary, based on the public comments which were received. However, one minor technical addition is being included for internal consistency.

The rule amends subpart I of 5 CFR part 2634, an interim rule on executive branch financial disclosure. The amendment exempts certain assets and income from disclosure on confidential financial disclosure reports. Specifically, it eliminates the requirement that confidential filers disclose the existence of and income from cash accounts in depository institutions, money market mutual funds and accounts, and U.S. Government obligations and securities.

EFFECTIVE DATE: November 30, 1993.

FOR FURTHER INFORMATION CONTACT: G. Sid Smith, Office of Government Ethics, telephone (202) 523–5757, FAX (202) 523–6325.

SUPPLEMENTARY INFORMATION: Executive branch employees who serve in positions which are designated for filing confidential financial disclosure reports must, according to the current requirements of subpart I of 5 CFR part 2634, disclose information about cash accounts in depository institutions, such as banks, savings and loan associations, credit unions, and similar depository financial institutions; money market mutual funds and accounts; U.S. Government obligations, including Treasury bonds, bills, notes, and savings bonds; and Government securities issued by U.S. Government agencies. However, for most confidential filers, the disclosure of this information was not considered by agencies to be critical in assessing the possibility of conflicts of interest. Furthermore, some concerns had been expressed about privacy, and disclosure of such information creates extra work for both filers and agency reviewing officials and could detract from the effectiveness and limited purpose of the confidential disclosure program.

These concerns were communicated to OGE by numerous confidential filers and agency reviewing officials over the eleven months between the time that subpart I of 5 CFR part 2634 became effective in October 1992, and the publication of this proposed amendment on September 1, 1993. Then during the public comment period on the proposed amendment, OGE received eight letters from agencies and one from a Federal employee, all very supportive of the change. During the comment period, OGE also received many phone calls and 16 letters which, though not directly responsive to this rulemaking, criticized various aspects of the confidential disclosure system, including the subject matter of this amendment.

One letter which commented on the proposal suggested that we clarify whether investment funds devoted to Federal Government obligations would be exempt from disclosure under the amendment. We do not believe that any modification to the amendment is necessary; any fund or other investment vehicle which is composed exclusively of these obligations would be exempt, since it is the underlying assets of a fund with which financial disclosure is concerned. Another comment letter suggested that the exemption for disclosure of Government securities should not apply automatically to employees of agencies which issue such securities. However, since none of the agencies which issue Government securities commented on that matter, we believe that it can be handled by separate agency rules or policies prohibiting such holdings or specially requiring their disclosure, in accordance with the appropriate procedures under 5 CFR part 2634 and part 2635.

The remaining comment letters were either general statements in favor of the amendment or suggesting that OGE expand the scope of the amendment to encompass other subject areas. Those recommendations for additional exemptions will be addressed by separate future rulemaking, if necessary.

For internal consistency, we have added the parenthetical phrase "including both demand and time deposits" to modify the phrase "accounts in depository institutions" in the text of the amendment to § 2634.907(a)(2)(i). This replicates the language already contained in the text of the proposed amendment to § 2634.907(a)(1)(i).

Accordingly, this rule amends § 2634.907 of subpart I of 5 CFR, effective November 30, 1993, to exempt all confidential filers from the requirement to disclose the specific assets detailed in the first paragraph of this Supplementary Information discussion, as well as the income therefrom. The Office of Government Ethics will also make conforming modifications to the SF 450 (Executive Branch Personnel Confidential Financial Disclosure Report), subject to Office of Management and Budget paperwork approval and General Services Administration standard form approval. If an agency finds that disclosure of the information which this rule eliminates for confidential filers is nonetheless necessary for an effective confidential disclosure system within that agency because of its mission or other special circumstances, it may seek approval from OGE, pursuant to § 2634.901(b) of subpart I of 5 CFR, for a supplemental reporting requirement, to include any or all of these elements for its employees.

Administrative Procedure Act

Pursuant to 5 U.S.C. 553(d), as Director of the Office of Government Ethics, I find good cause for waiving the 30-day delayed effective date as to this final rule amendment. The Office of Government Ethics already published a notice of this amendment as a proposed rule at 58 FR 46096–46097 (September 1, 1993) and received highly favorable comments on it. As a result, OGE is making only one technical clarification of the amendment, as proposed, for consistency in adopting it as final. In

addition, this amendment relieves the burden of confidential reporting as to the items identified for removal. It is important that this relief be provided promptly and, if possible, in time for the January 1, 1994 cut-off for inclusion in the 1994 edition of OGE's part of volume 5 of the Code of Federal Regulations.

Executive Order 12866

In promulgating this final rule amendment to the executive branch-wide Government financial disclosure regulation, the Office of Government Ethics has adhered to the regulatory philosophy and the applicable principles of regulation set forth in section 1 of Executive Order 12866, Regulatory Planning and Review. This amendment has not been reviewed by the Office of Management and Budget under that Executive order, as it is not deemed "significant."

Regulatory Flexibility Act

As Director of the Office of Government Ethics, I certify under the Regulatory Flexibility Act (5 U.S.C. chapter 6) that this amendment to the interim rule will not have a significant economic impact on a substantial number of small entities because it will affect only Federal executive branch agencies and employees.

Paperwork Reduction Act

The Paperwork Reduction Act (5 U.S.C. chapter 35) does not apply to this amendment to the interim rule because the amendment does not contain any additional information collection requirements which require the approval of the Office of Management and Budget.

List of Subjects in 5 CFR Part 2634

Administrative practice and procedure, Certificates of divestiture, Conflict of interests, Financial disclosure, Government employees, Penalties, Privacy, Reporting and recordkeeping requirements, Trusts and trustees.

Approved: November 19, 1993.

Stephen D. Potts,

Director, Office of Government Ethics.

Accordingly, for the reasons set forth in the preamble, the Office of Government Ethics is amending part 2634 of subchapter B of Chapter XVI of title 5 of the Code of Federal Regulations as follows:

PART 2634—[AMENDED]

1. The authority citation for part 2634 continues to read as follows:

Authority: 5 U.S.C. App. (Ethics in Government Act of 1978); 26 U.S.C. 1043; E.O. 12674, 54 FR 15159, 3 CFR, 1989 Comp., p. 215, as modified by E.O. 12731, 55 FR 42547, 3 CFR, 1990 Comp., p. 306.

Subpart I—Confidential Financial Disclosure Reports

2. Section 2634.907 is amended by revising paragraphs (a)(1) and (a)(2) to read as follows:

§ 2634.907 Report contents.

(a) * * *

(1) *Interests in property.* All the interests in property specified by § 2634.301, except:

(i) Accounts (including both demand and time deposits) in depository institutions, including banks, savings and loan associations, credit unions, and similar depository financial institutions;

(ii) Money market mutual funds and accounts;

(iii) U.S. Government obligations, including Treasury bonds, bills, notes, and savings bonds; and

(iv) Government securities issued by U.S. Government agencies;

(2) *Income.* All the income items specified by § 2634.302, except from:

(i) Accounts (including both demand and time deposits) in depository institutions, including banks, savings and loan associations, credit unions, and similar depository financial institutions;

(ii) Money market mutual funds and accounts;

(iii) U.S. Government obligations, including Treasury bonds, bills, notes, and savings bonds; and

(iv) Government securities issued by U.S. Government agencies;

* * * * *

[FR Doc. 93-29322 Filed 11-29-93; 8:45 am]

BILLING CODE 6345-01-U

DEPARTMENT OF AGRICULTURE

Animal and Plant Health Inspection Service

7 CFR Part 301

[Docket No. 92-139-5]

Pine Shoot Beetle

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Interim rule and request for comments.

SUMMARY: We are amending the pine shoot beetle regulations by adding Cook, Du Page, Iroquois, Kankakee, and Livingston Counties, IL; De Kalb, Delaware, and Grant Counties, IN; Branch, Hillsdale, Lenawee, Washtenaw, Jackson, Calhoun, Van Buren, Wayne, Oakland, Macomb, Genesee, Shiawassee, Ionia, Montcalm, Saginaw, Isabella, Midland, Tuscola, and Allegan Counties, MI; Erie and Knox Counties, OH; and Chautauqua, Cattaraugus, Livingston, Wyoming, Genesee, Ontario, Orleans, and Monroe Counties, NY, to the list of quarantined areas. This action is necessary on an emergency basis to prevent the spread of the pine shoot beetle, a highly destructive pest of pine trees, into noninfested areas of the United States.

We are also adding a new schedule of methyl bromide fumigation treatments to the list of treatments available for cut pine Christmas trees that are to be moved interstate from pine shoot beetle quarantined areas.

DATES: Interim rule effective November 23, 1993. Consideration will be given only to comments received on or before January 31, 1994.

ADDRESSES: Please send an original and three copies of your comments to Chief, Regulatory Analysis and Development, PPD, APHIS, USDA, room 804, Federal Building, 6505 Belcrest Road, Hyattsville, MD 20782. Please state that your comments refer to Docket No. 92-139-5. Comments received may be inspected at USDA, room 1141, South Building, 14th Street and Independence Avenue SW., Washington, DC, between 8 a.m. and 4:30 p.m., Monday through Friday, except holidays. Persons wishing to inspect comments are encouraged to call ahead on (202) 690-2817 to facilitate entry into the comment reading room.

FOR FURTHER INFORMATION CONTACT: Mr. Robert Foster, Assistant Operations Officer, Plant Protection and Quarantine, APHIS, USDA, room 642, Federal Building, 6505 Belcrest Road, Hyattsville, MD 20782, (301) 436-8247.

SUPPLEMENTARY INFORMATION:

Background

The pine shoot beetle is a highly destructive pest of pine trees. The pine shoot beetle can cause damage in weak and dying trees, where reproduction and immature stages of pine shoot beetle occur, and in the new growth of healthy trees. The "maturation feeding" of young beetles takes the form of boring up the center of pine shoots (usually of the current year's growth), causing stunted and distorted growth in the host trees. The pine shoot beetle is also an important vector of several diseases of pine trees. Adults can fly at least 1 kilometer, and the wood, nursery stock, and Christmas trees they infest are often transported long distances. This pest damages urban trees, and can cause

THE DEFENSE BASE CLOSURE AND REALIGNMENT COMMISSION

EXECUTIVE CORRESPONDENCE TRACKING SYSTEM (ECTS) # 931118-1

FROM: JIM COURTER	TO: LES ASPIN
TITLE: CHAIRMAN	TITLE: SECRETARY OF DEFENSE
ORGANIZATION: DBCRC	ORGANIZATION: DEPT. OF DEFENSE
INSTALLATION (s) DISCUSSED: DLI/PRESIDIO OF MONTEREY, CA	

OFFICE OF THE CHAIRMAN	INFO COPY	ACTION COPY	INIT	COMMISSION MEMBERS	INFO COPY	ACTION COPY	INIT
CHAIRMAN COURTER	✓			COMMISSIONER BOWMAN			
STAFF DIRECTOR	✓			COMMISSIONER BYRON			
SPECIAL ASSISTANT				COMMISSIONER COX			
GENERAL COUNSEL	✓			COMMISSIONER JOHNSON			
MILITARY EXECUTIVE				COMMISSIONER LEVITT			
				COMMISSIONER MCPHERSON			
DIR./CONGRESSIONAL LIAISON				COMMISSIONER STUART			
PRESS SECRETARY				REVIEW AND ANALYSIS			
				DIRECTOR OF R & A			
DIR./EXECUTIVE SECRETARIAT				DEPUTY DIRECTOR OF R & A			
				ARMY TEAM LEADER	✓		
DIRECTOR OF ADMINISTRATION				NAVY TEAM LEADER			
CHIEF FINANCIAL OFFICER				AIR FORCE TEAM LEADER			
DIRECTOR OF TRAVEL				ISSUES TEAM LEADER			
SYSTEMS ADMINISTRATOR				COBRA MODEL ANALYST			
DIR./INFO SERVICES DIVISION				DATABASE ANALYST (GIS)			

TYPE OF ACTION REQUIRED

	Prepare Reply for Chairman's Signature		Prepare Reply for Commissioner's Signature
	Prepare Reply for Staff Director's Signature		Prepare Direct Response (coordinate w/ Exec.Sec.)
	Offer Comments and/or Suggestions	✓	FYI

Subject/Remarks:

⇒ POSITION REQUEST ON ARMY JUDGE ADVOCATE GENERAL'S OPINION THAT THE SECDEF IS LEGALLY REQUIRED TO IMPLEMENT RECOMMENDATION ONLY DIRECTED TO THE RETENTION OF THE PRESIDIO OF MONTEREY, NOT THE ANNEX (FORT ORD).

↳ COMMUNITIES UNABLE TO PLAN ADEQUATELY.

Due Date:	Routing Date: 11-18-93	Date Received:	Mail Date: 11-18-93

DEFENSE BASE CLOSURE AND REALIGNMENT COMMISSION
1700 NORTH MOORE STREET SUITE 1425
ARLINGTON, VA 22209
703-696-0504

JIM COURTER, CHAIRMAN

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ROBERT D. STUART, JR.

November 18, 1993

The Honorable Les Aspin
Secretary of Defense
Room 3E-880
The Pentagon
Washington, D.C. 20301

Please refer to this number
when responding 931118-1

Dear Secretary ~~Aspin~~: LES

I am writing to request your position on the attached opinion of the Army Judge Advocate General which concludes "...that the Secretary of Defense is legally required to implement only that portion of the Commission's recommendation that directs the retention of the Presidio of Monterey."

The communities bordering the Annex have told the Commission that based on their meetings with the Army they are unsure how the POM Annex recommendation will be implemented. This uncertainty has made it difficult for the communities to plan adequately until this issue is resolved.

The clear intent of the Commission in its deliberations pertaining to the Presidio of Monterey and the Presidio of Monterey Annex, formerly Fort Ord, was to limit facilities at the Annex to those absolutely necessary to support the Defense Language Institute and to achieve maximum economies in the operation of all installations in the Monterey area. After installation visits by two of the Commissioners, testimony at the Oakland Regional Hearing, and lengthy deliberations, the Commission voted unanimously to adopt the recommendation in its report.

Since the President accepted the Commission's recommendations and the Congress did not enact a resolution of disapproval, it is the Commission's position that the Presidio of Monterey/Presidio of Monterey Annex recommendation has the force and effect of law and must be implemented according to statutory requirements.

Thank you for your time and consideration in this matter. I eagerly await your views on this important matter. Please feel free to contact me if you have any questions concerning this issue.

Sincerely,

Jim

JIM COURTER
Chairman

jac:hook

DEPARTMENT OF THE ARMY
ASSISTANT CHIEF OF STAFF FOR INSTALLATION MANAGEMENT
500 ARMY PENTAGON
WASHINGTON DC 20310-0500

REPLY TO
ATTENTION OF

JUL 26 1993

S: 26 Jul 93

DAIM-BO (5-10c)

MEMORANDUM FOR CHIEF, ADMINISTRATIVE LAW DIVISION, DAJA-AL,
ATTENTION: MAJ STOCKET.

SUBJECT: Request for Legal Opinion Regarding Status of Fort Ord, the Presidio of Monterey, and the Presidio of Monterey Annex

1. In light of the recent Defense Base Closure and Realignment Commission language regarding Fort Ord, the Presidio of Monterey (POM), and the POM Annex, request a legal opinion outlining the Army's options if the Commission's language becomes law. Specifically, request you address the following:

a. Was the Commission's recommendation on the disposition of the POM Annex within their jurisdiction; is it legally binding?

b. What effect does the Commission's language have on the screening of property? Do other DoD and Federal agencies' property requests during BRAC 91 screening remain valid, (particularly the Coast Guard request for 50 family housing units; may they remain in family housing)? May other DoD activities and Federal activities request property that may be determined excess to Army needs in the POM Annex? Do other DOD agencies need to be screened to go onto the Annex? May the Defense Language Institute, as a DOD activity, claim facilities for Morale, Welfare, and Recreation? Will any Army and/or other DoD tenants be allowed to remain in the POM Annex as approved by BRAC 91 actions?

c. Is the Army prohibited from retaining any property, if deemed essential to operations or a logical footprint, except housing, commissary, post exchange, and child care facility? If Navy Postgraduate School provides base operations support and requires facilities on the POM Annex to provide this support, may the Army and Navy retain such facilities?

2. A conference on these subjects will be held at the POM during the period 3-5 Aug 93. Request your opinion be provided NLT COB 26 Jul 93 to allow distribution and consideration of the available options prior to the conference.

SUBJECT: Request for Legal Opinion Regarding Status of Fort Ord, the Presidio of Monterey, and the Presidio of Monterey Annex

3. POC is Mr. Daski, x37556.

William T. Harvey

WILLIAM T. HARVEY
Colonel, GS
Chief, Base Realignment
and Closure Office

DEPARTMENT OF THE ARMY
OFFICE OF THE JUDGE ADVOCATE GENERAL
WASHINGTON, DC 20310-2200

REPLY TO ATTENTION OF

DAJA-AL 1993/1258 (27-1a)

MEMORANDUM FOR ASSISTANT CHIEF OF STAFF FOR INSTALLATION MANAGEMENT, ATTN: DAIM-BO (MR. DASKI)

SUBJECT: 1993 Defense Base Closure and Realignment Commission's Recommendation Concerning the Defense Language Institute and the Presidio of Monterey

1. This responds to your request for a legal opinion concerning the Department of the Army's obligations under the 1993 Defense Base Closure and Realignment Commission's (Commission) recommendations pertaining to the Defense Language Institute (DLI) and the Presidio of Monterey.

2. For the following reasons, it is our opinion that the Secretary of Defense (SECDEF) is legally required to implement only that portion of the 1993 Commission's recommendation that directs the retention of the Presidio of Monterey.

3. Background.

a. Congress vested the SECDEF with authority to direct and control the Department of Defense (DoD) (10 U.S.C. § 113). Additionally, Congress vested the SECDEF with the authority to take appropriate action, including the transfer, reassignment, and consolidation of any function, power or duty (10 U.S.C. § 125). Under this authority, the SECDEF designated the Department of the Army as the executive agent for the Defense Foreign Language Program (DFLP) (*See* DoD Directive 5160.41, Defense Language Program (DLP)).

b. Congress vested the Secretary of the Army (SA) with the authority to organize and administer the Department of the Army (to include the morale and welfare of personnel) (10 U.S.C. §§ 3013(b)(2) and (9), and § 3074). This authority is subject to the direction and control of Congress and the SECDEF.

c. Under the provisions of 10 U.S.C. § 2687, Congress reserved the right to review certain proposed large-scale closures or realignments of military installations. Pursuant to this statute, the SECDEF or the SA must notify Congress of a proposal: (1) to close a base that is authorized to employ at least 300 civilian personnel, or (2) to realign bases authorized to employ 300 or more civilians, involving a reduction by more than 1000 employees or by more than 50 percent of the number of civilian employees authorized at the installation.

d. The Defense Authorization Amendments and Base Closure and Realignment Act (BRAC I) (Pub. L. 100-526, 102 Stat. 2623 (1988)) implemented the Private Sector Survey on Cost Control's recommendation to establish an independent commission to study base closures and to submit a list of installations for closure. It provided relief from certain provisions of 10 U.S.C. § 2687, but retained the threshold requirements. The 1988 Commission, however, was a one-time Commission.

e. The Defense Base Closure and Realignment Act of 1990 (BRAC) (*Public Law 101-510, 104 Stat. 1808 (1990)*) subsequently established procedures for selecting military installations located in the United States for closure or realignment. The 1990 act created three biennial Commissions to be held in 1991, 1993, and 1995.

(1) The 1991 Commission (BRAC 91) recommended the following:

> the closure of Fort Ord, California, and the movement of the 7th Infantry Division from Fort Ord to Fort Lewis, Washington. This recommendation does not impact on the status of Fort Hunter-Liggett. Fort Hunter-Liggett, therefore, remains open and is still recognized as a valuable asset to the Army and DoD.

(2) During the 1993 base closure process, the Army recommended the closure of the Presidio of Monterey and the Presidio of Monterey Annex (POM Annex), and the relocation of DLI. (*See* further comments on the POM Annex below.) The SECDEF did not incorporate the Army's recommendation in his recommendations to the Commission, but included the Army's recommendation in his report to the Commission (*See Department of Defense Base Closure and Realignment Report, Department of the Army Analyses and Recommendations* (Volume III) (March 1993) at pp. 45-46). In accordance with section 2903(d), the Commission added the Army's recommendation for its consideration (*See* 58 Federal Register 21561 (1993) and 58 Federal Register 31192 (1993)).

(3) The 1993 Commission (BRAC 93) recommended the following:

> retain the Presidio of Monterey but dispose of

> all facilities at the Presidio of Monterey Annex except the housing, commissary, child care facility, and post exchange required to support the Presidio of Monterey and Naval Post Graduate School. Consolidate base-operations support with the Naval Post Graduate School by interservice support agreement. The Department of Defense will evaluate whether contracted base-operations support will provide savings for the Presidio of Monterey. The Commission finds this recommendation consistent with the force-structure plan and final criteria.

4. SECDEF's responsibilities under BRAC.

a. In our opinion, the SECDEF is legally required to implement only that portion of the Commission's recommendation that is highlighted above.

b. Subject to Congressional disapproval, BRAC requires the SECDEF to close or realign all military installations recommended for closure or realignment by the Commission in each report transmitted to the Congress by the President (*See* Public Law 101-510, SS 2904(a)(1) and (2)).

c. The term "closure" is not defined in either the 1988 or 1990 base closure act or 10 U.S.C § 2687.

(1) Close examination of the terms and legislative history of base closure law reveals that Congress' use of the word "closure" in the acts is unambiguous. Additionally, earlier versions of base closure statutes reported by the House Committees on Rules defined the term "closure" to mean the termination or relocation of all functions at a military installation" (H. R. Rep. No. 751, 100th Cong. 2d Sess. 13 (1988). Thus, in accordance with the meaning ordinarily attributed to the word, the Army must discontinue all active Army functions at installations recommended for closure and transfer those functions elsewhere.

(2) Consistent with this definition, we conclude that a Commission's recommendation to close a military installation requires the Army to:

(a) relocate, to sites identified by the

Commission, all military activities specifically recommended for relocation;

(b) realign any remaining active units for which the Commission did not identify specific receiving locations; and

(c) dispose of military properties and facilities in accordance with applicable law.

5. BRAC 91.

a. Under BRAC 91, the SECDEF was required to close Fort Ord, relocate the 7th Infantry Division to Fort Lewis, Washington, realign all other units not specifically identified, and dispose of excess and surplus property in accordance with applicable law.

(1) Generally, once an installation recommended for closure by the Commission has closed, i.e., discontinued all active functions, the property disposal provisions of BRAC apply (Public Law 100-526, § 204(b) and Public Law 101-510, § 2905(b)). With respect to excess and surplus real property located at military installations closed pursuant to the Commission's recommendations, the Administrator of General Services must delegate to the Secretary of Defense the Administrator's authority to use excess property under Section 202 of the Federal Property Act (40 U.S.C. § 483) and dispose of surplus property under Section 203 of the Federal Property Act (40 U.S.C. § 484).

(2) Regulations in effect on the dates of enactment of base closure laws are applicable. Title 41, Code of Federal Regulations, Part 101 (41 C.F.R. Part 101) outlines applicable regulations and defines "excess" and "surplus" property.

(3) Base closure law permits the SECDEF to transfer real property and facilities to other departments and instrumentalities (to include nonappropriated fund instrumentalities) of the Department of Defense.

(4) In accordance with these procedures, facilities and property have been requested by other military departments and Federal agencies.

b. Fort Ord also provides base operations (BASOPS) support

to DLI. Under applicable law, DLI is unable to hold, maintain, or repair real property facilities. Title 10 U.S.C. § 2682 provides, in part, that:

> . . . A real property facility under the jurisdiction of the Department of Defense which is used by an activity or agency of the Department of Defense . . . shall be under the jurisdiction of a military department designated by the Secretary of Defense.

(1) As noted above, the SECDEF designated the Department of the Army as the executive agent for the Defense Foreign Language Program (DFLP). Additionally, the Army has been directed to provide and maintain facilities and base support functions commensurate with the importance of the mission.

(2) Accordingly, the Army's implementation plan under BRAC 91 provided for the creation of the POM Annex, an area that is now part of Fort Ord, to maintain base operations (BASOPS) support to DLI - a defense function.

6. BRAC 93.

a. The SECDEF is not required to implement that portion of the 1993 Commission's recommendation that recommends the disposal of facilities, the consolidation of BASOPS through an interservice support agreement with the Navy, or the evaluation of contracting-out BASOPS support. These comments are not recommendations to close or realign a military installation.

(1) The 1993 Commission specifically recommended retention of the Presidio of Monterey; accordingly, the SECDEF has no legal obligation to discontinue or relocate its functions.

(2) Additionally, the Commission's comments are not recommendations to realign an installation. Base closure law defines the term "realignment" as any action that <u>both</u> reduces and relocates functions and civilian personnel positions; the term does not include a reduction in force resulting from workload adjustments, reduced personnel or funding levels, skill imbalances or other similar causes (Public Law 101-510 § 2910(5); 10 U.S.C. § 2687(e)(3)).

(a) The legislative history shows that a realignment is a transfer of an activity or function from one installation to another while maintaining the operation of the losing installation (*See Base Closures, 1985: Hearing Before the Subcomm. on Military Construction of the Senate Committee on Armed Services*, 99th Cong., 1st Sess. 10 (1985) which discusses the term "realignment" as defined in both 10 U.S.C. § 2687 and Public Law 101-510, § 2910(5).)

(b) As noted above, disposal of facilities is controlled by other provisions of the Defense Base Closure and Realignment Act of 1990. To the extent that facilities are not excess or surplus property, the Army, as executive agent for DLI, may retain that property necessary to support DLI's mission.

(c) Moreover, entering into an interservice support agreement with the Navy to provide BASOPS support is not a realignment as that term is defined in the Defense Base Closure and Realignment Act of 1990 (Public Law 101-510, § 2910(5)). BASOPS is clearly a function of workload. So long as the Army is designated as the executive agent for DLI, it may maintain all functions and facilities necessary to carry out BASOPS, as well as morale, welfare, and recreational activities, to support DLI.

7. Commission's responsibilities under BRAC.

a. The purpose of BRAC is to provide a fair process that will result in the timely closure and realignment of military installations located in the United States. As noted above, BRAC defines terms, establishes threshold requirements, and outlines responsibilities of key players. In addition to the SECDEF's responsibilities outlined above, BRAC sets forth the Commission's responsibilities once the SECDEF forwards his recommendations.

b. The Commission may deviate from the SECDEF's recommendations if it determines that (1) the SECDEF deviated substantially from the force-structure and final DoD criteria and (2) the change is consistent with the force-structure and DoD criteria. Additionally, the Commission must publish the change in the Federal Register and hold public hearings. This process is required if the Commission adds a military

installation to the list the SECDEF recommended for closure or realignment, or if the change increases the extent of a realignment of a particular installation. The Commission complied with these provisions.

c. The Commission, however, is constrained by the same statutory provisions that apply to the SECDEF. It may make recommendations pertaining to "realignments," as that term is defined by statute, and to "closures." To the extent that recommendations do not pertain to closures or realignments, the Commission exceeds its authority, and those recommendations are not binding on the SECDEF.

8. Options. The following pertains to the specific questions asked in your memorandum to this office.

a. Was the Commission's recommendation on the disposition of the POM Annex within their jurisdiction; is it legally binding?

(1) The Commission's authority extends to reviewing the SECDEF's recommendations, holding public hearings on the recommendations, changing the recommendations (under certain circumstances) and submitting a report with its recommendations for closures and realignments of military installations to the President.

(2) At this time, the POM Annex is not a military installation. "POM Annex" merely refers to that portion of land at Fort Ord (which will be declared excess to the Army's needs) required to support DLI's mission. Because that part of the Commission's recommendation pertaining to the POM Annex is neither a recommendation to close or to realign a military installation, the SECDEF is not legally obligated to implement this recommendation.

b. What effect does the Commission's language have on the screening of property? Do other DoD and Federal agencies' property requests during BRAC 91 screening remain valid (particularly the Coast Guard request for 50 family housing units)? May other DoD or Federal activities request property in the POM Annex that may be determined excess to Army needs? Do other DoD agencies need to be screened to go onto the Annex? May the Defense Language Institute, as a DoD activity, claim facilities for Morale, Welfare, and Recreation?

Will any Army and/or other DOD tenants be allowed to remain on the POM Annex as BRAC 91 actions?

(1) The Commission's language has no effect on the screening of property. Congress provided specific procedures for the disposal of real property under the Defense Base Closure and Realignment Act of 1990. To the extent that the Commission's recommendations would require action inconsistent with these procedures, the recommendations are nugatory.

(2) Requests received from other DoD and Federal agencies for excess or surplus property (to include the Coast Guard's request for family housing) may be processed in accordance with the applicable statutory and regulatory procedures.

(3) Other DoD agencies, to include DLI, may request facilities, to include MWR facilities, in accordance with the property disposal provisions of the Defense Base Closure and Realignment Act of 1990. Also, those requests for facilities by DoD agencies made as a result of the BRAC 91 recommendation to close Fort Ord may be processed.

(4) The Army, however, may not retain facilities, except those necessary to carry out its function as the executive agent for DLI. The Army must dispose of any facilities not required to carry out this function, as well as any facilities used to perform BASOPS for other installations. While wearing its DoD "hat," however, the Army may exercise its discretion as to which activities and facilities are necessary to support DLI. Activities (and corresponding facilities) may include MWR activities, as well as those related to BASOPS. The Army's authority to choose necessary activities is conditioned upon the obligation to execute BRAC in good faith.

(5) You should note that the POM Annex is not a separate military installation, but refers to real property and facilities needed to support DLI and the Presidio of Monterey.

c. Is the Army prohibited from retaining any property, if deemed essential to operations or a logical footprint, except housing, commissary, post exchange, and child care facility? If the Navy Postgraduate School provides base operations support and requires facilities on the POM Annex to provide this support, may the Army and Navy retain such facilities?

DAJA-AL 1993/1258 (27-1a)
SUBJECT: 1993 Defense Base Closure and Realignment Commission's Recommendation Concerning the Defense Language Institute and the Presidio of Monterey

(1) Again, the Army may retain any real property or facility necessary to support DLI.

(2) If the SECDEF designates the Navy as the executive agent for DLI it may also retain real property and facilities necessary to support DLI.

8. Point of contact for this opinion is MAJ Stockel, DSN 224-4316.

FOR THE JUDGE ADVOCATE GENERAL:

RONALD J. BUCHHOLZ
LTC, JA
Chief, General Law Branch
Administrative Law Division

DoD meeting 10/13
Clymer
G. Meyer

Oct 12

2pm meeting

P.J.

Paul Johnson - DOA - endorsed JAG opinion
→ takes on clear language of statute

"trial balloon"
JAG opinion -
Army hasn't

little JAC to SecDef "does it" up Virus jeopardy

- asks to intercede - for community's reliance
- Sen / members
- looking for lease -
now willing to K golf course -

Perry - "made available"
stated could have "footprint"

2 issues of legal-opinion concern
1) interservicing - City Monterey
prop disposal - Seaside

footprint - not be in sync with report →

1) tacked onto SecDef? - NO
2) jeopardize other ← yes - its SecDef's opinion →

1988 - binding on real property not forces

couldn't bind "relocation" of forces

Close base, move ship ⇒ B -

Comm-in-chief -

Taft memo to Gauer -

Dept sees different today -

1st Army - Ft Benjamin

deactivated

recruit Command - Ft Knox - OK

— dept agreed BRAC has ability to direct activities

∴ dept has to come to comm.

7th infantry → Ft Lewis

DEFENSE BASE CLOSURE & REALIGNMENT COMMISSION
1700 NORTH MOORE STREET, SUITE 1425
ARLINGTON, VIRGINIA 22209
(703) 696-0504

MEMORANDUM OF MEETING

DATE: October 12, 1993

MEETING WITH: Mayor of Seaside, CA

SUBJECT: Presidio of Monterey Annex

PARTICIPANTS:

Name/Title/Phone Number:

Lance McClair, Mayor, Seaside
Don Jordan, Mayor Pro-Tem, Seaside
Sam Head, Interim City Manager, Seaside
Dennis Potter, Head of City Planning, Seaside
George Schlossberg, Cotten and Selfon, (202)659-3173
John Lynch, Consultant

M Larner

Commission Staff:

Matt Behrmann, Staff Director
Ben Borden, Director of Review & Analysis
Mary Ann Hook, General Counsel
Jamie Gallagher, Director of Congressional Liaison
Ed Brown, Army Team Leader
Alex Yellin, Navy Team Leader

HOOK | DOC | ASPIN 2

The Honorable Les Aspin
Secretary of Defense
The Pentagon
Arlington, Virginia 20306

November 17, 1993

Dear Secretary Aspin,

I am writing to request your position on the attached opinion of the Army Judge Advocate General which concludes "...that the Secretary of Defense is legally required to implement only that portion of the Commission's recommendation that directs the retention of the Presidio of Monterey."

The communities bordering the Annex have told the Commission that based on their meetings with the Army they are unsure how the POM Annex recommendation will be implemented. This uncertainty has made it difficult for the communities to plan adequately until this issue is resolved.

The clear intent of the Commission in its deliberations pertaining to the Presidio of Monterey and the Presidio of Monterey Annex, formerly Fort Ord, was to limit facilities at the Annex to those absolutely necessary to support the Defense Language Institute and to achieve maximum economies in the operation of all installations in the Monterey area. After installation visits by two of the Commissioners, testimony at the Oakland Regional Hearing, and lengthy deliberations, the Commission voted unanimously to adopt the recommendation in its report.

Since the President accepted the Commission's recommendations and the Congress did not enact a resolution of disapproval, it is the Commission's position that the Presidio of Monterey/Presidio of Monterey Annex recommendation has the force and effect of law and must be implemented according to statutory requirements.

Thank you for your time and consideration in this matter. I eagerly await your views on this important matter. Please feel free to contact me if you have any questions concerning this issue.

Sincerely,

Jim Courter
Chairman

DEPARTMENT OF THE ARMY
OFFICE OF THE JUDGE ADVOCATE GENERAL
WASHINGTON, DC 20310-2200

REPLY TO ATTENTION OF

03 AUG 1993

DAJA-AL 1993/1258 (27-1a)

MEMORANDUM FOR ASSISTANT CHIEF OF STAFF FOR INSTALLATION MANAGEMENT, ATTN: DAIM-BO (MR. DASKI)

SUBJECT: 1993 Defense Base Closure and Realignment Commission's Recommendation Concerning the Defense Language Institute and the Presidio of Monterey

1. This responds to your request for a legal opinion concerning the Department of the Army's obligations under the 1993 Defense Base Closure and Realignment Commission's (Commission) recommendations pertaining to the Defense Language Institute (DLI) and the Presidio of Monterey.

2. For the following reasons, it is our opinion that the Secretary of Defense (SECDEF) is legally required to implement only that portion of the 1993 Commission's recommendation that directs the retention of the Presidio of Monterey.

3. Background.

a. Congress vested the SECDEF with authority to direct and control the Department of Defense (DoD) (10 U.S.C. § 113). Additionally, Congress vested the SECDEF with the authority to take appropriate action, including the transfer, reassignment, and consolidation of any function, power or duty (10 U.S.C. § 125). Under this authority, the SECDEF designated the Department of the Army as the executive agent for the Defense Foreign Language Program (DFLP) (*See* DoD Directive 5160.41, Defense Language Program (DLP)).

b. Congress vested the Secretary of the Army (SA) with the authority to organize and administer the Department of the Army (to include the morale and welfare of personnel) (10 U.S.C. §§ s3013(b)(2) and (9), and § 3074). This authority is subject to the direction and control of Congress and the SECDEF.

c. Under the provisions of 10 U.S.C. § 2687, Congress reserved the right to review certain proposed large-scale closures or realignments of military installations. Pursuant to this statute, the SECDEF or the SA must notify Congress of a proposal: (1) to close a base that is authorized to employ at least 300 civilian personnel, or (2) to realign bases authorized to employ 300 or more civilians, involving a reduction by more than 1000 employees or by more than 50 percent of the number of civilian employees authorized at the installation.

d. The Defense Authorization Amendments and Base Closure and Realignment Act (BRAC I) (Pub. L. 100-526, 102 Stat. 2623 (1988)) implemented the Private Sector Survey on Cost Control's recommendation to establish an independent commission to study base closures and to submit a list of installations for closure. It provided relief from certain provisions of 10 U.S.C. § 2687, but retained the threshold requirements. The 1988 Commission, however, was a one-time Commission.

e. The Defense Base Closure and Realignment Act of 1990 (BRAC) (Public Law 101-510, 104 Stat. 1808 (1990)) subsequently established procedures for selecting military installations located in the United States for closure or realignment. The 1990 act created three biennial Commissions to be held in 1991, 1993, and 1995.

(1) The 1991 Commission (BRAC 91) recommended the following:

> the closure of Fort Ord, California, and the movement of the 7th Infantry Division from Fort Ord to Fort Lewis, Washington. This recommendation does not impact on the status of Fort Hunter-Liggett. Fort Hunter-Liggett, therefore, remains open and is still recognized as a valuable asset to the Army and DoD.

(2) During the 1993 base closure process, the Army recommended the closure of the Presidio of Monterey and the Presidio of Monterey Annex (POM Annex), and the relocation of DLI. (See further comments on the POM Annex below.) The SECDEF did not incorporate the Army's recommendation in his recommendations to the Commission, but included the Army's recommendation in his report to the Commission (*See Department of Defense Base Closure and Realignment Report*, Department of the Army Analyses and Recommendations (Volume III) (March 1993) at pp. 45-46). In accordance with section 2903(d), the Commission added the Army's recommendation for its consideration (*See* 58 Federal Register 21561 (1993) and 58 Federal Register 31192 (1993)).

(3) The 1993 Commission (BRAC 93) recommended the following:

> retain the Presidio of Monterey but dispose of

> all facilities at the Presidio of Monterey Annex except the housing, commissary, child care facility, and post exchange required to support the Presidio of Monterey and Naval Post Graduate School. Consolidate base-operations support with the Naval Post Graduate School by interservice support agreement. The Department of Defense will evaluate whether contracted base-operations support will provide savings for the Presidio of Monterey. The Commission finds this recommendation consistent with the force-structure plan and final criteria.

4. SECDEF's responsibilities under BRAC.

a. In our opinion, the SECDEF is legally required to implement only that portion of the Commission's recommendation that is highlighted above.

b. Subject to Congressional disapproval, BRAC requires the SECDEF to close or realign all military installations recommended for closure or realignment by the Commission in each report transmitted to the Congress by the President (*See* Public Law 101-510, SS 2904(a)(1) and (2)).

c. The term "closure" is not defined in either the 1988 or 1990 base closure act or 10 U.S.C § 2687.

(1) Close examination of the terms and legislative history of base closure law reveals that Congress' use of the word "closure" in the acts is unambiguous. Additionally, earlier versions of base closure statutes reported by the House Committees on Rules defined the term "closure" to mean the termination or relocation of all functions at a military installation" (H. R. Rep. No. 751, 100th Cong. 2d Sess. 13 (1988). Thus, in accordance with the meaning ordinarily attributed to the word, the Army must discontinue all active Army functions at installations recommended for closure and transfer those functions elsewhere.

(2) Consistent with this definition, we conclude that a Commission's recommendation to close a military installation requires the Army to:

(a) relocate, to sites identified by the

Commission, all military activities specifically recommended for relocation;

(b) realign any remaining active units for which the Commission did not identify specific receiving locations; and

(c) dispose of military properties and facilities in accordance with applicable law.

5. BRAC 91.

a. Under BRAC 91, the SECDEF was required to close Fort Ord, relocate the 7th Infantry Division to Fort Lewis, Washington, realign all other units not specifically identified, and dispose of excess and surplus property in accordance with applicable law.

(1) Generally, once an installation recommended for closure by the Commission has closed, i.e., discontinued all active functions, the property disposal provisions of BRAC apply (Public Law 100-526, § 204(b) and Public Law 101-510, § 2905(b)). With respect to excess and surplus real property located at military installations closed pursuant to the Commission's recommendations, the Administrator of General Services must delegate to the Secretary of Defense the Administrator's authority to use excess property under Section 202 of the Federal Property Act (40 U.S.C. § 483) and dispose of surplus property under Section 203 of the Federal Property Act (40 U.S.C. § 484).

(2) Regulations in effect on the dates of enactment of base closure laws are applicable. Title 41, Code of Federal Regulations, Part 101 (41 C.F.R. Part 101) outlines applicable regulations and defines "excess" and "surplus" property.

(3) Base closure law permits the SECDEF to transfer real property and facilities to other departments and instrumentalities (to include nonappropriated fund instrumentalities) of the Department of Defense.

(4) In accordance with these procedures, facilities and property have been requested by other military departments and Federal agencies.

b. Fort Ord also provides base operations (BASOPS) support

to DLI. Under applicable law, DLI is unable to hold, maintain, or repair real property facilities. Title 10 U.S.C. § 2682 provides, in part, that:

> . . . A real property facility under the jurisdiction of the Department of Defense which is used by an activity or agency of the Department of Defense . . . shall be under the jurisdiction of a military department designated by the Secretary of Defense.

(1) As noted above, the SECDEF designated the Department of the Army as the executive agent for the Defense Foreign Language Program (DFLP). Additionally, the Army has been directed to provide and maintain facilities and base support functions commensurate with the importance of the mission.

(2) Accordingly, the Army's implementation plan under BRAC 91 provided for the creation of the POM Annex, an area that is now part of Fort Ord, to maintain base operations (BASOPS) support to DLI - a defense function.

6. BRAC 93.

a. The SECDEF is not required to implement that portion of the 1993 Commission's recommendation that recommends the disposal of facilities, the consolidation of BASOPS through an interservice support agreement with the Navy, or the evaluation of contracting-out BASOPS support. These comments are not recommendations to close or realign a military installation. under control of DOD

(1) The 1993 Commission specifically recommended retention of the Presidio of Monterey; accordingly, the SECDEF has no legal obligation to discontinue or relocate its functions.

(2) Additionally, the Commission's comments are not recommendations to realign an installation. Base closure law defines the term "realignment" as any action that <u>both</u> reduces and relocates functions and civilian personnel positions; the term does not include a reduction in force resulting from workload adjustments, reduced personnel or funding levels, skill imbalances or other similar causes (Public Law 101-510 § 2910(5); 10 U.S.C. § 2687(e)(3)).

(a) The legislative history shows that a realignment is a transfer of an activity or function from one installation to another while maintaining the operation of the losing installation (*See Base Closures, 1985: Hearing Before the Subcomm. on Military Construction of the Senate Committee on Armed Services*, 99th Cong., 1st Sess. 10 (1985) which discusses the term "realignment" as defined in both 10 U.S.C. § 2687 and Public Law 101-510, § 2910(5).)

(b) As noted above, disposal of facilities is controlled by other provisions of the Defense Base Closure and Realignment Act of 1990. To the extent that facilities are not excess or surplus property, the Army, as executive agent for DLI, may retain that property necessary to support DLI's mission.

(c) Moreover, entering into an interservice support agreement with the Navy to provide BASOPS support is not a realignment as that term is defined in the Defense Base Closure and Realignment Act of 1990 (Public Law 101-510, § 2910(5)). BASOPS is clearly a function of workload. So long as the Army is designated as the executive agent for DLI, it may maintain all functions and facilities necessary to carry out BASOPS, as well as morale, welfare, and recreational activities, to support DLI.

7. Commission's responsibilities under BRAC.

a. The purpose of BRAC is to provide a fair process that will result in the timely closure and realignment of military installations located in the United States. As noted above, BRAC defines terms, establishes threshold requirements, and outlines responsibilities of key players. In addition to the SECDEF's responsibilities outlined above, BRAC sets forth the Commission's responsibilities once the SECDEF forwards his recommendations.

b. The Commission may deviate from the SECDEF's recommendations if it determines that (1) the SECDEF deviated substantially from the force-structure and final DoD criteria and (2) the change is consistent with the force-structure and DoD criteria. Additionally, the Commission must publish the change in the Federal Register and hold public hearings. This process is required if the Commission adds a military

installation to the list the SECDEF recommended for closure or realignment, or if the change increases the extent of a realignment of a particular installation. The Commission complied with these provisions.

c. The Commission, however, is constrained by the same statutory provisions that apply to the SECDEF. It may make recommendations pertaining to "realignments," as that term is defined by statute, and to "closures." To the extent that recommendations do not pertain to closures or realignments, the Commission exceeds its authority, and those recommendations are not binding on the SECDEF.

8. Options. The following pertains to the specific questions asked in your memorandum to this office.

a. Was the Commission's recommendation on the disposition of the POM Annex within their jurisdiction; is it legally binding?

(1) The Commission's authority extends to reviewing the SECDEF's recommendations, holding public hearings on the recommendations, changing the recommendations (under certain circumstances) and submitting a report with its recommendations for closures and realignments of military installations to the President.

(2) At this time, the POM Annex is not a military installation. "POM Annex" merely refers to that portion of land at Fort Ord (which will be declared excess to the Army's needs) required to support DLI's mission. Because that part of the Commission's recommendation pertaining to the POM Annex is neither a recommendation to close or to realign a military installation, the SECDEF is not legally obligated to implement this recommendation.

b. What effect does the Commission's language have on the screening of property? Do other DoD and Federal agencies' property requests during BRAC 91 screening remain valid (particularly the Coast Guard request for 50 family housing units)? May other DoD or Federal activities request property in the POM Annex that may be determined excess to Army needs? Do other DoD agencies need to be screened to go onto the Annex? May the Defense Language Institute, as a DoD activity, claim facilities for Morale, Welfare, and Recreation?

Will any Army and/or other DOD tenants be allowed to remain on the POM Annex as BRAC 91 actions?

(1) The Commission's language has no effect on the screening of property. Congress provided specific procedures for the disposal of real property under the Defense Base Closure and Realignment Act of 1990. To the extent that the Commission's recommendations would require action inconsistent with these procedures, the recommendations are nugatory.

(2) Requests received from other DoD and Federal agencies for excess or surplus property (to include the Coast Guard's request for family housing) may be processed in accordance with the applicable statutory and regulatory procedures.

(3) Other DoD agencies, to include DLI, may request facilities, to include MWR facilities, in accordance with the property disposal provisions of the Defense Base Closure and Realignment Act of 1990. Also, those requests for facilities by DoD agencies made as a result of the BRAC 91 recommendation to close Fort Ord may be processed.

(4) The Army, however, may not retain facilities, except those necessary to carry out its function as the executive agent for DLI. The Army must dispose of any facilities not required to carry out this function, as well as any facilities used to perform BASOPS for other installations. While wearing its DoD "hat," however, the Army may exercise its discretion as to which activities and facilities are necessary to support DLI. Activities (and corresponding facilities) may include MWR activities, as well as those related to BASOPS. The Army's authority to choose necessary activities is conditioned upon the obligation to execute BRAC in good faith.

(5) You should note that the POM Annex is not a separate military installation, but refers to real property and facilities needed to support DLI and the Presidio of Monterey.

c. Is the Army prohibited from retaining any property, if deemed essential to operations or a logical footprint, except housing, commissary, post exchange, and child care facility? If the Navy Postgraduate School provides base operations support and requires facilities on the POM Annex to provide this support, may the Army and Navy retain such facilities?

(1) Again, the Army may retain any real property or facility necessary to support DLI.

(2) If the SECDEF designates the Navy as the executive agent for DLI it may also retain real property and facilities necessary to support DLI.

8. Point of contact for this opinion is MAJ Stockel, DSN 224-4316.

FOR THE JUDGE ADVOCATE GENERAL:

RONALD J. BUCHHOLZ
LTC, JA
Chief, General Law Branch
Administrative Law Division

DEPARTMENT OF THE ARMY
ASSISTANT CHIEF OF STAFF FOR INSTALLATION MANAGEMENT
500 ARMY PENTAGON
WASHINGTON DC 20310-0500

REPLY TO
ATTENTION OF

S: 26 Jul 93

DAIM-BO (5-10c)

MEMORANDUM FOR CHIEF, ADMINISTRATIVE LAW DIVISION, DAJA-AL,
ATTENTION: MAJ STOCKET.

SUBJECT: Request for Legal Opinion Regarding Status of Fort Ord, the Presidio of Monterey, and the Presidio of Monterey Annex

1. In light of the recent Defense Base Closure and Realignment Commission language regarding Fort Ord, the Presidio of Monterey (POM), and the POM Annex, request a legal opinion outlining the Army's options if the Commission's language becomes law. Specifically, request you address the following:

a. Was the Commission's recommendation on the disposition of the POM Annex within their jurisdiction; is it legally binding?

b. What effect does the Commission's language have on the screening of property? Do other DoD and Federal agencies' property requests during BRAC 91 screening remain valid, (particularly the Coast Guard request for 50 family housing units; may they remain in family housing)? May other DoD activities and Federal activities request property that may be determined excess to Army needs in the POM Annex? Do other DOD agencies need to be screened to go onto the Annex? May the Defense Language Institute, as a DoD activity, claim facilities for Morale, Welfare, and Recreation? Will any Army and/or other DoD tenants be allowed to remain in the POM Annex as approved by BRAC 91 actions?

c. Is the Army prohibited from retaining any property, if deemed essential to operations or a logical footprint, except housing, commissary, post exchange, and child care facility? If Navy Postgraduate School provides base operations support and requires facilities on the POM Annex to provide this support, may the Army and Navy retain such facilities?

2. A conference on these subjects will be held at the POM during the period 3-5 Aug 93. Request your opinion be provided NLT COB 26 Jul 93 to allow distribution and consideration of the available options prior to the conference.

SUBJECT: Request for Legal Opinion Regarding Status of Fort Ord, the Presidio of Monterey, and the Presidio of Monterey Annex

3. POC is Mr. Daski, x37556.

William T. Harvey

WILLIAM T. HARVEY
Colonel, GS
Chief, Base Realignment
and Closure Office

CONGRESSIONAL STAFF BRIEFING

CITY OF MONTEREY BASE RETENTION ACTIVITIES

1. **INTRODUCTIONS**

2. **DLI ACTIVITY (POST BRAC DECISION)**

   a. Army appears to be ignoring/undermining BRAC decision

   b. OSD apparently unaware of Army activity

   c. Status of language in Defense Authorization legislation that permits DLI to collaborate with others

3. **NAVAL POSTGRADUATE SCHOOL**

   a. Sufficient threat exists to cause concern

      i. Force reduction will place strain on funds available in Navy budget to sustain graduate programs

      ii. Perception by some that civilian universities can do it better, cheaper

      iii. NPS mission recruited by other communities

      iv. Lousy "marketing"

4. **NEAR-TERM ACTIVITIES**

   a. Ensure that Army activities related to POM Annex and BASOPS are consistent with BRAC decision

   b. Project CoRE (attachment)

   c. Identify and cultivate opinion leaders with influence over Army/Navy/OSD decision making

   d. Review all available fiscal and budget analyses pertaining to NPS, DLI, and BRAC process

   e. Promote collaboration of research/education organizations in Monterey Bay region

   f. Pursue legislative solutions to eliminate constraints and encourage the services to contract with local governments for municipal services when cost-effective to do so

   g. All activities based on a win/win philosophy (good for nation and good for region)

PROJECT CoRE

"The Coalition for Research and Education"

MISSION

The purpose of Project CoRE is to strengthen the bonds between the Defense Language Institute (DLI), the Naval Postgraduate School (NPS), and the research, education, and business communities in the greater Monterey Bay area. One of the benefits of this effort is to ensure the continued presence of these two institutions in Monterey so that they can serve as anchors to a major segment of the region's economy.

GOALS

1. To cultivate the "synergy" between the many research, educational, and training assets existing in the greater Monterey Bay area, and to pursue opportunities to expand upon this asset base.

2. To capitalize upon these rich assets through unique public/private partnerships such that the nation's security, economic vitality, and international competitiveness are enhanced.

3. To continue to market the Monterey Bay region as a center of excellence for environmental, international, and language studies.

4. To actively educate the public regarding the unique capabilities of the research, educational, and training institutions in the greater Monterey Bay area, and to gain public support for these activities.

5. To promote positive relationships between the students, faculty, and staff from each school and the community.

OBJECTIVES

1. Promote the adoption of legislation enabling the Defense Language Institute to enter into cooperative agreements with public and private agencies to share materials, faculty, facilities, and programs.

2. Capitalize and expand on the Naval Postgraduate School's capability to provide graduate programs to students outside the Department of Defense.

3. Promote efforts to assist DLI and NPS in operating as cost-effectively as possible.

4. Implement an organized forum to facilitate communication and coordination among the research, educational, and commercial institutions in the region.

5. Implement an active marketing and communications program to enhance the awareness and use of the research and educational activities in the region.

Gary Schlosberg
10/14

→ follow Harvey – Bill –

→ still keep land not dispose land

based – ~~bas~~ on

– not legally obligated – "Harvey"

→ Steve Clyman – 1991 – DoD Exec Dir & Task Force on Bill Perry's Office

→ didn't know of opinion

→ wants to protect process –

→ part of OSD staff –

→ understanding all / nothing

– wrote letter – "we request opinion of JAG opinion –
signed – Mayor Seaside

meet w/ Congressman Farr –
sign letter – ?
Army JAG rep Secretary ?
+ does it implement ?

here is opinion →←
what is position →←

THE DEFENSE BASE CLOSURE AND REALIGNMENT COMMISSION

EXECUTIVE CORRESPONDENCE TRACKING SYSTEM (ECTS) # 931015-1

FROM: SAM FARR	TO: (cc:) LES ASPIN
TITLE: REP. (CA)	TITLE: SECDEF
ORGANIZATION: U.S. CONGRESS	ORGANIZATION: DOD
INSTALLATION (s) DISCUSSED: PRESIDIO OF MONTEREY, CA.	

OFFICE OF THE CHAIRMAN	INFO COPY	ACTION COPY	INIT	COMMISSION MEMBERS	INFO COPY	ACTION COPY	INIT
CHAIRMAN COURTER	✓			COMMISSIONER BOWMAN			
STAFF DIRECTOR	✓			COMMISSIONER BYRON			
SPECIAL ASSISTANT		✓		COMMISSIONER COX			
GENERAL COUNSEL	✓			COMMISSIONER JOHNSON			
MILITARY EXECUTIVE				COMMISSIONER LEVITT			
				COMMISSIONER MCPHERSON			
DIR./CONGRESSIONAL LIAISON	✓			COMMISSIONER STUART			
PRESS SECRETARY				REVIEW AND ANALYSIS			
				DIRECTOR OF R & A	✓		
DIR./EXECUTIVE SECRETARIAT				DEPUTY DIRECTOR OF R & A		✓	
				ARMY TEAM LEADER	✓		
DIRECTOR OF ADMINISTRATION				NAVY TEAM LEADER			
CHIEF FINANCIAL OFFICER				AIR FORCE TEAM LEADER			
DIRECTOR OF TRAVEL				ISSUES TEAM LEADER			
SYSTEMS ADMINISTRATOR				COBRA MODEL ANALYST			
DIR./INFO SERVICES DIVISION				DATABASE ANALYST (GIS)			

TYPE OF ACTION REQUIRED

	Prepare Reply for Chairman's Signature		Prepare Reply for Commissioner's Signature
	Prepare Reply for Staff Director's Signature		Prepare Direct Response (coordinate w/ Exec.Sec.)
	Offer Comments and/or Suggestions	✓	FYI

Subject/Remarks: COPY OF LETTER FORWARDED TO SECDEF ASPIN

RE: ARMY LEGAL OPINION THAT SAYS ARMY IS "NOT OBLIGATED AS A MATTER OF LAW TO IMPLEMENT THE FINAL RECOMMENDATION OF THE COMMISSION." (RETENTION OF TWO GOLF COURSES).

* ASKS SECDEF IF ARMY OPINION REPRESENTS POSITION OF DOD.

Due Date:	Routing Date: 10-15-93	Date Received: 10-15-93	Mail Date:

SAM FARR
17TH DISTRICT, CALIFORNIA

COMMITTEE ON AGRICULTURE
SUBCOMMITTEES
ENVIRONMENT, CREDIT AND RURAL DEVELOPMENT
SPECIALTY CROPS AND NATURAL RESOURCES
DEPARTMENT OPERATIONS AND NUTRITION

COMMITTEE ON ARMED SERVICES
SUBCOMMITTEE
MILITARY FORCES AND PERSONNEL

COMMITTEE ON NATURAL RESOURCES
SUBCOMMITTEE
ENERGY AND MINERAL RESOURCES

Congress of the United States
House of Representatives
Washington, DC 20515-0517

1216 LONGWORTH BUILDING
WASHINGTON, D.C. 20515-0517
(202) 225-2861

DISTRICT OFFICES
380 ALVARADO STREET
MONTEREY, CA 93940
(408) 649-3565

100 WEST ALISAL
SALINAS, CA 93901
(408) 424-2229

701 OCEAN STREET
ROOM 318
SANTA CRUZ, CA 95060
(408) 429-1976

October 14, 1993

The Honorable Les Aspin
Secretary
Department Of Defense
The Pentagon
Washington, D.C. 20301

Please refer to this number
when responding 931015-1

Dear Mr. Secretary:

I recently learned of an Army legal opinion challenging the jurisdiction of the Defense Base Closure and Realignment Commission to recommend the disposition of property at the Presidio of Monterey (POM) Annex. Moreover, it is my understanding that the Army, based upon the enclosed legal opinion, does not believe it is obligated as a matter of law to implement the final recommendation of the Commission as contained in the 1993 Report to the President as follows:

> "Therefore, the Commission recommends the following: retain the Presidio of Monterey but dispose of all facilities at the Presidio of Monterey Annex except the housing, commissary, child care facility, and post exchange required to support the Presidio of Monterey and Naval Post Graduate School."

The Commission held extensive hearings as to the value and utility of the military property at the Presidio of Monterey Annex and concluded that the economic recovery of the local community was dependent on the early disposal of the property. In light of their extensive discussions, and the clear language of the recommendation, I believe that it would be highly inappropriate for the Army to retain the two golf courses as part of an Army support facility.

I would appreciate learning at your earliest opportunity whether the Army legal opinion represents the position of the Department of Defense and whether DoD intends to implement the Commission's recommendations as written.

Sincerely,

Sam Farr

Sam Farr
Member of Congress

SF/db
Enclosure

cc: Chairman Courter

PRINTED ON RECYCLED PAPER

SAM FARR
17TH DISTRICT, CALIFORNIA

COMMITTEE ON AGRICULTURE
SUBCOMMITTEES
ENVIRONMENT, CREDIT, AND RURAL DEVELOPMENT
SPECIALTY CROPS AND NATURAL RESOURCES
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SANTA CRUZ, CA 95000
(408) 429-1976

FASCIMILE TRANSMISSION

CONGRESSMAN SAM FARR
1216 LONGWORTH HOB
202-225-2861

TO: MARY ANN Hook

FROM: DAVE BORDEN

DATE: 10/14/93

NUMBER OF PAGES (including cover sheet) 2

Please call to confirm transmission if checked here: _____

MESSAGE Mary Ann, FYI -
I will be out of the
OFFICE FRIDAY OCT. 15TH -
If you need to speak to
someone regarding this
please ask FOR Rochelle Dorn
otherwise I miss speak
to you on Monday.

PRINTED ON RECYCLED PAPER

< CONFIRMATION REPORT >

10-14-1993(THU) 20:47

[RECEIVE]

NO.	DATE	TIME	DESTINATION	PG.	DURATION	MODE	RESULT
7219	10-14	20:46	202 225 6791	2	0°01'09"	NORM.E	OK
				2	0°01'09"		

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Local, Page 1C

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35 cents

FOCUS

ny juveniles, crime
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By Marty Burleson
The Californian

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Please see ORD/Page 8A

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Page 1C.

P.E. 2/2-3/804

FORT ORD

VETS SERV, 8A

U.S. ranger unit may

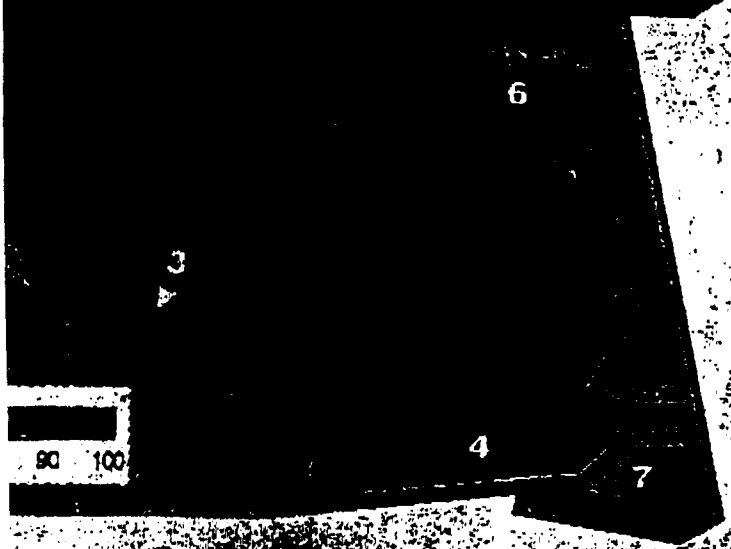
2 Lake Tahoe
Mostly sunny. Highs in the mid-70s and lows near 40. At 6,000 ft. highs from 65 to 70.

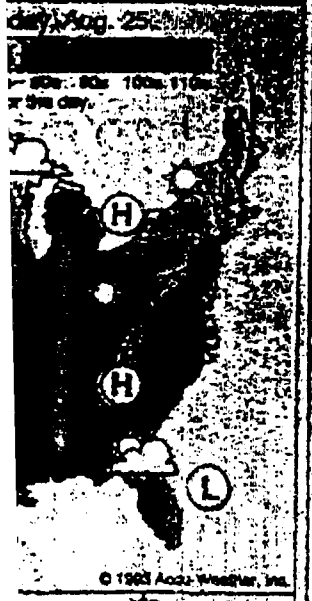
3 Los Angeles area
Low clouds through mid-morning, otherwise some high clouds and mostly sunny. Highs in the low 80s and lows in the mid-60s. Wind to 15 mph.

5 Reno, Nev.
Sunny with highs in the upper 80s and lows in the mid-40s.

6 Las Vegas, Nev.
Mostly sunny becoming partly cloudy with wind to 20 mph. Highs near 100 and lows in the mid-70s.

7 Yuma, Ariz.
Unavailable at time of release.





SUNNY PT. CLOUDY CLOUDY

	Yesterday Hi	Lo	Pre	Today Hi	Lo	Otlk	Tomorrow Hi	Lo	Otlk
Lubbock	97	68		92	66	cdy	92	62	clr
Memphis	97	71		96	76	cdy	97	76	cdy
Miami Beach	89	79		90	78	cdy	89	79	cdy
Minneapolis	97	69		96	68	cdy	96	68	cdy
Mobile	93	71		87	68	clr	86	68	cdy
Nashville	89	64		90	66	cdy	79	66	cdy
Newark	95	73		94	72	cdy	94	72	cdy
New Orleans	92	75		91	75	cdy	90	73	cdy
New York City	84	69		90	72	cdy	91	72	clr
Norfolk, Va.	92	62		92	72	clr	94	75	clr
North Platte	90	57		89	62	cdy	79	58	cdy
Oklahoma City	87	65	.42	93	70	cdy	95	73	clr
Omaha	91	68		92	69	cdy	83	67	cdy
Orlando	88	76		90	76	cdy	90	76	cdy
Philadelphia	[illegible]	70		90	70	cdy	88	68	clr
Phoenix	102	84		97	81	cdy	98	80	cdy
Pittsburgh	89	68		91	68	cdy	93	67	clr
Portland, Maine	79	54		90	68	clr	91	70	clr
Portland, Ore.	68	49	.01	73	49	clr	63	52	clr
Providence	80	65		87	67	cdy	90	68	clr
Raleigh-Durham	90	65		90	66	clr	92	69	cdy
Rapid City	94	56		83	58	cdy	78	54	cdy
Reno	87	52		87	46	clr	89	48	clr
Richmond	92	66		94	71	cdy	95	73	clr
St. Louis	90	73	.11	91	72	cdy	93	74	cdy
Salt Lake City	95	63		80	58	cdy	81	54	clr
San Antonio	100	80		98	77	cdy	98	76	cdy
San Juan, P.R.	91	77	.01	90	75	rn	90	78	cdy
Santa Fe	88	54		87	55	cdy	85	55	cdy
St. Ste. Marie	79	57	.01	88	63	clr	83	67	rn
Seattle	68	51		72	51	clr	76	54	clr
Shreveport	96	69		97	71	cdy	95	72	cdy
Sioux Falls	92	60		89	67	cdy	85	66	cdy
Spokane	64	43		69	42	clr	77	46	clr
Syracuse	90	65	1.89	85	67	cdy	89	62	cdy
Tampa-St. Pbrsbg	94	75		92	75	rn	93	74	rn
Topeka	91	67		93	67	clr	93	70	cdy
Tucson	98	75	.03	93	74	rn	93	71	rn
Tulsa	88	69	.17	96	73	cdy	98	75	cdy
Washington, D.C.	88	70		95	74	clr	96	75	clr
Wichita	93	68		95	67	clr	95	70	cdy
Wilkes-Barre	89	58	.01	87	66	cdy	86	64	clr
Wilmington, Del.	87	69		91	70	clr	94	69	clr

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"McCain pledged to do whatever he could to resolve Canchola's differences with the Border Patrol," Celley said from McCain's

north, [illegible] Dowdy said. Dowdy said that of the 28[illegible] smugglers arrested by Border Patrol agents this year, 38 made their arrangements and loaded out of the McDonald's — two blocks from the U.S.-Mexico border.

"This figure represents nearly a third of all alien smuggling arrests in our area," he said in the release.

Dowdy also said the "vast majority" of 1,500 illegal aliens arrested in 455 stops of taxis hired the taxis near or in the McDonald's parking lot.

Ord: Army stays on course

Continued from Page 1A

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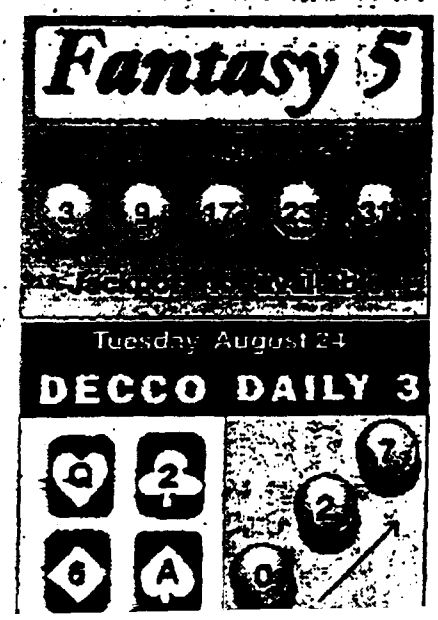

TOM:

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Thanks P

ME:
LORI PRUITT
408-422-8206

-30-

BETTER READING FOR KIDS

Alisal school district teachers will use phonics to increase literacy.

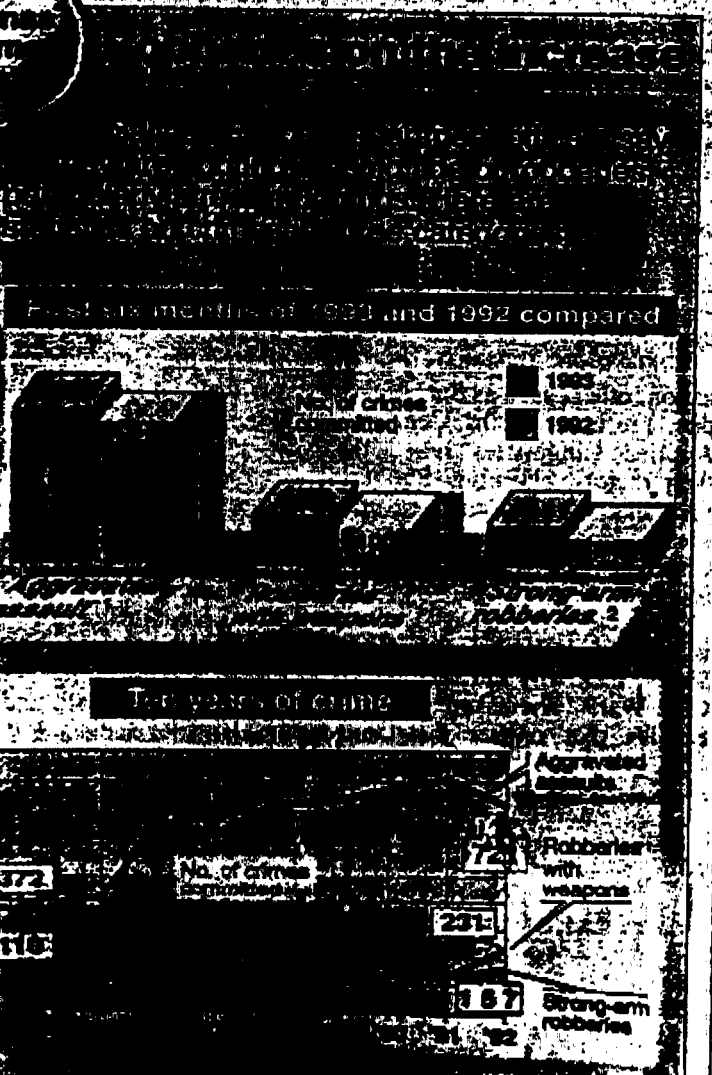
Local, Page 1C

ifornian

35 cents

FOCUS

ny juveniles, k violence'



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Please see ORD/Page 8A

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U.S. ranger unit may

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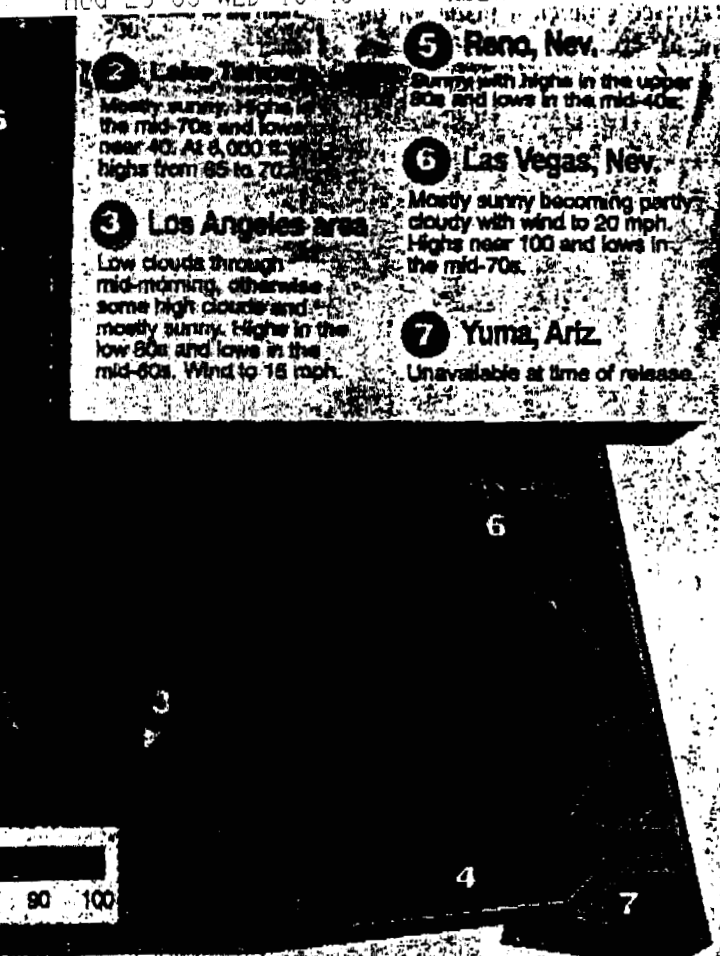

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St. Louis	90	73	.11	91	72	cdy	93	74	cdy
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Tulsa	88	69	.17	96	73	cdy	98	75	cdy
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Thanks!

ME:
LORI PRUITT
408-422-8206

-30-

[5] COMMISSIONER McPHERSON: Would it be your idea [6] that if we were impressed by the selection and by the [7] process and thought that it was well done that we might [8] want to take action ourselves to realign these defense [9] finance agencies, and to these five cities?

[10] COMMISSIONER BYRON: It is my feeling we do not [11] know what the five cities or four cities or six cities [12] are. We cannot add them to a list unless we know what [13] they are.

[14] COMMISSIONER McPHERSON: I guess what I'm asking [15] is whether we have the authority, or whether you think we [16] should exercise the authority to make our own decisions [17] about this, despite the fact that the Secretary has said [18] that it is a bum idea in his mind.

[19] COMMISSIONER BYRON: I think the Department of [20] Defense owes this Commission an answer on why that was not [21] forthcoming when it was a very high profile realignment [22] issue in the last several years.

[23] COMMISSIONER McPHERSON: I'm going to vote for [24] it, because I think it is, too, after all this effort that [25] the cities have made.

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[1] What I don't really know myself at this point [2] is, what are we going to do with it?

[3] COMMISSIONER BYRON: Well, I think we have to [4] look at the information, we have to assess it, and we have [5] to listen to the Department of Defense on the rational on [6] why they did not come forth with a list at this period of [7] time. They may have a very valid reason for a restructure [8] that we were unaware of, but I think this Commission is [9] owed that understanding and that rationale.

[10] CHAIRMAN COURTER: The gentleman's question is a [11] good one, is where does this lead, and I have to say I'm [12] not sure where it does, either, and you know, it's not [13] that I'm prejudging this and saying that if we find out [14] that the selection process went from those 120 communities [15] in 33 States down to 20 best and final requests, then down [16] to 5 or 4 centers, that we are necessarily going to vote [17] in order to try to create that as the centers, the DFAS [18] centers.

[19] Number 1, I don't know whether we would want to [20] do that, and number 2, I would want to make darn sure that [21] if we had it in our mind we had the legal authority to do [22] it, and we would check that out with our own counsel and [23] others.

[24] Number 3, we have to respect the policy request [25] from the administration and hear them out as well, so to

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[1] answer your question, I don't think the road is [2] necessarily a straight one and inevitably will end up with [3] a recommendation and a vote by this Commission to in fact [4] realign according to the old 1991 process, but at least I [5] concur with Beverly Byron's request that we come up with [6] the information now.

[7] Any other further discussion?

[8] (No response.)

[9] CHAIRMAN COURTER: Hearing none, we will have a [10] roll call vote, and we'll start to my left. Commissioner [11] Cox.

[12] COMMISSIONER COX: Aye.

[13] CHAIRMAN COURTER: Stuart.

[14] COMMISSIONER STUART: Aye.

[15] CHAIRMAN COURTER: McPherson.

[16] COMMISSIONER McPHERSON: Aye.

[17] CHAIRMAN COURTER: Byron.

[18] COMMISSIONER BYRON: Aye.

[19] CHAIRMAN COURTER: Bowman.

[20] COMMISSIONER BOWMAN: Aye.

[21] CHAIRMAN COURTER: Johnson.

[22] COMMISSIONER JOHNSON: Aye.

[23] CHAIRMAN COURTER: Courter, aye. The motion [24] passes, and we will contact – we're going to hear about [25] it, I'm sure, and I'm sure they've heard about it already,

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[1] but there was other indications by some Commissioners that [2] there may be out of courtesy to the communities a feeling [3] that later on in the process that we would want to go [4] through the formal addition of some communities after a [5] determination that the Secretary erred and there was a [6] substantial deviation.

[7] That was mentioned to me – a number of [8] facilities were mentioned to me by Commissioners, but two [9] I mentioned last week, once again out of courtesy trying [10] to give communities as much notice in this process as [11] possible, and I would ask whether there's any motion with [12] respect to any facility that individual Commissioners [13] would like to notify that community such that they are on [14] notice that we're going to seriously consider a potential [15] further vote for addition or realignment.

[16] COMMISSIONER STUART: Mr. Chairman, I would be [17] prepared to move that the Commission add McClellan Air [18] Force Base and the Monterey Presidio Language Institute to [19] the list for consideration for closure or realignment by [20] the Commission and also be prepared to consider others at [21] a future meeting.

[22] CHAIRMAN COURTER: There is a motion. Is there [23] a second to that motion?

[24] COMMISSIONER JOHNSON: I second.

[25] CHAIRMAN COURTER: Is there discussion?

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[1] COMMISSIONER COX: Mr. Chairman and Commissioner [2] Stuart, I wonder if we might split that motion, if you [3] would be amenable to that.

[4] I think there are really two issues here: one, [5] McClellan Air Force Base and Presidio were both taken off [6] the list by the Secretary in sending it to the Commission, [7] and at least in DOD testimony by the secretary and by [8] others there doesn't seem to have been an objective [9] military assessment, much less a statutory criteria [10] assessment of whether or not that was appropriate or not.

[11] Clearly from our standpoint, as the chairman has [12] said, we are not deciding that issue at this moment. What [13] we're trying to do is to give some notice to the [14] communities that in fact we might be looking for that kind [15] of assessment which we didn't get, frankly, from the [16] Department of Defense, and that gives that community the [17] ability to make the kind of case in favor of McClellan, or [18] Presidio for that matter, that the Department of Defense [19] did not make on their behalf.

[20] That information we don't have before us, and in [21] fact they may have very good arguments that were not [22] presented by the Department of Defense, so I agree that as [23] to McClellan, certainly, we ought to go ahead and give [24] that community the opportunity to make the arguments that [25] will be necessary to ensure that they are not ultimately

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[1] added to the list by this Commission.

[2] I'm a little bit more concerned about the [3] Presidio, in the sense that we have a briefing this [4] afternoon. The Secretary made the argument that the [5] reason he dropped that one from the list was because of [6] the intelligence community's objections to having it on [7] the list, and since we have not been briefed on that, I [8] don't feel nearly as comfortable in saying that the [9] Secretary did not appropriately support his own position [10] on that, as I think he didn't do on McClellan, and I would [11] like McClellan to have that basis, so I

would like to put [12] that vote off, I guess, for a little bit.

[13] COMMISSIONER STUART: My response to that, [14] Commissioner Cox, is that our mission here is to put [15] communities on alert, and I certainly feel there has been [16] enough kind of analysis and investigation and comment from [17] thoughtful people raising the question.

[18] We're certainly not moving to closing by adding [19] it on the list. We're just deciding to notify them that [20] at least some of us on the Commission feel that this is a [21] possibility we should consider, and that's the reason that [22] I would like to alert both those communities.

[23] COMMISSIONER COX: And certainly we would want [24] to alert both communities. I just wonder if you might [25] split your motion in the sense of having two separate

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[1] votes.

[2] COMMISSIONER McPHERSON: I would simply second [3] Mr. Stuart's response. I'm going to be voting for it not [4] with the notion that I'm going to vote to close them for [5] sure, and I think from a procedural point of view it makes [6] more sense to go ahead and put them on now than have to [7] reconvene in a public meeting to do it again. I mean, if [8] we can do it now, I don't think it is suggesting that we [9] have made a decision to do it.

[10] COMMISSIONER COX: Well, I think we would want [11] to make that very clear, that in fact all we were doing is [12] giving the communities the ability to make a case, which, [13] as I say, so far the Department of Defense has not done.

[14] COMMISSIONER McPHERSON: Well, I took the [15] Secretary's statement as shorthand for saying that he [16] thought on McClellan that he thought there had been piling [17] on, or it would be piling on to close McClellan, that that [18] was a statement on his part that the economic criterion [19] had been hit, that in effect we ought to be looking at the [20] economic impact of McClellan, that if McClellan were not [21] on the list I think it would be a surprise. It's been on [22] the list for 20 or 25 years, isn't that correct?

[23] CHAIRMAN COURTER: It would be a surprise.

[24] COMMISSIONER COX: And in fact it may be true [25] that there is a very good case to be made that there is an

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[1] economic piling on here, and a very good case to be made [2] that there is military value to McClellan that is [3] absolutely necessary.

[4] On the other hand, the Secretary and the Joint [5] Chiefs of Staff basically said that the Commission should [6] review their own decision, and when asked specifically [7] about some of the criteria, indicated that if you're going [8] to close one base, which they thought you should do, that [9] this would be that one.

[10] I certainly agree that the community ought to [11] have as much time as possible to make the best argument [12] they can, because they have not gotten, or we have not [13] gotten the best argument from the Department of Defense [14] for leaving that base open that one might hope to get.

[15] On the other hand, he was a little bit [16] different, frankly, on the intelligence side. He [17] basically said, there are some reasons that I cannot at [18] this point say to you, and obviously, we're going to hear [19] those this afternoon.

[20] COMMISSIONER STUART: I think the answer is we [21] are prepared, just by alerting them, to evaluate those [22] arguments, and we may conclude that we should not consider [23] Monterey Presidio to be included.

[24] COMMISSIONER COX: And if we conclude that after [25] this afternoon, we would then give notice to the Presidio

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[1] that we have so concluded.

[2] CHAIRMAN COURTER: No. That would wait. We [3] would have to do that after a roll call vote, and we would [4] want to have a roll call vote, so you would be waiting [5] until the next time we meet which is Monday. I mean, it's [6] a pretty close call as to whether I like basically your [7] amendment to the motion, the Stuart motion.

[8] On – the other concern that I have, very [9] frankly, is if we hold off on the Language Institute until [10] after the classified briefing this afternoon, and then we [11] trip all over ourselves to vote in favor of adding it on [12] for consideration, giving the community an opportunity, [13] everyone's going to run around saying what did you learn [14] in that classified briefing? It must have been powerful. [15] I'm a little bit concerned about that, as well.

[16] Further discussion. We have a motion.

[17] COMMISSIONER COX: I would be a little bit [18] concerned if, having voted today to give the community [19] consideration, we then next week vote to say well, we've [20] changed our mind and on the other hand, having voted to [21] give the community consideration, if we at that point have [22] decided that we're not going to consider it, I'm not sure [23] it's fair to the community, either, to let that sort of [24] sit by not saying what we decided after the classified [25] briefing.

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[1] CHAIRMAN COURTER: Anything else? Commissioner [2] Johnson.

[3] COMMISSIONER JOHNSON: I believe that we are – [4] by having the briefing this afternoon, are considering the [5] Presidio, and we should vote in favor of considering it [6] even before that meeting. We are putting both the [7] Department of Defense and the communities and everyone on [8] notice that we want to look at the Presidio.

[9] CHAIRMAN COURTER: I understand your argument. [10] It's a very interesting one – basically, to ratify that [11] which we're doing anyway.

[12] (Laughter.)

[13] CHAIRMAN COURTER: Further discussion.

[14] COMMISSIONER BYRON: If we don't put it on, we [15] can't have the briefing this afternoon.

[16] CHAIRMAN COURTER: Any further discussion? [17] We will have a recorded vote. Commissioner [18] Johnson.

[19] COMMISSIONER JOHNSON: Aye.

[20] CHAIRMAN COURTER: Commissioner Bowman.

[21] COMMISSIONER BOWMAN: Aye.

[22] CHAIRMAN COURTER: Commissioner Byron.

[23] COMMISSIONER BYRON: Aye.

[24] CHAIRMAN COURTER: Commissioner McPherson.

[25] COMMISSIONER McPHERSON: Aye.

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[1] CHAIRMAN COURTER: Commissioner Stuart.

[2] COMMISSIONER STUART: Aye.

[3] CHAIRMAN COURTER: Commissioner Cox.

[4] COMMISSIONER COX: Aye.

[5] CHAIRMAN COURTER: And I will vote aye. [6] Is there any further motions – and this would [7] be along the same lines, just notification to communities [8] that we will consider a closure realignment but not a [9] formal determination of that at this particular juncture.

[10] Is there any further motions?

[11] COMMISSIONER JOHNSON: Mr. Chairman, I move the [12] Commission add Naval Air Station Agana to a list for [13] consideration for closure or realignment by the [14] Commission.

[15] CHAIRMAN COURTER: A second. Do I hear a second [16] on Agana?

[17] COMMISSIONER BYRON: I second.

[18] CHAIRMAN COURTER: Any discussion?

Presidio of Monterey and Annex, California

Recommendation: Close the Presidio of Monterey (POM) and the Presidio of Monterey Annex (part of Fort Ord). Relocate the Defense Language Institute (DLI) and contract the foreign language training with a public university which must be able to provide this training at or near Fort Huachuca, AZ. This recommendation is contingent upon the successful negotiation of a contract by October 1994. If agreement cannot be met, DLI will remain at the Presidio of Monterey. The Army would then reevaluate options which might lead to another proposal to the 1995 Commission.

Justification: The Defense Language Institute currently has a staff and student population of over 4000 personnel. This institute offers training in over 20 languages (e.g., Russian, Somali, Swahili, Ukrainian). However, it has a high operating overhead in both facilities and staff. A new approach to the operation of the Institute must be considered.

Contracting foreign language training with an existing university-level institution will create significant savings in operational overhead, both in instructors (many of whom may already be on staff at a university), and in administration. The relatively high base operations cost at the Presidio of Monterey would be avoided.

Fort Huachuca is the home of the Army Intelligence School. Military intelligence has the largest requirement for linguists in all services. The foreign language skill is most often used to interact with allies and better understand foreign military capability and intentions. Locating military personnel on Fort Huachuca provides advantages to both the soldier and the Army. First, it enables the Army to care for the needs of the soldiers during their formative training. It ensures "Soldierization" which is a critical factor in the development of all military personnel. Finally it will enable the Army to integrate the soldiers into the military intelligence concept during their training.

Army students in the human intelligence field are currently assigned to Fort Huachuca at the end of their foreign language training. Soldiers can attend the basic noncommissioned officer course and continue with advanced language training or attend the advanced noncommissioned officers course and then continue with intermediate language training. This would save travel, per diem costs and movement time.

An agreement of this kind is not unique. For example, the University of Virginia at Charlottesville is the location of the

Army's Judge Advocate General School and the University of Syracuse sponsors the Army Comptroller graduate education program.

The Army, as Executive Agent for the Defense Language Program, will ensure that the same high level of training currently taught at DLI will continue. The Army will continue to serve as the technical authority and provide qualitative assessment of foreign language training activities. In addition, the Army will also conduct research and evaluation on training development methodologies, instructional methodologies and techniques; computer-based training; computer-assisted instruction; and establish or approve standards or criteria for language training and provide various tests and evaluation procedures.

Return on Investment: Total estimated one-time costs for this closure are approximately $155 million. Annual steady state savings are about $49 million, with a return on investment in two years.

Impact: The closure of the Presidio of Monterey and Fort Ord Annex will have an impact on the local economy. The projected potential employment loss, both direct and indirect, is 4 percent of the employment base in the Salinas-Seaside-Monterey Metropolitan Statistical Area, assuming no economic recovery. There are no significant environmental impediments from this realignment. Environmental restoration will continue until complete. There are no known obstacles in the ability of the receiving community's infrastructure to support the realigning mission.

was in office we had a group called the Northeast- [11] Midwest Coalition that used to come around to my office [12] all the time and argue, you're putting all that money in [13] the South and the West, and this is not fair, we want our [14] share.

[15] It almost got to the point where we were trying [16] to put, you know, one MX missile in every State to deal [17] with it, that in fact because of the way you distributed [18] the military build-up over the years and the shift toward [19] the South and the West, particularly after the Vietnam [20] drawdown, that it would be inevitable that these bases [21] would go in areas that are already suffering high [22] unemployment.

[23] I don't see any way around that. I think the [24] answer is that you have this conversion program and you [25] need to get on with it because you're just postponing the

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[1] inevitable. If you don't do it this year, maybe then [2] you'll have to do it in '95, or whenever, and it's the job [3] of the Government to help people get through this, not to [4] postpone the agony, because it really doesn't deal with [5] the problem.

[6] **COMMISSIONER LEVITT:** We've seen some bases that [7] earlier commissions had voted to close remain open for a [8] while. We've seen recommendations to that effect from the [9] Department of Defense.

[10] Do you have the feeling that the Department of [11] Defense and the various services are acting on [12] commissions' recommendations as promptly and as [13] efficiently as they possibly could?

[14] **MR. KORB:** I would say that in 1988, when the [15] first Commission was established, there was some [16] reluctance on the part of the services to get involved in [17] the process. You may remember Senator Eagleton's [18] statement when he left the Commission, deliberations to [19] the effect of, the Navy refused to provide us any list and [20] we didn't close any Navy bases. In fact, when the Navy [21] testified in 1988, they said they wanted to open bases.

[22] But I think everybody recognizes now that the [23] Cold War is over, military budgets are going to go down, [24] and therefore they can't waste any of their money, and so [25] I would be surprised if from hereon you don't get that

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[1] cooperation from the services, but I do know back in 1988 [2] it probably wasn't what it should have been.

[3] **COMMISSIONER LEVITT:** I agree with you that the [4] cooperation between State, Federal, and communities would [5] make this process a lot more effective. Do you see any [6] need for an oversight agency or body or designee to [7] expedite that process, because the conflicts that occur [8] between these levels of Government are enormous.

[9] Mr. Perle.

[10] **MR. PERLE:** I am loath to consider that a new [11] Government institution is the solution to conflicts among [12] so many existing ones.

[13] **DR. HAYNES:** Besides that, I think the issue is [14] that State government does exist, and it exists for this [15] purpose, and I think we should use it accordingly.

[16] It provides the link between the activities that [17] take place here and the local communities, and I think [18] getting them involved in strategic development and asking [19] questions about what do we do with this and how does it [20] fit into an overall regional development strategy for [21] certain areas of their State is a very important question, [22] and it's something they can help out with.

[23] **MR. KORB:** There already is in existence a [24] President's Economic Adjustment Committee. It's moribund [25] for all practical purposes, but it does exist and I

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[1] suggest we activate that.

[2] **MR. PERLE:** When you ask the question, is there [3] no amount of pain that should be borne, if you have a base [4] that's not serving a useful military purpose, or at least [5] a less useful military purpose than other bases, it seems [6] to me reasonable to me to ask whether there is - some [7] other things being equal, there is some other governmental [8] activity that might be put into that base, and so if [9] you're out searching anyway for a new accounting center [10] for a Social Security region, maybe you try to encourage [11] the Social Security Administration to look at that as a [12] place that it might locate.

[13] The Government is doing enough so that unless it [14] is a foolish thing to do, perhaps there ought to be an [15] effort to encourage the Government to mitigate the [16] particular situation.

[17] **MR. HOLMES:** If I could add just one brief [18] point. At best, the failure to close a base for purely [19] economic reasons is a temporary solution. I don't think [20] that you could go back every year and justify it for very [21] long, and that being the case, you might as well just get [22] on with the business of taking the pain up front and [23] getting it over with.

[24] **COMMISSIONER LEVITT:** Thank you.

[25] **CHAIRMAN COURTER:** Thank you very much.

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[1] Mr. Korb, we appreciate it. Dr. Haynes, [2] Mr. Holmes, Mr. Perle, we appreciate your coming this [3] morning. You may be excused.

[4] The Commission will stay in session for the [5] purposes of discussing any motions that the Commission or [6] individual commissioners would like to make.

[7] I remember, there were some conversations and [8] some letters I believe that were sent by some [9] commissioners suggesting that we look at a particular base [10] or two for consideration for realignment or closure that [11] is not now on the Defense Department's list.

[12] I want to explain something here. Keep in mind [13] that under the amended statute that created the Commission [14] there was an attempt basically to codify that which the [15] 1991 Commission did with respect to substitutes and add- [16] ons, making that codification a very formal process.

[17] It ended by the statute being modified such that [18] in order for this Commission to physically put on a base [19] that is not now on one by way of add-on or substitutes, [20] there would have to be a determination of substantial [21] deviation from the eight final selection criteria and [22] force structure, or force structure, and that that roll [23] call vote would have to be, and would have to occur before [24] June 1st.

[25] There was then an interest in many commissioners

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[1] that felt if that may likely be the case with respect to [2] one or two or three -not a lot, hopefully, but a number [3] of facilities that in essence put those communities on [4] notice, not by a formal vote that would establish a [5] substantial deviation and therefore a formal add-on, but [6] by a motion to say that a facility ought to be looked at [7] for consideration as to whether it should be added on the [8] list.

[9] The purpose of all of that is simply to give as [10] much notice to communities as possible, because although [11] the statute says June 1, that decision must be made, [12] otherwise those bases simply cannot be considered at all [13] for closure and realignment unless they're on the Defense [14] Secretary's list.

[15] There is a body of opinion from the community, [16] and in fact from this Commission, that if you sense that [17] that may occur, you give more notice to those communities [18] than would oth-

erwise be the case. Those communities want [19] a lead time in establishing the military value of their [20] particular facility.

[21] They want an opportunity to put their best foot [22] forward, to have their day in court, to have the equity of [23] their plea argued before this panel at a regional hearing [24] they would want, of course, before their base is seriously [25] considered and put on the final vote for closure or major

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[1] realignment, that – as is true for all other of these [2] facilities that are similarly treated – that a [3] commissioner or more actually visit the community and kick [4] the tires of the base, so to speak.

[5] So what this Commission really wants to do is to [6] pre-notify in those rare instances, hopefully, communities [7] where we deeply have an abiding feeling that they will be [8] brought up for formal vote under the June 1st amendment so [9] that there may be a possible decision on a substantial [10] deviation.

[11] I hope that is clear, and also I might add that [12] there was a recommendation by one commissioner that may [13] have a motion today – in fact, by more than one, with [14] respect to the Defense Finance and Accounting Service.

[15] Everyone recognizes that that was a process that [16] the 1991 Commission set in motion recommending to the [17] Department of Defense that they create conditions under [18] which and a process under which these centers can be [19] consolidated for the maximum amount of efficiency [20] throughout the United States.

[21] That occurred under the last Secretary of [22] Defense and President. There has been a shift, obviously, [23] in administration, and the Secretary – the Secretary, Les [24] Aspin, testified that he had real policy concerns about [25] the process that the last administration started with

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[1] regard to DFAS, these Defense Finance and Accounting [2] Service areas.

[3] Obviously, those communities – and this goes [4] without saying, and we've heard a lot from various [5] communities and their elected representatives – there's a [6] number of communities that took umbrage and were concerned [7] about that, saying don't change the rules so late in the [8] process. I represent a community that's hard-pressed, [9] unemployment is double digit. We came up with $500,000, [10] put the best foot forward we could.

[11] We have an excellent proposal. We have tax [12] rebates, we have all sorts of free parking added to the [13] other types of contributions that the community would make [14] at least with the Commission, would the Commission find [15] out how long the process actually occurred in the [16] Pentagon.

[17] For that to take place I would request that [18] whoever feels very compelled about this bring forward a [19] motion that would request that the DFAS community and [20] those that did the study reveal that study to the [21] Commission and therefore the public, because whatever we [22] do is in public, and that that motion include the request [23] that the appropriate officials who are charged with the [24] responsibility of proceeding with this study be brought [25] before the Commission for testimony and questioning.

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[1] Before I ask for that motion, if it does exist, [2] I would like to make an observation that under our rules [3] before we have these types of votes a quorum must be [4] present. I observe that a quorum is present. We have [5] eight of eight Commissioners.

[6] In order to pass a vote such as this, under the [7] bylaws we would want a majority of those present. That [8] would be five affirmative votes of the eight. A quorum is [9] present. Do I hear any motion and a second, and then we [10] have discussion? Do I hear a motion?

[11] **COMMISSIONER BYRON:** Mr. Chairman, I've a [12] motion.

[13] **CHAIRMAN COURTER:** The gentlelady is recognized.

[14] **COMMISSIONER BYRON:** Thank you, Mr. Chairman. [15] It's my understanding that some 212 communities [16] answered the call when the Secretary asked for some [17] proposals for DFAS. My understanding is also that there [18] were about 20 finalists, and that there was a down- [19] selection of possibly 4.

[20] I move that DOD be requested to deliver to the [21] Commission the Defense Finance & Accounting Service [22] consolidation plan that was developed in 1992 and the [23] process used by DOD to develop this plan. I think I have [24] to further request that the appropriate DOD personnel that [25] worked on this plan be requested to testify before the

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[1] Commission possibly maybe April 19th and to explain the [2] reason why the 1992 DFAS plan was not submitted to the [3] Commission on March 15th when the Secretary submitted his [4] base closing and realignment plan.

[5] **CHAIRMAN COURTER:** Commissioner Beverly Byron [6] has a motion on the table. Do I hear a second to that [7] motion?

[8] **COMMISSIONER COX:** I second.

[9] **CHAIRMAN COURTER:** I hear a second. Is there [10] discussion? Do I hear any Commissioner want to voice [11] their opinion one way or another? Any discussion [12] whatsoever?

[13] (No response.)

[14] **CHAIRMAN COURTER:** I will start out, I guess [15] we're ready for a vote. Commissioner Byron has given this [16] a great deal of thought, and I know that various [17] Commissioners have been contacted by various communities [18] saying at least we ought to be given an opportunity to [19] know how far along this process is, and I think there is [20] merit to what Commissioner Byron is requesting. I'm going [21] to vote in favor of that motion.

[22] On the other hand, I understand that this [23] Commission doesn't really create policy, and if the [24] Secretary of Defense has significant policy concerns we're [25] going to take those under consideration as well.

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[1] I also further understand, and this is just by [2] way of observation, that it may be a very short period of [3] time before the Department of Defense comes before this [4] Commission with either a new recommendation or some sort [5] of policy change that would be helpful for our ultimate [6] consideration.

[7] In any event, regardless of whether they do or [8] don't, regardless of what that new policy recommendation [9] is, it seems to me that it's logical to have the data and [10] information before this Commission, and so I think it [11] should pass, and I'm going to vote in favor of it. Any [12] further discussion?

[13] **COMMISSIONER McPHERSON:** Mr. Chairman, I have a [14] question of Commissioner Byron and perhaps of you. Is it [15] contemplated that the DOD would provide us with specific [16] information about specific plans that were offered by [17] various cities?

[18] In other words, do we want to have the final [19] four blackboard up there on the wall and know who those [20] final four are?

[21] **COMMISSIONER BYRON:** My feeling on it is we do [22] not need to look at the 212 that answered that RFP. I do [23] think we need to look at the final four that were [24] selected, if it was four, or if it was five, and look at [25] the rationale on why that list was not sent with the data

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[1] to back it up to this Commission as we're looking at [2] realignments, because I think that comes under our [3] jurisdiction of a realignment if there was to be a future [4] change.

[5] **COMMISSIONER McPHERSON:** Would it be your idea [6] that if we were impressed by the selection and by the [7] process and thought that it was well done that we might [8] want to take action ourselves to realign these defense [9] finance agencies, and to these five cities?

[10] **COMMISSIONER BYRON:** It is my feeling we do not [11] know what the five cities or four cities or six cities [12] are. We cannot add them to a list unless we know what [13] they are.

[14] **COMMISSIONER McPHERSON:** I guess what I'm asking [15] is whether we have the authority, or whether you think we [16] should exercise the authority to make our own decisions [17] about this, despite the fact that the Secretary has said [18] that it is a bum idea in his mind.

[19] **COMMISSIONER BYRON:** I think the Department of [20] Defense owes this Commission an answer on why that was not [21] forthcoming when it was a very high profile realignment [22] issue in the last several years.

[23] **COMMISSIONER McPHERSON:** I'm going to vote for [24] it, because I think it is, too, after all this effort that [25] the cities have made.

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[1] What I don't really know myself at this point [2] is, what are we going to do with it?

[3] **COMMISSIONER BYRON:** Well, I think we have to [4] look at the information, we have to assess it, and we have [5] to listen to the Department of Defense on the rational on [6] why they did not come forth with a list at this period of [7] time. They may have a very valid reason for a restructure [8] that we were unaware of, but I think this Commission is [9] owed that understanding and that rationale.

[10] **CHAIRMAN COURTER:** The gentleman's question is a [11] good one, is where does this lead, and I have to say I'm [12] not sure where it does, either, and you know, it's not [13] that I'm prejudging this and saying that if we find out [14] that the selection process went from those 120 communities [15] in 33 States down to 20 best and final requests, then down [16] to 5 or 4 centers, that we are necessarily going to vote [17] in order to try to create that as the centers, the DFAS [18] centers.

[19] Number 1, I don't know whether we would want to [20] do that, and number 2, I would want to make darn sure that [21] if we had it in our mind we had the legal authority to do [22] it, and we would check that out with our own counsel and [23] others.

[24] Number 3, we have to respect the policy request [25] from the administration and hear them out as well, so to

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[1] answer your question, I don't think the road is [2] necessarily a straight one and inevitably will end up with [3] a recommendation and a vote by this Commission to in fact [4] realign according to the old 1991 process, but at least I [5] concur with Beverly Byron's request that we come up with [6] the information now.

[7] Any other further discussion?

[8] (No response.)

[9] **CHAIRMAN COURTER:** Hearing none, we will have a [10] roll call vote, and we'll start to my left. Commissioner [11] Cox.

[12] **COMMISSIONER COX:** Aye.

[13] **CHAIRMAN COURTER:** Stuart.

[14] **COMMISSIONER STUART:** Aye.

[15] **CHAIRMAN COURTER:** McPherson.

[16] **COMMISSIONER McPHERSON:** Aye.

[17] **CHAIRMAN COURTER:** Byron.

[18] **COMMISSIONER BYRON:** Aye.

[19] **CHAIRMAN COURTER:** Bowman.

[20] **COMMISSIONER BOWMAN:** Aye.

[21] **CHAIRMAN COURTER:** Johnson.

[22] **COMMISSIONER JOHNSON:** Aye.

[23] **CHAIRMAN COURTER:** Courter, aye. The motion [24] passes, and we will contact – we're going to hear about [25] it, I'm sure, and I'm sure they've heard about it already.

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[1] but there was other indications by some Commissioners that [2] there may be out of courtesy to the communities a feeling [3] that later on in the process that we would want to go [4] through the formal addition of some communities after a [5] determination that the Secretary erred and there was a [6] substantial deviation.

[7] That was mentioned to me – a number of [8] facilities were mentioned to me by Commissioners, but two [9] I mentioned last week, once again out of courtesy trying [10] to give communities as much notice in this process as [11] possible, and I would ask whether there's any motion with [12] respect to any facility that individual Commissioners [13] would like to notify that community such that they are on [14] notice that we're going to seriously consider a potential [15] further vote for addition or realignment.

[16] **COMMISSIONER STUART:** Mr. Chairman, I would be [17] prepared to move that the Commission add McClellan Air [18] Force Base and the Monterey Presidio Language Institute to [19] the list for consideration for closure or realignment by [20] the Commission and also be prepared to consider others at [21] a future meeting.

[22] **CHAIRMAN COURTER:** There is a motion. Is there [23] a second to that motion?

[24] **COMMISSIONER JOHNSON:** I second.

[25] **CHAIRMAN COURTER:** Is there discussion?

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[1] **COMMISSIONER COX:** Mr. Chairman and Commissioner [2] Stuart, I wonder if we might split that motion, if you [3] would be amenable to that.

[4] I think there are really two issues here: one, [5] McClellan Air Force Base and Presidio were both taken off [6] the list by the Secretary in sending it to the Commission, [7] and at least in DOD testimony by the secretary and by [8] others there doesn't seem to have been an objective [9] military assessment, much less a statutory criteria [10] assessment of whether or not that was appropriate or not.

[11] Clearly from our standpoint, as the chairman has [12] said, we are not deciding that issue at this moment. What [13] we're trying to do is to give some notice to the [14] communities that in fact we might be looking for that kind [15] of assessment which we didn't get, frankly, from the [16] Department of Defense, and that gives that community the [17] ability to make the kind of case in favor of McClellan, or [18] Presidio for that matter, that the Department of Defense [19] did not make on their behalf.

[20] That information we don't have before us, and in [21] fact they may have very good arguments that were not [22] presented by the Department of Defense, so I agree that as [23] to McClellan, certainly, we ought to go ahead and give [24] that community the opportunity to make the arguments that [25] will be necessary to ensure that they are not ultimately

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[1] added to the list by this Commission.

[2] I'm a little bit more concerned about the [3] Presidio, in the sense that we have a briefing this [4] afternoon. The Secretary made the argument that the [5] reason he dropped that one from the list was because of [6] the intelligence community's objections to having it on [7] the list, and since we have not been briefed on that, I [8] don't feel nearly as comfortable in saying that the [9] Secretary did not appropriately support his own position [10] on that, as I think he didn't do on McClellan, and I would [11] like McClellan to have that basis, so I

would like to put [12] that vote off, I guess, for a little bit.

[13] **COMMISSIONER STUART:** My response to that, [14] Commissioner Cox, is that our mission here is to put [15] communities on alert, and I certainly feel there has been [16] enough kind of analysis and investigation and comment from [17] thoughtful people raising the question.

[18] We're certainly not moving to closing by adding [19] it on the list. We're just deciding to notify them that [20] at least some of us on the Commission feel that this is a [21] possibility we should consider, and that's the reason that [22] I would like to alert both those communities.

[23] **COMMISSIONER COX:** And certainly we would want [24] to alert both communities. I just wonder if you might [25] split your motion in the sense of having two separate

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[1] votes.

[2] **COMMISSIONER McPHERSON:** I would simply second [3] Mr. Stuart's response. I'm going to be voting for it not [4] with the notion that I'm going to vote to close them for [5] sure, and I think from a procedural point of view it makes [6] more sense to go ahead and put them on now than have to [7] reconvene in a public meeting to do it again. I mean, if [8] we can do it now, I don't think it is suggesting that we [9] have made a decision to do it.

[10] **COMMISSIONER COX:** Well, I think we would want [11] to make that very clear, that in fact all we were doing is [12] giving the communities the ability to make a case, which, [13] as I say, so far the Department of Defense has not done.

[14] **COMMISSIONER McPHERSON:** Well, I took the [15] Secretary's statement as shorthand for saying that he [16] thought on McClellan that he thought there had been piling [17] on, or it would be piling on to close McClellan, that that [18] was a statement on his part that the economic criterion [19] had been hit, that in effect we ought to be looking at the [20] economic impact of McClellan, that if McClellan were not [21] on the list I think it would be a surprise. It's been on [22] the list for 20 or 25 years, isn't that correct?

[23] **CHAIRMAN COURTER:** It would be a surprise.

[24] **COMMISSIONER COX:** And in fact it may be true [25] that there is a very good case to be made that there is an

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[1] economic piling on here, and a very good case to be made [2] that there is military value to McClellan that is [3] absolutely necessary.

[4] On the other hand, the Secretary and the Joint [5] Chiefs of Staff basically said that the Commission should [6] review their own decision, and when asked specifically [7] about some of the criteria, indicated that if you're going [8] to close one base, which they thought you should do, that [9] this would be that one.

[10] I certainly agree that the community ought to [11] have as much time as possible to make the best argument [12] they can, because they have not gotten, or we have not [13] gotten the best argument from the Department of Defense [14] for leaving that base open that one might hope to get.

[15] On the other hand, he was a little bit [16] different, frankly, on the intelligence side. He [17] basically said, there are some reasons that I cannot at [18] this point say to you, and obviously, we're going to hear [19] those this afternoon.

[20] **COMMISSIONER STUART:** I think the answer is we [21] are prepared, just by alerting them, to evaluate those [22] arguments, and we may conclude that we should not consider [23] Monterey Presidio to be included.

[24] **COMMISSIONER COX:** And if we conclude that after [25] this afternoon, we would then give notice to the Presidio

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[1] that we have so concluded.

[2] **CHAIRMAN COURTER:** No. That would wait. We [3] would have to do that after a roll call vote, and we would [4] want to have a roll call vote, so you would be waiting [5] until the next time we meet which is Monday. I mean, it's [6] a pretty close call as to whether I like basically your [7] amendment to the motion, the Stuart motion.

[8] On – the other concern that I have, very [9] frankly, is if we hold off on the Language Institute until [10] after the classified briefing this afternoon, and then we [11] trip all over ourselves to vote in favor of adding it on [12] for consideration, giving the community an opportunity, [13] everyone's going to run around saying what did you learn [14] in that classified briefing? It must have been powerful. [15] I'm a little bit concerned about that, as well.

[16] Further discussion. We have a motion.

[17] **COMMISSIONER COX:** I would be a little bit [18] concerned if, having voted today to give the community [19] consideration, we then next week vote to say well, we've [20] changed our mind and on the other hand, having voted to [21] give the community consideration, if we at that point have [22] decided that we're not going to consider it, I'm not sure [23] it's fair to the community, either, to let that sort of [24] sit by not saying what we decided after the classified [25] briefing.

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[1] **CHAIRMAN COURTER:** Anything else? Commissioner [2] Johnson.

[3] **COMMISSIONER JOHNSON:** I believe that we are – [4] by having the briefing this afternoon, are considering the [5] Presidio, and we should vote in favor of considering it [6] even before that meeting. We are putting both the [7] Department of Defense and the communities and everyone on [8] notice that we want to look at the Presidio.

[9] **CHAIRMAN COURTER:** I understand your argument. [10] It's a very interesting one – basically, to ratify that [11] which we're doing anyway.

[12] (Laughter.)

[13] **CHAIRMAN COURTER:** Further discussion.

[14] **COMMISSIONER BYRON:** If we don't put it on, we [15] can't have the briefing this afternoon.

[16] **CHAIRMAN COURTER:** Any further discussion? [17] We will have a recorded vote. Commissioner [18] Johnson.

[19] **COMMISSIONER JOHNSON:** Aye.

[20] **CHAIRMAN COURTER:** Commissioner Bowman.

[21] **COMMISSIONER BOWMAN:** Aye.

[22] **CHAIRMAN COURTER:** Commissioner Byron.

[23] **COMMISSIONER BYRON:** Aye.

[24] **CHAIRMAN COURTER:** Commissioner McPherson.

[25] **COMMISSIONER McPHERSON:** Aye.

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[1] **CHAIRMAN COURTER:** Commissioner Stuart.

[2] **COMMISSIONER STUART:** Aye.

[3] **CHAIRMAN COURTER:** Commissioner Cox.

[4] **COMMISSIONER COX:** Aye.

[5] **CHAIRMAN COURTER:** And I will vote aye. [6] Is there any further motions – and this would [7] be along the same lines, just notification to communities [8] that we will consider a closure realignment but not a [9] formal determination of that at this particular juncture.

[10] Is there any further motions?

[11] **COMMISSIONER JOHNSON:** Mr. Chairman, I move the [12] Commission add Naval Air Station Agana to a list for [13] consideration for closure or realignment by the [14] Commission.

[15] **CHAIRMAN COURTER:** A second. Do I hear a second [16] on Agana?

[17] **COMMISSIONER BYRON:** I second.

[18] **CHAIRMAN COURTER:** Any discussion?

[19] **COMMISSIONER COX:** Mr. Chairman, I would like to [20] state for the record I recuse myself from any discussion [21] on the Naval Air Station Agana until further advice from [22] counsel.

[23] **CHAIRMAN COURTER:** Commissioner Cox recuses [24] herself with regard to Agana, on Guam. She will not, [25] therefore, participate in the discussion nor in the vote.

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[1] Any discussion? There is a motion and a second [2] on Agana.

[3] **COMMISSIONER STUART:** I will second.

[4] **CHAIRMAN COURTER:** There is a second. It has [5] been seconded. Open for discussion.

[6] **COMMISSIONER McPHERSON:** This is requested by [7] the Governor of Guam, as I understand it.

[8] **CHAIRMAN COURTER:** That is correct. It was for [9] historical – for those people that weren't so lucky to go [10] through this 2 years ago, let me say the Governor of Guam [11] and the then-delegate from Guam both lobbied hard that we [12] place it on the list for consideration last time.

[13] The process was somewhat different. It wasn't [14] formalized. We did, but we didn't have time to really [15] examine it in the press of other business and quickly – [16] probably within a week – took it off for serious [17] discussion, and again, there's a different delegate from [18] Guam, and he himself has sent a letter to the Commission [19] saying consider it for closure.

[20] The Navy's position is no. The Governor [21] again – I think it is the same Governor, I believe, and [22] he sent a long letter saying he would want us to put it on [23] for consideration. That is the historical context of it.

[24] Any further discussion on Agana?

[25] (No response.)

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[1] **CHAIRMAN COURTER:** Basically, the issue I [2] guess – and you all know it, but it's that they have an [3] international airport that abuts Agana Naval Air Station. [4] They feel that the island can't be properly developed, the [5] airport fully utilized while that particular naval [6] facility is there.

[7] There's other room on the island. There's a [8] very large Air Force base, and so from the standpoint of [9] the Navy it's money. From the standpoint of Guam, they [10] would like to modernize and expand their runway, their [11] aprons and their airport. Any further discussion?

[12] All right. We will have a vote, starting with [13] Commissioner Johnson.

[14] **COMMISSIONER JOHNSON:** Aye.

[15] **CHAIRMAN COURTER:** Commissioner Bowman.

[16] **COMMISSIONER BOWMAN:** Aye.

[17] **CHAIRMAN COURTER:** Commissioner Byron.

[18] **COMMISSIONER BYRON:** Aye.

[19] **CHAIRMAN COURTER:** Commissioner McPherson.

[20] **COMMISSIONER McPHERSON:** Aye.

[21] **CHAIRMAN COURTER:** Commissioner Stuart.

[22] **COMMISSIONER STUART:** Aye.

[23] **CHAIRMAN COURTER:** And I vote aye, and there was [24] an abstention, of course. That's Agana.

[25] Any further motion?

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[1] **COMMISSIONER BYRON:** Mr. Chairman, I have one [2] further motion.

[3] **CHAIRMAN COURTER:** The gentlelady is recognized.

[4] **COMMISSIONER BYRON:** I would move the Commission [5] add Great Lakes Naval Training Station for the [6] consideration of closure or realignment.

[7] Having been very familiar with San Diego Naval [8] Training Station, which is on the closing list, and [9] Orlando, which is also on the closing list, I have been [10] informed that I cannot look at Great Lakes and their [11] facilities and their capabilities without having Great [12] Lakes put on the list for us to look at, and so I would [13] make that motion with that understanding.

[14] **CHAIRMAN COURTER:** Just for purposes of [15] clarification, that is the Great Lakes Naval Training [16] Center.

[17] **COMMISSIONER BYRON:** Great Lakes Naval Training [18] Center. The Navy is going down to one training center. [19] They currently have three. I think we as a Commission [20] have an obligation to look at the three centers. At [21] least, I feel that I need to look at the third center, [22] having not been familiar with it, to make the decisions.

[23] **COMMISSIONER STUART:** Mr. Chairman.

[24] **CHAIRMAN COURTER:** Commissioner Stuart.

[25] **COMMISSIONER STUART:** This end of the table

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[1] seems to have more problems with needing to recuse [2] themselves. I would like to state for the record that I [3] recuse myself today from any participation on the [4] discussion of Great Lakes, and I think that's all I need [5] to say.

[6] **CHAIRMAN COURTER:** Okay. Thanks very much.

[7] **COMMISSIONER COX:** I would like to support the [8] Commissioner's motion. I think it's very difficult –

[9] **CHAIRMAN COURTER:** Is there a second on the [10] motion?

[11] **COMMISSIONER COX:** I'm sorry, I will second the [12] motion. It's very difficult to make a decision on closing [13] two out of three without being able to look at all three, [14] and so as a practical matter I think this is a necessary [15] motion.

[16] **CHAIRMAN COURTER:** Is there any further [17] discussion on the motion?

[18] **COMMISSIONER McPHERSON:** Excuse me, is that a [19] legal requirement on the Commission?

[20] **COMMISSIONER BYRON:** I have discovered it is.

[21] **CHAIRMAN COURTER:** Let him finish the question [22] first.

[23] **COMMISSIONER McPHERSON:** This is to decide which [24] of the three is to be preserved, that it has to be able to [25] look at all three.

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[1] **COMMISSIONER BYRON:** No, that is not a legal [2] requirement, I'm sorry. My understanding is that to be [3] able to go physically and look at Great Lakes, I have to [4] have it under consideration.

[5] **CHAIRMAN COURTER:** The Chair will say that is [6] not a legal requirement.

[7] What is a legal requirement is that by June 1st [8] this Commission, if we are going to potentially after that [9] date add a base on the list that is not there now, make a [10] formal recorded vote by a majority of Commissioners sworn [11] in – that's five – that there was a substantial [12] deviation from the selection criteria or the force [13] structure, and therefore a new base should be added. It [14] could be by way of substitute or simple additions because [15] of the capacity requirements. That which we're doing now [16] is not that formal motion with regard to substantial [17] deviation.

[18] What Commissioner Byron is saying is that she [19] feels compelled – and I guess Commissioner Cox as well is [20] saying this, that if everybody knows that the Navy's plan [21] is to consolidate the naval training centers from three to [22] one, and in any rational determination as to whether that [23] is the correct judgment, analyzing military value and the [24] other criteria, at least one Commissioner feels that [25] they're going to want to go and, in essence, compare Great

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[1] Lakes with the other two that are on the Secretary's list [2] and wants to give

that Commission more notice than is [3] required under the law.

[4] Is that basically what you're saying?

[5] **COMMISSIONER BYRON:** That's basically what I'm [6] saying.

[7] **COMMISSIONER McPHERSON:** For us to be able to [8] say, in our wisdom, that the Navy has picked the wrong [9] base and that it ought to be that Orlando should survive [10] and the other two should be closed, it would be necessary [11] to put Great Lakes on the potential hit list with that [12] finding that there was a deviation. You have to do that [13] by June 1st in any case.

[14] **CHAIRMAN COURTER:** That is correct, yes.

[15] **COMMISSIONER McPHERSON:** And what you want to [16] do –

[17] **COMMISSIONER BYRON:** My understanding from the [18] chairman, the earlier we can notify a community, the [19] better off that community has to make their case, and also [20] DOD has to give us the data that they used in comparison [21] scoring against the other two.

[22] **COMMISSIONER McPHERSON:** Okay. So at the risk [23] of taking us too long, I just want to be sure I know what [24] we're dealing with.

[25] We can now say with the authority we have and

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[1] the bases we have on this list, we can now say Orlando [2] ought to be closed and San Diego ought to be closed. What [3] we can't do is say that Great Lakes should be closed, and [4] we would not be able to do that until we make the motion [5] that the chairman was talking about by June 1st, but in [6] order to get to Great Lakes and take a look at it, it is [7] your feeling that we should put it formally on notice that [8] we are looking at all three of them and not merely at the [9] inadequacies of the other two.

[10] **COMMISSIONER BYRON:** That is the intent and the [11] objective of my motion.

[12] **COMMISSIONER McPHERSON:** Okay.

[13] **CHAIRMAN COURTER:** Well said. Any other [14] discussion on the motion?

[15] There was a second on the motion. There will be [16] a roll call vote. We can just go down from right to left.

[17] Commissioner Johnson.

[18] **COMMISSIONER JOHNSON:** Aye.

[19] **CHAIRMAN COURTER:** Commissioner Bowman.

[20] **COMMISSIONER BOWMAN:** Aye.

[21] **CHAIRMAN COURTER:** Commissioner Byron.

[22] **COMMISSIONER BYRON:** Aye.

[23] **CHAIRMAN COURTER:** Aye. Commissioner McPherson.

[24] **COMMISSIONER McPHERSON:** Aye.

[25] **CHAIRMAN COURTER:** Commissioner Cox.

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[1] **COMMISSIONER COX:** Aye.

[2] **CHAIRMAN COURTER:** Okay. That's passed. Any [3] further motions? All right. Seeing none, let me just [4] mention the fact that in 5 minutes we will have a press [5] availability right in front of the podium.

[6] Thank you very much for coming. We're adjourned [7] until 2:00 p.m. for the classified briefing back at the [8] Commission headquarters.

[9] (Whereupon, at 1:10 p.m., the meeting [10] adjourned.)

Fed Reg Notice

← Get from 1004

"At the hearing held on March 29, the Commission voted to add the following installations for consideration during review and analysis of the DoD recommendations: McClellan AFB, CA; Presidio of Monterey, CA; NAS Agana, Guam; and Naval Training Center Great Lakes, IL.

I found this on the computer; Also spoke to Wayne - he said this went in about 2 weeks ago.

Presidio of Montery Annex

I. 1988

A. Comm recommended closing Presidio??

II. 1991

A. Agree with SecDef rec and close Fort Ord; move 7th infantry div. to Fort Lewis, Wash.. Fort Hunter-Ligget left open.

a. MB says left open portion for reserves; in fact have kept open much larger portion with two golf courses.

III. 1993

A. Aspin March Rec

1. change 1988 rec to close presidio; instead, relocate hq 6th army from presidio to ames (instead of ft carson)

B. Adds

1. vote -- 3/29 - voted to add Presidio of Monterey to list. check transcript

2. fed reg -- gave notice of vote to add POM to list.

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June 23, 1993

Mr. James Courter
Chairman
Defense Base Closure and
Realignment Commission
1700 North Moore Street
Suite 1425
Arlington, VA 22209

Dear Chairman Courter:

The National Federation of Federal Employees (NFFE) represents employees at Fairchild Air Force Base in Spokane, Washington. As you are aware, the BRAC added Fairchild to the original list submitted by the Pentagon. As the BRAC continues its deliberations and begins the voting process, we appeal to you to remove Fairchild from the final list for the following reasons:

1. Evidence presented at the Spokane hearing clearly shows that the BRAC staff provided the Commission with incorrect information that resulted in Fairchild being placed on the list of possible closures. The staff incorrectly told commissioners that the community is encroaching on Fairchild, that the base lacks safety features, and that the survival school could be moved to a similar facility at the Air Force Academy in Colorado.

2. On June 17, 1993, Mr. James F. Boatright, Deputy Assistant Secretary of the Air Force, appealed before the BRAC for the removal of

Fairchild from the closure list. Boatright testified that Fairchild is "essential to the U.S. warfighting posture in the Pacific, [and] has significantly greater military value than the bases recommended by DoD for closure." He also pointed out Fairchild's military value as a tanker base, and its significant value for peacetime training.

The NFFE is convinced that Fairchild is a vital defense resource. Information now available makes it clear that Fairchild was incorrectly placed on the list of possible closures. We encourage the Commission to vote against closing it.

Sincerely,

Robert S. Keener

Robert S. Keener
President

cc: djd/legis

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JESSE A. HALVORSEN*†
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HAL R. HORTON**
STEPHEN H. HUTCHINGS
ROY S. JONES, JR.*
DERRIL B. JORDAN*
MARC W. JUNE
BRAD S. KANE
CRISTINA D. LEE
STANLEY T. LEWIS
LESLIE LONGENBAUGH
RONALD W. LORENSEN
L. MERRILL LOWDEN
GREGORY A. MILLER
GAIL R. OBA
MICHAEL J. PARISE
TIMOTHY J. PETUMENOS
ELIZABETH A. PHILLIPS
STEVEN PRADELL
GLEN PRICE
MICHAEL V. REUSING
ELISABETH H. ROSS**
JONATHAN B. RUBINI
E. BUDD SIMPSON
STEPHEN F. SORENSEN
JONATHAN K. TILLINGHAST
JEFFERY D. TROUTT
D. KEVIN WILLIAMS
JOSEPH E. WRONA
ANNE W. YATES*

OF COUNSEL
BIRCH, DE JONGH & HINDELS
ST. THOMAS, U.S.V.I.

OF COUNSEL
ZEL E. LIPSEN
FRANCIS P. COTTER

*D.C. BAR
**D.C. AND ALASKA BAR
†MARYLAND BAR
*MICHIGAN BAR
*OREGON BAR
‡VIRGINIA BAR
ALL OTHERS ALASKA BAR

1127 WEST SEVENTH AVENUE
ANCHORAGE, ALASKA 99501
(907) 276-1550
TELECOPIER (907) 276-2822

KEY BANK BUILDING
100 CUSHMAN STREET, SUITE 311
FAIRBANKS, ALASKA 99701
(907) 452-1666
TELECOPIER (907) 456-5055

ONE SEALASKA PLAZA, SUITE 301
JUNEAU, ALASKA 99801
(907) 586-2890
TELECOPIER (907) 586-9814

RELOCATION OF THE DEFENSE LANGUAGE INSTITUTE:

Environmental Issues

I. Introduction

The Base Closure Commission must be cautious in its decision to move the Defense Language Institute from the Presidio of Monterey, California. While the decision to close the Presidio may appear to be easy, the relocation of the Institute to Ft. Huachuca, Arizona, is not. The relocation of the Institute proposes to be a minefield of legal entanglements, which could be triggered by a myriad of parties. For example, it is doubtful that there will be sufficient water to support a relocation of the Institute to Ft. Huachuca. Experts from the University of Arizona were commissioned by the County of Cochise, Arizona, specifically to study the San Pedro River Watershed, which encompasses Ft. Huachuca and the nearby town of Sierra Vista. The study concluded that the Watershed cannot support the influx of people and additional water uses which will result from the relocation of the Institute to Ft. Huachuca. The Bureau of Land Management (BLM) Conservation Specialist for the San Pedro area has confirmed this conclusion. There is currently a deficit of groundwater, and surface water rights are tied up in an adjudication which may last as long as 10 to 20 years.

In addition, a draw-down on water supplies occasioned by the relocation could jeopardize or harm endangered or threatened species in the San Pedro Riparian National Conservation Area. Under the terms of the Endangered Species Act (ESA), this draw-down would be prohibited, and the Institute would be forced to search elsewhere for water. Finally, a relocation of the Institute must undergo a full environmental analysis pursuant to the National Environmental Policy Act (NEPA). This analysis will raise the issues discussed above as well as a multitude of new ones. It will be the subject of intense scrutiny and participation by the environmental community.

Consequently, the Commission must be careful to thoroughly consider all aspects of its decision to relocate the Institute. A decision to move to Ft. Huachuca without a full

analysis of the proposed relocation of the Institute could leave it in limbo. The issues raised above are only a few of the issues which are likely to be raised in the relocation process. Any one of these issues is sufficient to defeat the siting of the Institute at Ft. Huachuca. Therefore, the Commission should not remove the Presidio foundation before it determines that the Institute can in fact be relocated in Arizona.

II. Water Supplies May Be Inadequate

- It is doubtful that there will be sufficient water supplies available to support the permanent relocation of the Institute to Ft. Huachuca.
- A University of Arizona study of the Sierra Vista/Ft. Huachuca water system indicates that it already suffers an annual deficit of approximately 11,000 acre-feet in the groundwater system.
- Relocation of the Institute could result in an influx of approximately 15,000 people to the Sierra Vista/Ft. Huachuca area.
- Relocation of the Institute could increase the deficit to nearly 14,000 acre-feet per year. (University of Arizona study).
- A substantial draw-down of the groundwater system can draw from the surface water system.
- Adjudication of rights to surface water of the Gila River System, of which the San Pedro River is part, has just begun. Litigation could last 10-20 years, because the Gila River System encompasses most of Arizona.
- Multiple parties claim rights to the water of the San Pedro River.
- Numerous Indian Tribes, known collectively as the Gila Indian Community, have an earlier priority date on the San Pedro River than Ft. Huachuca or the BLM (on behalf of the San Pedro Riparian National Conservation Area) (established by Public Law No. 100-696), which entitles them to a superior call on the water.

- Experts at the University of Arizona and the BLM in Arizona conclude that an increased draw-down on the San Pedro River by Ft. Huachuca could reduce the amount of water available to the San Pedro Riparian National Conservation Area.

- A reduction in water available to the Conservation Area could jeopardize or harm species which are candidates for listing under the ESA.

III. Endangered Species May Be Threatened

- Many species located in the San Pedro Riparian National Conservation Area are candidates for listing under the ESA.

- A draw-down of water caused by the expansion of Ft. Huachuca could jeopardize or harm these species.

- Legal precedent forbids the draw-down of water supplies to the detriment of a listed species. [1]

- Relocation of the Institute to Ft. Huachuca could be ensnared in the ESA consultation process.

IV. A Full NEPA Analysis Must Be Completed

The DOD must conduct a full environmental analysis pursuant to NEPA for the relocation of the Defense Language Institute (See Public Law No. 101-510, § 2905(c)). Concerns must include, at minimum:

- Impact on Water Supplies - The DOD must throughly consider and evaluate the impact on Ft. Huachuca/Sierra Vista of relocating the Institute. This includes the impact of increased water consumption caused by an influx of 15,000 people, the effect the resulting draw-down has on water quality, impact of the increased consumption on the water system infrastructure, and the availability of water supplies to meet all needs.

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[1] See Sierra Club v. Lujan, 1993 WL 151353 (W.D. Tex. 1993).

- Impact on Endangered Species - DOD's considerations must include the impact of predicted reduced water supplies to the San Pedro Riparian Conservation Area on ESA species in that Area. Species could be affected by reduced drinking water supplies, and reduced water supplies could also adversely affect their habitat. Either situtation jeopardizes or harms the species and is illegal under the ESA. Thus, consumption of the water to the extent that it adversely affects water supplies to the Conservation Area would be prohibited, and users would be forced to obtain water elsewhere. Given the geographical setting, water supplies from outside the San Pedro Area are likely to be a very expensive option.

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RELOCATION OF THE DEFENSE LANGUAGE INSTITUTE

ATTACHMENTS

A. Letter from Thomas Maddock III, and William B. Lord, University of Arizona.

B. Arizona Daily Star Article: BLM Seeking to Transfer Outspoken Hydrologist.

C. General Adjudication of the Gila River System and Source, Maricopa County Superior Court.

D. National Defense Authorization Act for Fiscal Year 1991, Public Law No. 101-510, § 2905(c).

Department of
Hydrology and Water Resources

THE UNIVERSITY OF
ARIZONA
TUCSON ARIZONA

College of Engineering and Mines
Building 11
Tucson, Arizona 85721
(602) 621-5082
FAX (602) 621-1422

The Honorable Jim Courter
Chairman
Defense Base Closure and Realignment Commission
1700 N. Moore St., Suite 1425
Arlington, Va 22209

May 14, 1993

Dear Sir:

The purpose of this letter is to address some of the potential significant adverse environmental effects and water issues in the Sierra Vista Sub-Watershed that could result from the transfer of the Defense Language Institute in Monterey, California to Fort Huachuca, Arizona. The authors of this letter are both professors at the University of Arizona, each with over twenty years of experience in their respective fields of hydrology and economics. The authors have produced several technical reports on the affects of ground and surface water withdrawals on the San Pedro River Basin. The data and information supplied in this letter were drawn from these reports, and others listed in the attached references. The authors have concluded that increased development of the ground-water in the Sierra Vista Sub-Watershed, as could occur with the transfer of additional Army personnel to Fort Huachuca, would further intensify the risk of environmental impact to the San Pedro National Conservation Area.

The San Pedro River flows northward out of Mexico through southeastern Arizona and into the Gila River near Winkleman, Arizona. For much of this distance, the river now flows only during wet periods, although it was perennial prior to the irrigation withdrawals in the last century. However, a section of the San Pedro above Sierra Vista, Arizona still flows continuously, and supports an unusually diverse and valuable riparian ecosystem. Much of the riparian land has been purchased by the federal government, has been established by Congress in 1988 as the nation's first riparian national conservation area, and has been managed by the Bureau of Land Management (BLM). Unfortunately, continued ground-water pumping to support dwindling irrigation and the growing Sierra Vista and Fort Huachuca area threatens to reduce the flow of the San Pedro, to the detriment of the riparian area.

The Arizona Department of Commerce (ADC, 1990) reports that the population of Sierra Vista is now about 35,000. Fort Huachuca has a reported 12,000 military and

civilian employees and about an equal number of dependents. The Arizona Department of Water Resources (ADWR, 1990, Table 4-12) estimates the Sierra Vista-Fort Huachuca complex consumes about 9,620 acre-feet of water per year (this includes exporting 760 acre-feet out of the watershed). Most of this is from ground water for there are only minor surface water diversions in the area. Vestigial irrigation that depends on wells consumes about 4,590 acre-feet per year. The evapotranspiration processes in the area are now estimated to consume about 15,400 acre-feet per year. These data represent the negative side of the water picture. Between the city, the army, left-over irrigators and nature, 29,610 acre-feet of water are lost from the ground-water system. On the plus side to the Sierra Vista Sub-Watershed ground-water system, there is about 13,860 acre-feet of mountain front recharge, about 1,520 acre-feet net inflow from the stream system, and about 3,000 acre-feet of inflow from Mexico. Thus, at the present time, there is a 11,230 acre-feet annual water deficit in the ground-water system.

An expansion of the base by 5,000 personnel could be expected to bring 10,000 additional people to the area. Such growth could be expected to induce an additional 50 percent increase in secondary employment (Gibson *et al*, 1988). These employees would also bring family members, probably in excess of the ratio for the base (the mean number of persons per household generally is about 2.3). Thus the proposed expansion could be expected to increase the population of the area by at least 15,000 people. Non agricultural water demand in the area is about 150 gallons per capita per day (Aljamal, 1991). Applying this to the population increment of 15,000 yields a prospective increase of 2,500 acre-feet annually and pushes the water deficit to 13,730 acre-feet per year.

Water deficits can be made up in one of three ways: 1) taking water from ground-water storage, 2) capturing water from the river and evapotranspiration and, 3) importing water from some external source. For the Sierra Vista-Fort Huachuca complex, the importation of water is not a viable option. The ADWR reports 32,000,000 acre-feet of water in storage for the Sierra Vista Sub-Watershed (ADWR, 1991). However, this is a terribly misleading number because it does not represent the quantity of truly developable water. When water is extracted from an aquifer (an aquifer is the storage unit for ground water) by a well, the pumping process creates a "cone of depression". The cone is inverted with its apex at the well and its base at the water table. The volume of the cone times a storage coefficient (usually the effective porosity) yields the quantity of water taken from storage. For a quantity of pumping, the cone of depression continues to grow in size until a source of capture is encountered.

If there are no sources of capture in the region, the cone will continue to grow indefinitely until the well casing depths are exceeded and the pumps are sucking air, leaving vast portions of the total storage unaffected. Unfortunately, in the Sierra Vista Sub-Watershed, there are only two sources of capture: the San Pedro River and the evapotranspiration processes in the riparian areas. At the point of capture, the cone of depression induces either an increase in inflow from the river if the river is a losing stream (for a losing stream, water flows from the river to the aquifer), a decrease in outflow to the river for a gaining stream (for a gaining stream, water flows from the aquifer to the river) or a decrease in evapotranspiration by lowering the water table below the root zone.

When a source of capture is encountered, the growth of the cone of depression declines and may actually cease to grow at all if the amount of capture is equal to the amount pumped. As long as water comes from storage, the riparian area is not in danger. However, the Sierra Vista water companies have reported, and even inappropriately argued, that there has been little change in water levels in their wells. Unfortunately, this is a sign that the cone of depression is no longer growing and water is being captured. If what the water companies say is correct, then all or part of existing 11,230 acre-feet water deficit is being made up by loses from the riparian area. Adding 2,500 acre-feet of pumping will only compound the problem.

It is of interest to note that even without this population increment due to personnel transfers, the existing water system of the City of Sierra Vista, which is composed of several private water companies, is inadequate to meet Arizona fire insurance recommendations (Ellett, 1993). Therefore, Sierra Vista is going to be forced to expand their existing ground-water development to come into compliance with the recommendations. In addition, the ADWR has found the area's water supply is inadequate, under the terms of the 1980 Arizona Groundwater Management Act, resulting in obligatory notification of that inadequacy in future property transactions (Brown and Caldwell, 1984).

New EPA regulations approved in Congress in 1990 become effective at the end of 1992. These regulations set more stringent water quality standards for copper and lead. Some of the Sierra Vista water companies have determined that they are not in compliance with the new regulations and may find that the cost to assure compliance may be prohibitive.

Finally, the right of water providers in the Sierra Vista area to pump ground water may be curtailed in the future because of senior federal reserved rights claims

downstream, principally by the Gila River Indian Community, are likely to be awarded in the Gila River General Stream Adjudication. Ground water may some day be classified as appropriable water, as the law comes to reflect present hydrologic knowledge. Pumping in the Sierra Vista is of recent origin, and could be displaced by such senior downstream rights.

In conclusion, the riparian zones of rivers such as the San Pedro River represent sanctuaries of ecological diversity in semi-arid environments, which are sustained by the delicate balance between surface and subsurface water flows and evapotranspiration, and which are by their very nature at risk through natural and anthroprogenic intervention in that near surface water balance. Increased development of the groundwater in the Sierra Vista Sub-Watershed further intensifies the risk to an unique region.

Yours truly,

Thomas Maddock III
Professor of Hydrology and Water Resources

William B. Lord
Professor of Agricultural and Resource Economics

The Arizona Daily Star
Tucson, Monday, May 10, 1993

Metro/Region

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BLM seeking to transfer outspoken hydrologist

By Ignacio Ibarra
The Arizona Daily Star

BISBEE — Ben Lomell, the sole Bureau of Land Management hydrologist for the San Pedro Riparian National Conservation Area, said he's being transferred for doing his job too well.

Lomell said his frequent statements to reporters, government officials, schoolchildren and community groups about the threat to the San Pedro River's surface flows are the reason he's being forced out.

But Les Rosenkrance, the bureau's state director, said Lomell is not being punished for voicing his concerns over the effects of Sierra Vista's growth on the San Pedro's surface flows.

Rosenkrance said he needs the hydrologist's skills to study water issues related to the wild burro and bighorn sheep in arid northwest Arizona. He said ongoing monitoring of the river can be done by local technicians working under the supervision of bureau hydrologists in Safford and Tucson.

Rosenkrance said the reason for the transfer is a downsizing directive from bureau headquarters in Washington. Under the directive, the bureau's Arizona force will shrink from 599 to 520 employees by next fiscal year, he said.

"We have needs all over the state, and right now I'm trying to shuffle people around to meet that requirement," Rosenkrance said. "We manage 14 million acres (in Arizona) and to have so much staff concentrated on 40,000 acres just isn't practical. We've focused more effort on the San Pedro than we have on any area. You can't keep beating a dead horse."

At issue is a southeastern Arizona river named two years ago by The Nature Conservancy as one of 12 great places in the world. The conservancy said the waterway needed protection.

Don Henderson, of Area Resources in Danger, or ARID, a citizens advocacy group for water issues in the river basin, said he's convinced the transfer is motivated by political, not management, needs.

Henderson said the San Pedro is a river system under incredible stress, and the bureau's mission is to ensure it's viability, not to satisfy area water users.

"There are more demands on the river than ever before," he said. "To say the hydrologist's job is done because base data has been collected shows some ignorance on the part of the BLM. If someone knowledgeable doesn't do the monitoring and interpretation, all the progress we've made will be lost."

A 1990 survey in the upper San Pedro basin conducted by the state Department of Water Resources estimated the total volume of water to be about 48 million acre-feet with an annual recharge from mountain runoff estimated at 25,620 acre-feet per year.

An acre-foot of water is about 326,000 gallons.

Sierra Vista-area residents use about 21,500 acre-feet of water for drinking, irrigation and other uses, and another 1,900 acre-feet per year are used by ranchers for stock ponds and reservoirs, according to the survey.

The riparian vegetation and a small amount of evaporation account for consumption of 15,420 acre-feet per year along the river, the survey found.

Henderson blamed local water companies and "the people that want to pump the water and develop Sierra Vista" for the effort to oust Lomell.

"They just don't like hearing about concerns over water ... and they don't like hearing it from" Lomell, Henderson said. "The BLM needs to get realistic and start listening to people like Ben about how to

See TRANSFER, Page 2B

Transfer

Continued from Page 1B

keep this riparian area."

Lomeli has turned down the Kingman transfer and efforts by the bureau to find an alternative were unsuccessful, Rosenkrance said.

The hydrologist now has to accept the transfer or face dismissal June 4.

"The reasons (for the transfer) have never been made clear to me," said Lomeli, who grew up near the Santa Cruz River in Nogales, Ariz., and now lives in Sierra Vista with his wife and two sons.

"I was probably a little too outspoken on water issues, but I would have hoped people would at least want to face the truth rather than hide from it," Lomeli said. "Throwing me out is a little like sweeping something under the rug."

Lomeli said the truth is that the river flow has already been harmed by Sierra Vista's growth — something he said scientific studies conducted on the San Pedro basin have concluded repeatedly.

The most recent study was a $200,000 University of Arizona hydrology report commissioned by Cochise County and released in November 1991.

The study described a growing cone of depression in the Sierra Vista area attributed to increased groundwater pumping. The study projected severe surface water depletion on the river within 20 years if Sierra Vista's growth continues unabated.

The study suggested that the strictest restrictions on water use may not reverse the gradual drying of the river and demise of riparian vegetation.

When county officials sought to downplay the importance of the UA study, Lomeli was one of the few to say that the reports findings were based on assumptions that were far too conservative.

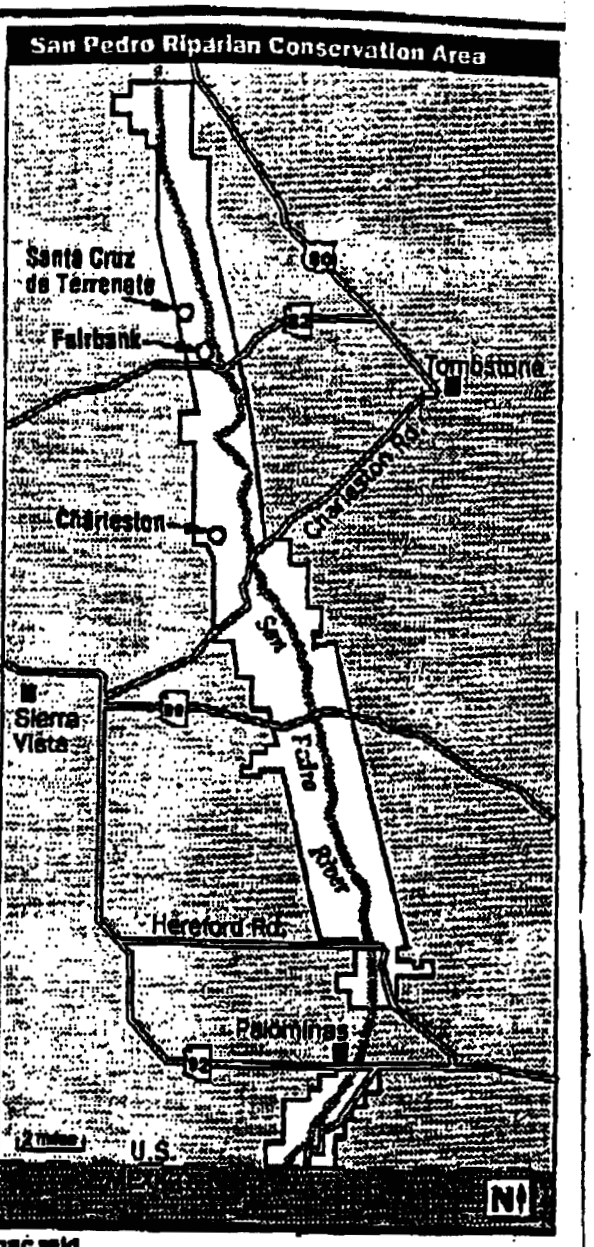
"What's been going on is depletion planning. The drying up of the river is inevitable unless we do something . . . and even then I don't know that we can stop it," said Lomeli upon the release of the report in 1991.

The news did not sit well with proponents of growth in Sierra Vista, who said the UA study projections were based on inaccurate assumptions and were improperly interpreted by anti-growth advocates, among them Lomeli.

Judy Gignac is a former Cochise County supervisor and now general manager for the Bella Vista Water Co. and a member of the Governor's Riparian Area Advisory Committee. Her involvement in San Pedro River basin issues goes back for more than a decade, and she said more than enough water is available to support Sierra Vista's continued growth and the river flows.

She said Lomeli's characterizations to the contrary are simply wrong.

"There is absolutely no reason to scare people half to death about water levels. Ben is a good person and he has some strongly held beliefs. But when you purport to represent the position of an agency like the BLM, I think you need to be cautious about what you say," Gignac said.



She said she expressed that view to Lomeli and to his supervisors, but said she did not promote nor is she aware of anyone advocating Lomeli's transfer.

Thomas Maddock III, a UA professor of hydrology and water research, headed the upper San Pedro study and is now involved in an identical survey of the middle San Pedro funded by The Nature Conservancy.

He said he stands by the scientific value of the study and noted that the assumptions that resulted in the study's projections were based on the best available information from the Department of Water Resources and other hydrology research on the river.

He said the reaction from some quarters was negative and aimed at discrediting the message and the messenger.

Literature Cited

Aljamal. Ali, Modeling Municipal Water Demands of the Upper San Pedro Basin, Cochise Country, Arizona. Water Resources Research Center, University of Arizona, Spring, Spring, 1991.

Arizona Department of Commerce, Sierra Vista Community Profile, Phoenix, May, 1990.

Arizona Department of Water Resources. Hydrographic Survey Report for the San Pedro Watershed. Volume 1: General Assessment, 1990

Braun, D. P., Thomas Maddock III and W. B. Lord, WATERBUD, A Spreadsheet-Based Model of the Water Budget and Water Management System of the Upper San Pedro River Basin, Arizona. University of Arizona, HWR No. 92-020, 1992

Brown and Caldwell Consulting Engineers, Feasibility Study: Consolidation of Water Systems, Private Ownership vs. Public Ownership, November, 1984

Ellett, Bill, Policy and Economics of Water and the San Pedro Riparian Nation Conservation Area, Department of Hydrology and Water Resources, University of Arizona, May, 1993.

Gibson, Lay James, Mark Miller, Sally A. Rusden, and N. Gene Wright, Preemptive Economic Development in Cochise County, Arizona: A Model Economic Diversification Planning Process for an Area with High Concentration of Military Employment, Office of Arid Lands Studies, University of Arizona, November, 1988

Lord, W. B *et al*, A Study of the Water Resources of the San Pedro Basin and Options for Efficient and Equitable Water Management, Water Resources Center, 1991

Vionnet, L. B. and Thomas Maddock III, Modeling of Ground-water Flow and Surface/Groundwater Interactions for the San Pedro River Basin, Part 1, Mexican Border to Fairbank, Arizona, University of Arizona, HWR No. 92-010, 1992

RELOCATION OF THE DEFENSE LANGUAGE INSTITUTE

General Adjudication of the Gila River System and Source
Maricopa County Superior Court, Arizona

A formal adjudication has been established to determine the rights to the water in the Gila River System, of which the San Pedro River is part. As part of this adjudication, the Special Master appointed to hear the case has elected to begin with the San Pedro Watershed. The Special Master has decided to adjudicate the water rights on a "case management" basis. He will select certain, typical water claims to adjudicate first. The decision on these claims will serve as a precedent for later adjudications of similar claims. The first claims to be adjudicated in the San Pedro Watershed will be the water rights of certain ranchers, Sierra Vista, other municipalities, and the claims filed by the Federal Government and the State of Arizona. Many additional parties are expected to intervene. The preliminaries of this particular adjudication have begun, and actual litigation is expected to begin in the Fall of 1993.

Numerous parties claim rights to the water on the San Pedro River. The Federal Government is asserting rights on behalf of the Gila River Indian Community, Ft. Huachuca, and the Bureau of Land Management (for the San Pedro Riparian National Conservation Area). Many other entities such as the nearby town of Sierra Vista and ranchers also claim water rights on the River. Of the relevant parties, the Gila Indian Community has the earliest priority date, and, therefore, senior right to have its claims for water filled. Next in priority is Ft. Huachuca, followed by Sierra Vista and finally the San Pedro Riparian Conservation Area. The amount of water available to Ft. Huachuca will be constrained by the water rights determined to be held by the Gila Indian Community. The water available to Ft. Huachuca will also be constrained to the effect that there must be sufficient water in the San Pedro Riparian National Conservation Area, such that ESA species are not harmed as a result of low water levels. These constraints likewise temper the amount of water available to Sierra Vista.

An aggravating factor to the question of whether there will be sufficient water to support a relocation of the Institute is the time frame. The water adjudication at issue involves the entire Gila River System. This System encompasses most of Arizona. Formal, comprehensive water rights adjudications are new to Arizona; therefore, virtually every issue, down to the definition of "groundwater," must be litigated. Because of the multiple parties involved and Arizona's lack of precedent, it is estimated that a final settlement of the rights to the System could take 10 to 20 years. Thus, there is no guarantee that rights exercised today may not be reduced or nullified years into the future by a final, legal settlement.

Another complicating factor is the extent to which a draw-down of groundwater affects the level of surface water. Most of the parties claiming water rights receive their water via groundwater wells. It is uncertain at this point exactly how much of the underground aquifer is recharged from surface water. Some experts have indicated that a substantial portion of the underground aquifer in the Ft. Huachuca/Sierra Vista area is currently being recharged from surface water sources.

Nov. 5

Service and

PUBLIC LAW 101-510 [H.R. 4739]; November 5, 1990

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 1991

For Legislative History of Act, see p. 2931.

An Act to authorize appropriations for fiscal year 1991 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

National Defense Authorization Act for Fiscal Year 1991.

SECTION 1. SHORT TITLE

This Act may be cited as the "National Defense Authorization Act for Fiscal Year 1991".

SEC. 2. ORGANIZATION OF ACT INTO DIVISIONS; TABLE OF CONTENTS

(a) DIVISIONS.—This Act is organized into four divisions as follows:

(1) Division A—Department of Defense Authorizations.

(2) Division B—Military Construction Authorizations.

(3) Division C—Department of Energy National Security Authorizations and Other Authorizations.

(4) Division D—Economic Adjustment, Diversification, Conversion, and Stabilization.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title.
Sec. 2. Organization of Act into divisions; table of contents.
Sec. 3. Congressional defense committees defined.

DIVISION A—DEPARTMENT OF DEFENSE AUTHORIZATIONS

TITLE I—PROCUREMENT

PART A—FUNDING AUTHORIZATIONS

Sec. 101. Army.
Sec. 102. Navy and Marine Corps.
Sec. 103. Air Force.
Sec. 104. Defense Agencies.
Sec. 105. Defense Inspector General.
Sec. 106. Reserve components.
Sec. 107. Chemical demilitarization program.
Sec. 108. Multiyear authorizations.
Sec. 109. Repeal of prior milestone authorizations.

PART B—B-2 AIRCRAFT PROGRAM

Sec. 121. Limitation on obligations.

PART C—OTHER STRATEGIC PROGRAMS

Sec. 131. SRAM II missile program.
Sec. 132. Ground-wave emergency network.
Sec. 133. B-1B Aircraft program.
Sec. 134. Prohibition on obligation or expenditure of fiscal year 1990 funds for MX Rail Garrison procurement.
Sec. 135. Report on alternative MX missile test plans.
Sec. 136. Limitation on advance procurement of advanced cruise missile.
Sec. 137. Limitation on obligation of funds for KC-135R aircraft program.

TITLE XXIX—DEFENSE BASE CLOSURES AND REALIGNMENTS

PART A—DEFENSE BASE CLOSURE AND REALIGNMENT COMMISSION

Defense Base Closure and Realignment Act of 1990.
10 USC 2687 note.

SEC. 2901. SHORT TITLE AND PURPOSE

(a) SHORT TITLE.—This part may be cited as the "Defense Base Closure and Realignment Act of 1990".

(b) PURPOSE.—The purpose of this part is to provide a fair process that will result in the timely closure and realignment of military installations inside the United States.

10 USC 2687 note.

SEC. 2902. THE COMMISSION

(a) ESTABLISHMENT.—There is established an independent commission to be known as the "Defense Base Closure and Realignment Commission".

(b) DUTIES.—The Commission shall carry out the duties specified for it in this part.

(c) APPOINTMENT.—(1)(A) The Commission shall be composed of eight members appointed by the President, by and with the advise and consent of the Senate.

President.

(B) The President shall transmit to the Senate the nominations for appointment to the Commission—

(i) by no later than January 3, 1991, in the case of members of the Commission whose terms will expire at the end of the first session of the 102nd Congress;

(ii) by no later than January 25, 1993, in the case of members of the Commission whose terms will expire at the end of the first session of the 103rd Congress; and

(iii) by no later than January 3, 1995, in the case of members of the Commission whose terms will expire at the end of the first session of the 104th Congress.

(2) In selecting individuals for nominations for appointments to the Commission, the President should consult with—

(A) the Speaker of the House of Representatives concerning the appointment of two members;

(B) the majority leader of the Senate concerning the appointment of two members;

(C) the minority leader of the House of Representatives concerning the appointment of one member; and

(D) the minority leader of the Senate concerning the appointment of one member.

(3) At the time the President nominates individuals for appointment to the Commission for each session of Congress referred to in paragraph (1)(B), the President shall designate one such individual who shall serve as Chairman of the Commission.

(d) TERMS.—(1) Except as provided in paragraph (2), each member of the Commission shall serve until the adjournment of Congress sine die for the session during which the member was appointed to the Commission.

(2) The Chairman of the Commission shall serve until the confirmation of a successor.

(e) MEETINGS.—(1) The Commission shall meet only during calendar years 1991, 1993, and 1995.

Public information.

(2)(A) Each meeting of the Commission, other than meetings in which classified information is to be discussed, shall be open to the public.

tion to be closed or realigned under this part, the Secretary of Defense shall consult with the Governor of the State and the heads of the local governments concerned for the purpose of considering any plan for the use of such property by the local community concerned.

(c) APPLICABILITY OF NATIONAL ENVIRONMENTAL POLICY ACT OF 1969.—(1) The provisions of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) shall not apply to the actions of the President, the Commission, and, except as provided in paragraph (2), the Department of Defense in carrying out this part.

(2)(A) The provisions of the National Environmental Policy Act of 1969 shall apply to actions of the Department of Defense under this part (i) during the process of property disposal, and (ii) during the process of relocating functions from a military installation being closed or realigned to another military installation after the receiving installation has been selected but before the functions are relocated.

(B) In applying the provisions of the National Environmental Policy Act of 1969 to the processes referred to in subparagraph (A), the Secretary of Defense and the Secretary of the military departments concerned shall not have to consider—

(i) the need for closing or realigning the military installation which has been recommended for closure or realignment by the Commission;

(ii) the need for transferring functions to any military installation which has been selected as the receiving installation; or

(iii) military installations alternative to those recommended or selected.

(3) A civil action for judicial review, with respect to any requirement of the National Environmental Policy Act of 1969 to the extent such Act is applicable under paragraph (2), of any act or failure to act by the Department of Defense during the closing, realigning, or relocating of functions referred to in clauses (i) and (ii) of paragraph (2)(A), may not be brought more than 60 days after the date of such act or failure to act.

(d) WAIVER.—The Secretary of Defense may close or realign military installations under this part without regard to—

(1) any provision of law restricting the use of funds for closing or realigning military installations included in any appropriations or authorization Act; and

(2) sections 2662 and 2687 of title 10, United States Code.

SEC. 2906. ACCOUNT

10 USC 2687 note.

(a) IN GENERAL.—(1) There is hereby established on the books of the Treasury an account to be known as the "Department of Defense Base Closure Account 1990" which shall be administered by the Secretary as a single account.

(2) There shall be deposited into the Account—

(A) funds authorized for and appropriated to the Account;

(B) any funds that the Secretary may, subject to approval in an appropriation Act, transfer to the Account from funds appropriated to the Department of Defense for any purpose, except that such funds may be transferred only after the date on which the Secretary transmits written notice of, and justification for, such transfer to the congressional defense committees; and

For Sheila Cheston — Counsel, DBCRA
I'm sure you've seen this and if you've responded to it, let me see —
Harry

National Federation of Federal Employees

1016 16th Street, NW, Washington, D.C. 20036
(202) 862-4400; FAX (202) 862-4432

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April 22, 1993

Mr. Harry C. McPherson, Jr.
Member, Defense Base Closure and
Realignment Commission
Verner, Liipfert, Bernhard, McPherson, and Hand
901 15th Street, NW, Suite 700
Washington, D.C. 20005

Dear Mr. McPherson:

The National Federation of Federal Employees (NFFE) represents employees at the Defense Language Institute (DLI) in Monterey, California. As you are aware, DLI was removed from the base closure list by Secretary Aspin and was placed back on by your Commission. It has come to our attention that the Army has proposed to move the DLI from Monterey to Fort Huachuca, Arizona to contract with the University of Arizona for instruction in certain languages.

The purpose of this letter is to notify the Base Closure and Realignment Commission that before such a contracting out proposal is accepted, the Army must conduct a cost analysis study pursuant to the regulations outlined in OMB Circular A-76 and the Federal Acquisition Regulations. As this study has not been undertaken, the NFFE has filed a grievance to prohibit such a violation from occurring. If necessary, the Union will request injunctive relief to halt the termination of any position at DLI before the agency meets its obligation to conduct a cost study.

The NFFE is convinced that the DLI is a valuable national resource. The Army's proposal is not in our best national security interest, as the need for language expertise in this unpredictable world is greater than ever before. Furthermore, the Army's analysis ignores the costs associated with moving the program to an installation unequipped to accept it.

Sincerely,

Robert S. Keener

Robert S. Keener
President

djd/legis

Defense Base Closure and Realignment Commission
Executive Correspondence Tracking System (ECTS)

930402-15 (I) Originated: 04/02/93 Received: 04/02/93 Due: 04/16/93 Closed: 04/12/93 COMPLETE.
From: KEENER, ROBERT S. (PRESIDENT at NATLFEDFEDEMPLY).
To: COURTER, JIM (CHAIRMAN at DBCRC). Referred to: ADMIN
Installation(s): , (-).
Contents: NFFE IS EXCLUSIVE BARGAINING REP. FOR NUMEROUS BASES ON CLOSURE LIST; WISH TO TESTIFY DURING REG. HEARINGS, APRIL 20-21.

930408-15 (I) Originated: 04/08/93 Received: 04/08/93 Due: 04/22/93 Closed: / / PENDING.
From: KEENER, ROBERT S. (PRESIDENT at NATLFEDFEDEMPLY).
To: COURTER, JIM (CHAIRMAN at DBCRC). Referred to: ADMIN
Installation(s): MONTEREY, PRESIDIO OF, CA (A-06305).
Contents: REQUEST TO TESTIFY IN DETROIT (5/12) RE: K.I. SAWYER AFB; IN SAN DIEGO (4/27) RE: DLI.

930413-8 (I) Originated: 04/08/93 Received: 04/12/93 Due: 04/27/93 Closed: / / PENDING.
From: KEENER, ROBERT S. (PRESIDENT at NATLFEDFEDEMPLY).
To: COURTER, JIM (CHAIRMAN at DBCRC). Referred to: ADMIN
Installation(s): K. I. SAWYER AFB, MI (F-LWRC).
Contents: REQUESTS TO TESTIFY AT SAN DIEGO & DETROIT HEARINGS; RE: DLI, MONTEREY, CA., & KI SAWYER AFB, MI.

No record of letter to Keener

NOTE: 3 Records Selected by BROWN, Criteria: (("KEENER" $ A->AUTH1LN) .OR. ("KEENER" $ A->AUTH2LN)).

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Kansas City, MO

Region 9
Sonya Constantine
Clarksville, IN

Please refer to this number when responding 930514-3

May 7, 1993

Sheila Cheston
General Counsel
Base Closure and Realignment Commission
1700 N. Moore Street
Suite 1425
Arlington, VA 22009

Re: Grievance To Halt Base Closure At
Defense Language Institute, Monterey, California

Dear Ms. Cheston:

This letter is in response to your request for information concerning a grievance filed by NFFE Local 1263 to stop the Army from contracting out federal employee positions at the Defense Language Institute, Monterey, California. A representative of the U.S. Army testified in March 1993 at a hearing before the Base Closure and Realignment Commission that the Army intended to close the Defense Language Institute and contract out language instructors to contractors in Arizona. There are both statutory and regularly prohibitions against contracting out federal employee positions without first conducting a cost comparison study. See 10 U.S.C. Sections 2461 and 2467(b); 48 C.F.R. Subpart 7.3 (Federal Acquisition Regulations); and Office of Management and Budget Circular A-76 (attached).

On April 5, 1993, NFFE Local 1263 filed the attached grievance and demanded that all procedures to close the Defense Language Institute be halted until the Army completes a cost comparison as required by law. Should it be necessary to pursue this grievance to arbitration, an arbitrator would have broad remedial authority. If, upon review, the contracting-out decision is found contrary to law, the arbitrator could order termination of the contract and reconversion of language instruction back to performance in-house. See NFFE Local 1263 and DLI, 43 FLRA No. 64 (1991)(attached).

I may be reached at (202) 862-4415 if you have any additional questions. Please note that I will be out of town from Monday, May 10 through Monday, May 17.

Very truly yours,

Joshua F. Bowers
Staff Attorney

cc: Alfie Khalil, President, Local 1263
John President, NVP, Region 6
Katy Jones, National Representative

NATIONAL FEDERATION OF FEDERAL EMPLOYEES
LOCAL 1263
Post Office Box 5836
Presidio of Monterey, California 93944

April 5, 1993

Colonel Vladimir Sobichevsky
Commandant
(ATFL-CMT)
Defense Language Institute
Presidio of Monterey, CA 93944

Please refer to this number when responding 930514-3

SUBJECT: Union Grievance

It has come to the attention of NFFE Local 1263 that the Army has entered into contract negotiations with another organization to supply services currently provided by our Bargaining Unit. The Army is therefore in violation of ~~OPM~~ OMB circular A-76 and Title 10 of US Code 2467 (b) and the Negotiated Agreement.

In the event that the DLIFLC is unable to respond to this grievance, we hearby invoke arbitration to attain an injunction by the Arbitrator.

We request to meet with you to disciss this grievance within ten working days.

Sincerely,

Alfie Khalil
President
NFFE Local 1263

CC: Executive Board
Bargaining Unit Employees
Josh Bowers, NFFE Staff Attorney

appeas –
Yes any K
service –
DM circ –

Army's book

Presidio of Monterey and Annex, California

Recommendation: Close the Presidio of Monterey (POM) and the Presidio of Monterey Annex (part of Fort Ord). Relocate the Defense Language Institute (DLI) and contract the foreign language training with a public university which must be able to provide this training at or near Fort Huachuca, AZ. This recommendation is contingent upon the successful negotiation of a contract by October 1994. If agreement cannot be met, DLI will remain at the Presidio of Monterey. The Army would then reevaluate options which might lead to another proposal to the 1995 Commission.

Justification: The Defense Language Institute currently has a staff and student population of over 4000 personnel. This institute offers training in over 20 languages (e.g., Russian, Somali, Swahili, Ukrainian). However, it has a high operating overhead in both facilities and staff. A new approach to the operation of the Institute must be considered.

Contracting foreign language training with an existing university-level institution will create significant savings in operational overhead, both in instructors (many of whom may already be on staff at a university), and in administration. The relatively high base operations cost at the Presidio of Monterey would be avoided.

Fort Huachuca is the home of the Army Intelligence School. Military intelligence has the largest requirement for linguists in all services. The foreign language skill is most often used to interact with allies and better understand foreign military capability and intentions. Locating military personnel on Fort Huachuca provides advantages to both the soldier and the Army. First, it enables the Army to care for the needs of the soldiers during their formative training. It ensures "Soldierization" which is a critical factor in the development of all military personnel. Finally it will enable the Army to integrate the soldiers into the military intelligence concept during their training.

Army students in the human intelligence field are currently assigned to Fort Huachuca at the end of their foreign language training. Soldiers can attend the basic noncommissioned officer course and continue with advanced language training or attend the advanced noncommissioned officers course and then continue with intermediate language training. This would save travel, per diem costs and movement time.

An agreement of this kind is not unique. For example, the University of Virginia at Charlottesville is the location of the

Army's Judge Advocate General School and the University of Syracuse sponsors the Army Comptroller graduate education program.

The Army, as Executive Agent for the Defense Language Program, will ensure that the same high level of training currently taught at DLI will continue. The Army will continue to serve as the technical authority and provide qualitative assessment of foreign language training activities. In addition, the Army will also conduct research and evaluation on training development methodologies, instructional methodologies and techniques; computer-based training; computer-assisted instruction; and establish or approve standards or criteria for language training and provide various tests and evaluation procedures.

Return on Investment: Total estimated one-time costs for this closure are approximately $155 million. Annual steady state savings are about $49 million, with a return on investment in two years.

Impact: The closure of the Presidio of Monterey and Fort Ord Annex will have an impact on the local economy. The projected potential employment loss, both direct and indirect, is 4 percent of the employment base in the Salinas-Seaside-Monterey Metropolitan Statistical Area, assuming no economic recovery. There are no significant environmental impediments from this realignment. Environmental restoration will continue until complete. There are no known obstacles in the ability of the receiving community's infrastructure to support the realigning mission.

USA CAMA

- 56616 / Col Curtis

- 44371 } Bill Mattfeldt
- 51443 } John Carpenter

4

746-6163 / 4 / 5
-6178 / 9 / 80 / 81

Ms Sugiyama
on leave
Ms Seymour Lynch
1230

EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

August 4, 1983

CIRCULAR NO. A-76 (REVISED)

TO THE HEADS OF EXECUTIVE DEPARTMENTS AND ESTABLISHMENTS

SUBJECT: Performance of Commercial Activities

1. Purpose. This Circular establishes Federal policy regarding the performance of commercial activities. The Supplement to the Circular sets forth procedures for determining whether commercial activities should be performed under contract with commercial sources or in-house using Government facilities and personnel.

2. Rescission. OMB Circular No. A-76 (revised), dated March 29, 1979; Transmittal Memoranda 1 through 7; Supplement No. 1 to the Circular, dated March 1979.

3. Authority. The Budget and Accounting Act of 1921 (31 U.S.C. 1 et seq.), and The Office of Federal Procurement Policy Act Amendments of 1979 (41 U.S.C. 401 et seq.).

4. Background.

a. In the process of governing, the Government should not compete with its citizens. The competitive enterprise system, characterized by individual freedom and initiative, is the primary source of national economic strength. In recognition of this principle, it has been and continues to be the general policy of the Government to rely on commercial sources to supply the products and services the Government needs.

b. This national policy was promulgated through Bureau of the Budget Bulletins issued in 1955, 1957 and 1960. OMB Circular No. A-76 was issued in 1966. The Circular was revised in 1967 and again in 1979.

5. Policy. It is the policy of the United States Government to:

a. Achieve Economy and Enhance Productivity. Competition enhances quality, economy, and productivity. Whenever commercial sector performance of a Government operated commercial activity is permissible, in accordance with this Circular and its Supplement, comparison of the cost of contracting and the cost of in-house performance shall be performed to determine who will do the work.

(2) Monetary transactions and entitlements, such as tax collection and revenue disbursements; control of the treasury accounts and money supply; and the administration of public trusts.

f. A cost comparison is the process of developing an estimate of the cost of Government performance of a commercial activity and comparing it, in accordance with the requirements in Parts II, III, and IV of the Supplement, to the cost to the Government for contract performance of the activity.

g. Directly affected parties are Federal employees and their representative organizations and bidders or offerors on the instant solicitation.

7. Scope.

a. Unless otherwise provided by law, this Circular and its Supplement shall apply to all executive agencies and shall provide administrative direction to heads of agencies.

b. This Circular and its Supplement apply to printing and binding only in those agencies or departments which are exempted by law from the provisions of Title 44 of the U.S. Code.

c. This Circular and its Supplement shall not:

(1) Be applicable when contrary to law, Executive Orders, or any treaty or international agreement;

(2) Apply to Governmental functions as defined in paragraph 6.e.;

(3) Apply to the Department of Defense in times of a declared war or military mobilization;

(4) Provide authority to enter into contracts;

(5) Authorize contracts which establish an employer-employee relationship between the Government and contractor employees. An employer-employee relationship involves close, continual supervision of individual contractor employees by Government employees, as distinguished from general oversight of contractor operations. However, limited and necessary interaction between Government employees and contractor employees, particularly during the transition period of conversion to contract, does not establish an employer-employee relationship. Additional guidance on this subject is provided in the Federal Personnel Manual issued by the Office of Personnel Management;

(6) Be used to justify conversion to contract solely to avoid personnel ceilings or salary limitations;

(7) Apply to the conduct of research and development. However, severable in-house commercial activities in support of research and development, such as those listed in Attachment A, are normally subject to this Circular and its Supplement; or

c. Patient Care. Commercial activities performed at hospitals operated by the Government shall be retained in-house if the agency head, in consultation with the agency's chief medical director, determines that in-house performance would be in the best interests of direct patient care.

d. Lower cost. Government performance of a commercial activity is authorized if a cost comparison prepared in accordance with Parts II, III and IV of the Supplement demonstrates that the Government is operating or can operate the activity on an ongoing basis at an estimated lower cost than a qualified commercial source.

9. Action Requirements. To ensure that the provisions of this Circular and its Supplement are followed, each agency head shall:

a. Designate an official at the assistant secretary or equivalent level and officials at a comparable level in major component organizations to have responsibility for implementation of this Circular and its Supplement within the agency.

b. Establish one or more offices as central points of contact to carry out implementation. These offices shall have access to all documents and data pertinent to actions taken under the Circular and its Supplement and will respond in a timely manner to all requests concerning inventories, schedules, reviews, results of cost comparisons and cost comparison data.

c. Be guided by OFPP Policy Letter No. 78-3, "Requests for Disclosure of Contractor-Supplied Information Obtained in the Course of a Procurement," in considering requests for information supplied by contractors.

d. Implement this Circular and its Supplement within 90 days after its issuance with a minimum of internal instructions. Cost comparisons shall not be delayed pending issuance of such instructions. Copies of the implementing instructions and any subsequent changes, the appeals procedure required in Part I, Chapter 2, paragraph I of the Supplement, and the names of the designated officials in paragraph 9.a. and the offices in paragraph 9.b. will be forwarded to the Office of Federal Procurement Policy, OMB.

e. Ensure the initial reviews of all existing in-house commercial activities are completed in accordance with Part I, Chapter 1, paragraph C.1. of the Supplement by September 30, 1987.

10. Annual Reporting Requirement. No later than March 15 of each year, agencies shall submit to the Office of Federal Procurement Policy a report on the implementation of OMB Circular No. A-76, in accordance with instructions in Part I, Chapter 4 of the Supplement.

11. OMB Responsibility and Contact Point. All questions or inquiries should be submitted to the Office of Management and Budget, Office of Federal Procurement Policy, 726 Jackson Place, NW, Room 9013, Washington, DC 20503. Telephone number (202) 395-6810.

EXAMPLES OF COMMERCIAL ACTIVITIES[1]

Audiovisual Products and Services

Photography (still, movie, aerial, etc.)
Photographic processing (developing, printing, enlarging, etc.)
Film and videotape production (script writing, direction, animation, editing, acting, etc.)
Microfilming and other microforms
Art and graphics services
Distribution of audiovisual materials
Reproduction and duplication of audiovisual products
Audiovisual facility management and operation
Maintenance of audiovisual equipment

Automatic Data Processing

ADP services -- batch processing, time-sharing, facility management, etc.
Programming and systems analysis, design, development, and simulation
Key punching, data entry, transmission, and teleprocessing services
Systems engineering and installation
Equipment installation, operation, and maintenance

Food Services

Operation of cafeterias, mess halls, kitchens, bakeries, dairies, and commissaries
Vending machines
Ice and water

Health Services

Surgical, medical, dental, and psychiatric care
Hospitalization, outpatient, and nursing care
Physical examinations
Eye and hearing examinations and manufacturing and fitting glasses and hearing aids
Medical and dental laboratories
Dispensaries
Preventive medicine
Dietary services
Veterinary services

---

1 This list should be used in conjunction with the policy and procedures of the Circular to determine an agency's A-76 commercial activities inventory. It has been compiled primarily from examples of commercial activities currently contracted or operated in-house by agencies. It should not be considered exhaustive, but should be considered an aid in identifying commercial activities. For example, some Federal libraries are primarily recreational in nature and would be deemed commercial activities. However, the National Archives or certain functions within research libraries might not be considered commercial activities. Agency management must use informed judgement on a case-by-case basis in making these decisions.

Office and Administrative Services

Library operations
Stenographic recording and transcribing
Word processing/data entry/typing services
Mail/messenger
Translation
Management information systems, products and distribution
Financial auditing and services
Compliance auditing
Court reporting
Material management
Supply services

Other Services

Laundry and dry cleaning
Mapping and charting
Architect and engineer services
Geological surveys
Cataloging
Training -- academic, technical, vocational, and specialized
Operation of utility systems (power, gas, water, steam, and sewage)
Laboratory testing services

Printing and Reproduction

Facility management and operation
Printing and binding -- where the agency or department is exempted from the provisions of Title 44 of the U.S. Code
Reproduction, copying, and duplication
Blueprinting

Real Property

Design, engineering, construction, modification, repair, and maintenance of buildings and structures; building mechanical and electrical equipment and systems; elevators; escalators; moving walks
Construction, alteration, repair, and maintenance of roads and other surfaced areas
Landscaping, drainage, mowing and care of grounds
Dredging of waterways

Security

Guard and protective services
Systems engineering, installation, and maintenance of security systems and individual privacy systems
Forensic laboratories

EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

September 28, 1988

Circular No. A-76
Revised
Transmittal Memorandum No. 7

MEMORANDUM FOR HEADS OF EXECUTIVE DEPARTMENTS AND AGENCIES

FROM: James C. Miller III
Director

SUBJECT: Performance Of Commercial Activities

This Transmittal Memorandum revises the treatment of retirement costs for both government and contractors and updates certain other cost factors. Public Law 100-366 amends the "Federal Employees' Retirement System Act of 1986" to require that all employer paid retirement costs for the Federal Employees Retirement System and the contractor be included in the A-76 cost comparison process. Transmittal Memorandum No. 4 is rescinded by this memorandum. Therefore, all renumbered lines and added lines on the cost comparison forms at Illustrations 1-1 and 5-1, and added paragraphs in the Supplement introduced by Transmittal Memorandum No. 4 are hereby deleted. In addition, this Memorandum updates the federal pay raise assumptions for 1989 through 1993, updates the cost factor for miscellaneous fringe benefits, deletes the mark-up rates applied to General Services Administration (GSA) materials, revises the mark-up rates applied to Defense Logistics Agency (DLA) materials, and revises contractor tax rates. This Memorandum also changes the instructions for publication of inventories and study schedules, and deletes all of Chapter 4, "Annual Reporting Requirement" in Part I of the Supplement.

Paragraph C.1.b, Chapter 1, Part I, of the Supplement

The requirement in this paragraph for agencies to publish their schedules for conducting cost comparison studies in the Commerce Business Daily and the Federal Register is deleted. Executive Order 12615 requires the Office of Management and Budget (OMB) to publish the schedules for public review. OMB will publish the schedules not later than 30 days before the start of each fiscal year in both publications cited above.

Paragraph D.3.g(1)(a), Chapter 2, Part IV, of the Supplement

The revised standard retirement cost factor to be used is 21.7 percent for all agencies except the Department of Medicine and Surgery (DM&S) within the Veterans Administration (VA). The factor for DM&S is 11.4 percent. The standard factor represents the Government's share of the full dynamic normal costs of the Civil Service Retirement System (CSRS) and the Federal Employees' Retirement System (FERS). This factor also includes the Government's contributions to the Old Age, Survivors and Disability Insurance (OASDI) portion of Social Security and thrift savings plan costs.

The revised retirement cost factors for special class employees are 26 percent for air traffic controllers and 25.5 percent for law enforcement and fire protection employees, except for fire fighters within DM&S. The factor for DM&S is 15.6 percent.

Paragraphs D.3.g(1)(b). Chapter 2, Part IV, of the Supplement.

Revised standard fringe benefit cost factors to be applied under paragraph D.3.g. in the Supplement to the Circular are as follows:

Fringe Benefit Factor	Revised Cost
Federal employee miscellaneous fringe benefits (workmen's compensation, bonuses and awards and unemployment programs)	1.70

The factor for Federal employee insurance remains at 4.7 percent. The factor for FICA (Medicare) remains at 1.45 percent.

Paragraph D.3.g(2), Chapter 2, Part IV, of the Supplement

Add the following paragraph at the end of D.3.g(2) to Chapter 2, Part IV of the Supplement: (The original paragraph was deleted by Transmittal Memorandum No. 4)

"The Federal Insurance Contributions Act (FICA) cost factor listed below, will be applied to civilian employees not covered by either of the two

the total of lines 7 through 11 and enter the difference on line 13."

Chapter 4, Part IV, of the Supplement

Delete the renumbering of line numbers referenced by Transmittal Memorandum No. 4. Proper numbering is the original numbering contained in Chapter 4, Part IV of the Supplement dated August, 1983.

Illustration 5-1, Chapter 5, Part IV, of the Supplement

Lines 15 through 19 of the "Cost Comparison Form for Expansions, New Requirements and Conversion to In-House Performance" should be changed back to the original nomenclature and format specified in the Supplement, dated August, 1983. Delete the Line-Social Security (OASDI) and Savings Plan Costs (Deduct), which was added by Transmittal Memorandum No. 4. Lines 15 through 19 should be as follows:

TOTAL CONTRACT COSTS ----------Line 15

CONVERSION DIFFERENTIAL (For ----------Line 16
Expansions, note net difference,
Chapter V, E.)

TOTAL (Line 8 & 16) ----------Line 17
COST COMPARISON (Line 17 minus line 15) ---Line 18

COST COMPARISON DECISION ----------Line 19

Appendix D, Part IV, of the Supplement

A revised Tax Rate Table, Appendix D, with new tax rates is attached. This tax table will be substituted for the Appendix D found in Part IV of the Supplement to the Circular.

This revision is effective as follows: all changes affecting retirement costing procedures shall be effective as of July 13, 1988 and shall apply to all cost comparisons in process where the Government's in-house cost estimate had not been opened before July 13, 1988. All other changes in the Transmittal Memorandum are effective upon the date of this signed memorandum and shall apply to all cost comparisons in process where the Government's in-house cost estimate has not been opened before this date.

Attachment

PART IV----COST COMPARISON HANDBOOK

APPENDIX D

TAX RATE TABLE *

CODE NO.	INDUSTRY	TAX RATE(%)
	Extractive Industries	
10-01-0400	Agriculture Production	0.9
10-01-0600	Agricultural Services	0.6
20-02-1010	Mining Iron Ores	2.7
20-02-1070	Mining Copper, Lead, Zinc, Gold and Silver Ores	0.6
20-02-1098	Mining Other Metals	0.7
20-03-1150	Coal Mining	0.9
20-05-1430	Sand, Gravel, Dimension, Crushed and Broken Stone	1.8
	Construction	
30-06-1510	General building (construction)	0.5
30-06-1531	Operative builders (construction)	1.2
30-07-1600	Heavy construction	0.7
30-08-1711	Plumbing, heating, air conditioning	0.5
30-08-1731	Electrical work	0.5
30-08-1798	Other special trades	0.6
	Manufacturing	
40-09-2010	Meat products	0.7
40-09-2020	Dairy products	1.2
40-09-2030	Preserved fruits and vegetables	1.8
40-09-2040	Grain mill products	1.3
40-09-2050	Bakery products	2.0
40-09-2060	Sugar and confectionary products	2.3
40-09-2089	Bottled soft drinks and flavorings	1.9
40-09-2096	Other food and kindred products	1.2
40-12-2315	Men's and boy's clothing	1.5
40-12-2345	Women's and children's clothing	1.2
40-12-2388	Other apparel and accessories	1.3
40-12-2390	Other fabricated textile products	1.2
40-13-2415	Logging, sawmills and planing mills	1.1

* Tax Rates are in relation to business receipts.

** Does not reflect revisions contained in the 1987 Standard Classification Manual.

CODE NO.	INDUSTRY	TAX RATE (%)
	Manufacturing (continued)	
40-23-3480	Ordnance and accessories, except vehicles and guided missiles	3.0
40-23-3490	Miscellaneous fabricated metal products	1.9
40-24-3520	Farm machinery	0.6
40-24-3530	Construction and related machinery	0.8
40-24-3540	Metal working machinery	1.4
40-24-3550	Special industry machinery	1.5
40-24-3570	Office and computing machines	7.0
40-24-3598	Other machinery, except electrical	2.0
40-25-3665	Radio, television, communication equipment	1.3
40-25-3670	Electronic components and accessories	2.2
40-25-3698	Other electrical equipment	2.7
40-26-3710	Motor vehicles and equipment	2.4
40-27-3725	Aircraft, guided missiles and parts	1.2
40-27-3730	Ship and boat building and repairing	1.3
40-27-3798	Other transportation equipment, except motor vehicles	2.5
40-28-3815	Scientific instruments and measuring devices; watches and clocks	3.3
40-28-3845	Optical, medical and opthalmic goods	3.1
40-28-3860	Photographic equipment and supplies	3.3
40-29-3998	Miscellaneous manufacturing and manufacturing not allocable	1.9
	Transportation And Utilities	
50-30-4000	Railroad transportation	1.3
50-30-4100	Local and interurban passenger transit	1.7
50-30-4200	Trucking and warehousing	1.1
50-30-4400	Water transportation	0.9
50-30-4500	Transportation by air	1.4
50-30-4600	Pipe lines, except natural gas	1.5
50-30-4700	Transportation services not elsewhere classified	0.5
50-31-4825	Telephone, telegraph and other communication services	3.1
50-31-4830	Radio and Television broadcasting	3.8
50-32-4910	Electric services	3.7
50-32-4920	Gas production and distribution	1.5
50-32-4930	Combination utility services	3.8
50-32-4990	Water supply and other sanitary services	3.6

CODE NO.	INDUSTRY	TAX RATE(%)
	Services	
80-56-7812	Motion picture production, distribution and services	0.9
80-56-7830	Motion picture theatres	2.0
80-56-7900	Amusement and recreation services, except motion pictures	1.0
80-57-8015	Physicians' services	0.5
80-57-8021	Dentists' services	0.3
80-57-8050	Nursing and personal care facilities	0.7
80-57-8071	Medical Laboratories	1.4
80-57-8099	Other medical services	1.7
80-57-8111	Legal services	0.5
80-57-8200	Educational services	1.2
80-57-8599	Miscellaneous services, not elsewhere classified	0.8

EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

February 28, 1991

Circular No. A-76
Revised
Transmittal Memorandum No. 10

MEMORANDUM FOR HEADS OF EXECUTIVE DEPARTMENTS AND AGENCIES

FROM: FRANK HODSOLL
EXECUTIVE ASSOCIATE DIRECTOR

SUBJECT: Performance of Commercial Activities

This Transmittal Memorandum updates the Federal pay raise assumptions and inflation factors used for computing the Government's in-house personnel and non-pay cost increases, as provided in the President's Budget for Fiscal Year 1992. The following factors should be applied per paragraph C of the Supplemental Cost Comparison Handbook, pages IV-6 and IV-7:

Federal Pay Raise Assumptions Effective Date	Inflation Factors Military and Civilian
January 1991	4.1
January 1992	4.2
January 1993	4.7
January 1994	4.3
January 1995	4.1
January 1996	4.0

Non-Pay Categories (Supplies and Equipment, etc.)

FY 1991	4.4
FY 1992	4.1
FY 1993	3.7
FY 1994	3.6
FY 1995	3.5
FY 1996	3.4

The above personnel pay raise factors shall be applied after consideration is given to the Interim Geographic Adjustments provided by Section 302 of the Federal Employees Pay Comparability Act of 1990 (P.L. 101-509).

This revision is effective as follows: all changes in the Transmittal Memorandum are effective upon the date this memorandum is signed and shall apply to all cost comparisons in process where the Government's in-house cost estimate has not been revealed before this date.

EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

DEPUTY DIRECTOR
FOR MANAGEMENT

March 19, 1992

Circular No. A-76
Revised
Transmittal Memorandum No. 11

TO THE HEADS OF EXECUTIVE DEPARTMENTS AND AGENCIES

SUBJECT: Performance of Commercial Activities

This Transmittal Memorandum updates the Federal pay raise assumptions and inflation factors used for computing the Government's in-house personnel and non-pay cost increases, as provided in the President's Budget for Fiscal Year 1993.

The following factors should be applied per paragraph C pages IV-6 and IV-7 of the OMB Circular A-76 Supplemental Cost Comparison Handbook.

Federal Pay Raise Assumptions Effective Date	Inflation Factors Military and Civilian
January 1992	4.2
April 1993	3.7
January 1994	4.7
January 1995	4.7
January 1996	4.5
January 1997	3.5

Non-Pay Categories (Supplies and Equipment, etc.)

FY 1992	3.1
FY 1993	3.3
FY 1994	3.3
FY 1995	3.3
FY 1996	3.2
FY 1997	3.2

The above personnel pay raise factors shall be applied after consideration is given to the Interim Geographic Adjustments provided by Section 302 of the Federal Employees Pay Comparability Act of 1990 (P.L. 101-509).

EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

March 26, 1993

Circular No. A-76 (Revised)
Transmittal Memorandum No. 12

TO THE HEADS OF EXECUTIVE DEPARTMENTS AND AGENCIES

SUBJECT: Performance of Commercial Activities

This Transmittal Memorandum updates the Federal pay raise assumptions and inflation factors used for computing the Government's in-house personnel and non-pay cost increases, as provided in the President's Budget for Fiscal Year 1994.

The following factors should be applied per paragraph C pages IV-6 and IV-7 of the OMB Circular A-76 Supplemental Cost Comparison Handbook (August 1983).

Federal Pay Raise Assumptions Effective Date	Inflation Factors Military and Civilian
January 1993	3.7
January 1994	0.0
January 1995	2.0
January 1996	1.7
January 1997	1.6
January 1998	2.3

Non-Pay Categories (Supplies and Equipment, etc.)

FY 1993	3.0
FY 1994	2.7
FY 1995	2.6
FY 1996	2.5
FY 1997	2.5
FY 1998	2.5

The above personnel pay raise factors do not include "locality pay," which is expected to begin in 1995 under the President's FY 1994 budget. Locality pay factors will be provided in a future update. Until that time, locality pay adjustments are not required. Locations that received the Interim Geographic Adjustments (IGA), as provided by Section 302

5/6/93

T/C w/ leg. director –

Claire Hassett. Will

send grievance +

circular. –

how can do?

w/2 yrs

OVERVIEW

ISSUE: Whether the Defense Base Closure and Realignment Commission has the authority to contract out for language instruction without conducting a cost analysis study pursuant to the regulations outlined in the OMB Circular A-76.

SUMMARY OF OMB CIRCULAR A-76:

Goal: To increase the quality, efficiency and productivity of the Department of Defense.

Approach: Use competition as a means to select the most cost effective operation to perform the service.
Whether commercial work should be done by the government or be contracted out to the private sector.

Method: Comparative Cost Analysis Study
1. Identify a commercial activity for competition.
2. When it is permissible to have private sector performance of this commercial activity, then a cost comparison will be performed.
3. "A cost comparison is the process of developing an estimate of the cost of Government performance of a commercial activity and comparing it, in accordance with Parts II, III and IV of the Supplement, to the cost to the Government for contract performance of the activity."
4. "The commercial firms and Government agencies compete in the open market for the option to perform the activity." p.13 of Progress Report.

PROBLEM:

1)
National Federation of Federal Employees (NFFE) will absolutely sue over the closure of DLI in Monterey, CA. They claim the Army and the Commission want to contract out the foreign language instruction. No matter how the Commission handles DLI, even if they move all the instructors to Fort Huachuca, NFFE will contest it.

NFFE bases its claim on OMB Circular A-76, summarized above, as well as 10 U.S.C. @2461, which calls for studies and reports before conversion to a contractor, and 10 U.S.C. @2467(b), which requires DOD to consult with civilian employees who will be affected by a decision to contract out.

2)
How does OMB Circular A-76 interact with the Base Closing Act?

NFFE says any attempt to get around A-76 will result in

a sure legal victory for them. Also, NFFE insists that any change in the Army's report, like moving the instructors to Fort Huachuca instead of contracting out with a University, will look like a sham. Josh Bower, attorney for NFFE, insists that none of these instructors would move, anyway.

Despite what NFFE claims, it is possible that the conflict with A-76 could be avoided if the instructors were offered a transfer or if the Commission implemented the closure of DLI with a proviso that an A-76 would be done at Fort Huachuca to see whether the Government or the private sector is the most cost effective at handling the language teachings.

not exceed the quantity reasonably expected to be required by the agency.

(b) Each solicitation for a contract for supplies is required, if practicable, to include a provision inviting each offeror responding to the solicitation (1) to state an opinion on whether the quantity of the supplies proposed to be acquired is economically advantageous to the Government, and (2) if applicable, to recommend a quantity or quantities which would be more economically advantageous to the Government. Each such recommendation is required to include a quotation of the total price and the unit price for supplies procured in each recommended quantity.

7.203 Solicitation provision.

Contracting officers shall insert the provision at 52.207-4, Economic Purchase Quantity—Supplies, in solicitations for supplies. The provision need not be inserted if the solicitation is for a contract under the General Services Administration's multiple award schedule contract program, or if the contracting officer determines that (a) the Government already has the data, (b) the data is otherwise readily available, or (c) it is impracticable for the Government to vary its future requirements.

[52 FR 30076, Aug. 12, 1987]

7.204 Responsibilities of contracting officers.

(a) Contracting officers are responsible for transmitting offeror responses to the solicitation provision at 52.207-4 to appropriate inventory management/requirements development activities in accordance with agency procedures. The economic purchase quantity data so obtained are intended to assist inventory managers in establishing and evaluating economic order quantities for supplies under their cognizance.

(b) In recognition of the fact that economic purchase quantity data furnished by offerors are only one of many data inputs required for determining the most economical order quantities, contracting officers should generally take no action to revise quantities to be acquired in connection with the instant procurement. However, if a significant price variation is evident from offeror responses, and the potential for significant savings is apparent, the contracting officer shall consult with the cognizant inventory manager or requirements development activity before proceeding with an award or negotiations. If this consultation discloses that the Government should be ordering an item of supply in different quantities and the inventory manager/requirements development activity concurs, the solicitation for the item should be amended or canceled and a new requisition should be obtained.

Subpart 7.3—Contractor Versus Government Performance

7.300 Scope of subpart.

This subpart prescribes policies and procedures for use in acquisitions of commercial or industrial products and services subject to (a) OMB Circular No. A-76 (the Circular), Policies for Acquiring Commercial or Industrial Products and Services Needed by the Government, and (b) the Cost Comparison Handbook (the Handbook), Supplement No. 1 to OMB Circular No. A-76.

7.301 Policy.

The Circular provides that it is the policy of the Government to (a) rely generally on private commercial sources for supplies and services, if certain criteria are met, while recognizing that some functions are inherently Governmental and must be performed by Government personnel, and (b) give appropriate consideration to relative cost in deciding between Government performance and performance under contract. In comparing the costs of Government and contractor performance, the Circular provides that agencies shall base the contractor's cost of performance on firm offers.

7.302 General.

The Circular and the Handbook—

(a) Prescribe the overall policies and detailed procedures required of all agencies in making cost comparisons between contractor and Government

performance. In making cost com
agencies shall—

(1) Prepare an estimate of the
Government performance base
the same work statement and le
performance as apply to offerors;

(2) Compare the total cost of
ernment performance to the total
contracting with the potent
successful offeror.

(b) Provide that solicitations
purposes of the solicitations issu
obtain offers for comparison pur
shall state that they will not res
a contract if Government perform
determined to be more adv
erous (see the solicitation prov
at 52.207-1 and 52.207-2);

(c) Provide that each cost com
son shall be reviewed by an activi
dependent of the activity which
pared the cost analysis to ensure
formance with the instructions i
Handbook; and

(d) Provide that, ordinarily, age
should not incur the delay an
pense of conducting cost compa
studies to justify a Government
mercial or industrial activity inv
10 or fewer full-time equivalents
fined in OMB Circular No. A-7
tivities below this threshold sho
performed by contract unless in-
performance is justified. How
there is reason to believe that
equate competition or other
are causing commercial prices
unreasonable, a cost comparison
may be conducted.

[50 FR 35475, Aug. 30, 1985, as amen
53 FR 17856, May 18, 1988]

7.303 Determining availability of commercial sources.

(a) During acquisition plann
views, contracting officers shall
in identifying private com
sources.

(b) In making all reasonable
to identify such sources, the co
ing officer shall assist in—

(i) Synopsizing the require
the Commerce Business Daily a
three times in a 90-day period
minimum of 30 days between
(but, when necessary to m
urgent requirement, this noti
may be limited to a total of

performance. In making cost comparisons, agencies shall—

(1) Prepare an estimate of the cost of Government performance based on the same work statement and level of performance as apply to offerors; and

(2) Compare the total cost of Government performance to the total cost of contracting with the potentially successful offeror.

(b) Provide that solicitations and synopses of the solicitations issued to obtain offers for comparison purposes shall state that they will not result in a contract if Government performance is determined to be more advantageous (see the solicitation provisions at 52.207-1 and 52.207-2);

(c) Provide that each cost comparison shall be reviewed by an activity independent of the activity which prepared the cost analysis to ensure conformance with the instructions in the Handbook; and

(d) Provide that, ordinarily, agencies should not incur the delay and expense of conducting cost comparison studies to justify a Government commercial or industrial activity involving 10 or fewer full-time equivalents as defined in OMB Circular No. A-76. Activities below this threshold should be performed by contract unless in-house performance is justified. However, if there is reason to believe that inadequate competition or other factors are causing commercial prices to be unreasonable, a cost comparison study may be conducted.

[50 FR 35475, Aug. 30, 1985, as amended at 53 FR 17856, May 18, 1988]

7.303 Determining availability of private commercial sources.

(a) During acquisition planning reviews, contracting officers shall assist in identifying private commercial sources.

(b) In making all reasonable efforts to identify such sources, the contracting officer shall assist in—

(i) Synopsizing the requirement in the Commerce Business Daily at least three times in a 90-day period with a minimum of 30 days between notices (but, when necessary to meet an urgent requirement, this notification may be limited to a total of two notices in a 30-day period with a minimum of 15 days between them); and

(ii) Requesting assistance from the Small Business Administration, the Department of Commerce, and the General Services Administration.

7.304 Procedures.

(a) *Work statement.* When private commercial sources are available and a cost comparison is required, the Government's functional managers responsible for the comparison or another group shall prepare a comprehensive, performance-oriented work statement. The work statement must—

(1) Accurately reflect the actual Government requirement, stating adequately *what* is to be done without prescribing *how* it is to be done;

(2) Include performance standards that can be used to ensure a comparable level of performance for both Government and contractor and a common basis for evaluation; and

(3) Be reviewed by the contracting officer to ensure that it is adequate and appropriate to serve as a basis for solicitation and award.

(b) *Cost estimate.* The agency personnel who develop the cost estimate for Government performance—

(1) Enter on a cost-comparison form (see Cost Comparison Handbook, Exhibit 1) the cost estimate and the other elements required to accomplish a cost comparison;

(2) Review the estimate for completeness and accuracy and have the estimate audited; and

(3) Submit to the contracting officer the completed form and all necessary detailed supporting data in a sealed, dated envelope not later than the time established for receipt of initial proposals or bid opening. If more time is needed to develop the Government's cost estimate, the contracting officer shall amend the opening date of the solicitation.

(c) *Solicitation.* (1) The contracting officer shall issue a solicitation based on the work statement prepared in accordance with paragraph (a) above. Prepriced option prices in existing contracts will not be used instead of issuing a new solicitation when conduct-

ing a cost comparison under a new start.

(2) Firm offers shall be required for the period covered by the cost comparison, by using (i) a base contract period and any applicable priced options to total the amount of time represented by the cost estimate for Government performance (see Subpart 17.2), or (ii) a multiyear contract when appropriate (see Subpart 17.1).

(3) Solicitations shall not, unless a proper determination to the contrary is made, limit award to U.S. offerors.

(d) *Integrity of cost comparison.* (1) The confidentiality of (i) the cost estimate for Government performance and (ii) the bids in sealed bid cost comparisons shall be maintained until the time of bid opening, to ensure that they are completely independent.

(2) For cost comparisons conducted using the results of negotiation procedures, confidentiality and independence shall be maintained until after negotiations are completed and the most advantageous offer has been selected.

(3) Personnel who have knowledge of the cost figures in the cost estimate for Government performance shall not participate in the offer-evaluation process unless the contract file is adequately documented to show that no other qualified personnel were available.

[48 FR 42124, Sept. 19, 1983, as amended at 50 FR 1735, Jan. 11, 1985; 50 FR 52429, Dec. 23, 1985]

7.305 Solicitation provisions and contract clause.

(a) The contracting officer shall, when contracting by sealed bidding, insert in solicitations issued for the purpose of comparing the costs of contractor and Government performance the provision at 52.207-1, Notice of Cost Comparison (Sealed-Bid).

(b) The contracting officer shall, when contracting by negotiation, insert in requests for proposals issued for the purpose of comparing the costs of contractor and Government performance the provision at 52.207-2, Notice of Cost Comparison (Negotiated).

(c) The contracting officer shall insert the clause at 52.207-3, Right of First Refusal of Employment, in all solicitations which may result in a conversion from in-house performance to contract performance of work currently being performed by the Government and in contracts that result from the solicitations, whether or not a cost comparison is conducted.

[48 FR 42124, Sept. 19, 1983, as amended at 50 FR 1735, Jan. 11, 1985; 50 FR 52429, Dec. 23, 1985; 52 FR 9037, Mar. 20, 1987]

7.306 Evaluation.

The evaluation procedure to be followed after the contracting officer receives the cost estimate for Government performance (see 7.304(b)) and the responses to the solicitation differs from conventional contracting procedures as follows:

(a) *Sealed bidding.* (1) At the public bid opening, after recording of bids, the contracting officer shall—

(i) Open the sealed envelope containing the cost-comparison form on which the cost estimate for Government performance has been entered;

(ii) Enter on the cost-comparison form the price of the apparent low bidder;

(iii) Announce the result, based on the initial cost-comparison form, stating that this result is subject to required agency processing, including evaluation for responsiveness and responsibility, completion and audit of the cost-comparison form (see Cost Comparison Handbook, Exhibit 11) and resolution of any requests for review under the appeals procedure (see 7.307);

(iv) State that no final determination for performance by the Government or under contract will be made during the public review period specified in the solicitation (at least 5 working days, up to a maximum of 15 working days if the contracting officer considers the action to be complex; the public review period begins when the documents identified in (v) below are available to interested parties), plus any additional time required for the appeals procedure; and

(v) Make available for this public review by interested parties the abstract of bids, completed cost-comparison form, and detailed data supporting

the cost estimate for Government performance.

(2) After evaluation of bids (see Subpart 14.4) and determinations of responsibility, the contracting officer shall provide the price of the low responsive, responsible bidder to the preparer of the cost estimate for Government performance, for (i) final Government review of the cost-comparison form and (ii) origination of a decision summary form (see Cost Comparison Handbook, Exhibit 2).

(3) Upon completion of the review process, including resolution of any request under 7.307, the responsible agency official shall make the final determination for performance by the Government or under contract and furnish the approved decision summary form to the contracting officer, who shall either award a contract or cancel the solicitation as required.

(4) The contracting officer shall make the completed and approved cost-comparison analysis available to interested parties upon request.

(b) *Negotiation.* The contracting officer shall receive proposals, evaluate them (see Subpart 15.6), conduct negotiations, and select the most advantageous proposal in accordance with normal contracting procedures (see Part 15). The contracting officer shall before public announcement, open the sealed estimate in the presence of the preparer, enter the amount of the most advantageous proposal on the cost-comparison form, and return the form to the preparer of the cost estimate for Government performance for completion. The preparer shall give due consideration to all types of costs which could add or subtract from the cost of either mode of performance.

(1) If the result of the cost comparison favors performance under contract and the responsible agency official approves the result, the contracting officer shall award a contract in accordance with agency procedures. Concurrently with the award, the contracting officer shall publicly—

(i) Notify interested parties of the result of the cost comparison;

(ii) Inform interested parties that the completed cost-comparison form and detailed supporting data are available for review;

the cost estimate for Government performance.

(2) After evaluation of bids (see Subpart 14.4) and determinations of responsibility, the contracting officer shall provide the price of the low responsive, responsible bidder to the preparer of the cost estimate for Government performance, for (i) final Government review of the cost-comparison form and (ii) origination of a decision summary form (see Cost Comparison Handbook, Exhibit 2).

(3) Upon completion of the review process, including resolution of any request under 7.307, the responsible agency official shall make the final determination for performance by the Government or under contract and furnish the approved decision summary form to the contracting officer, who shall either award a contract or cancel the solicitation as required.

(4) The contracting officer shall make the completed and approved cost-comparison analysis available to interested parties upon request.

(b) *Negotiation.* The contracting officer shall receive proposals, evaluate them (see Subpart 15.6), conduct negotiations, and select the most advantageous proposal in accordance with normal contracting procedures (see Part 15). The contracting officer shall, before public announcement, open the sealed estimate in the presence of the preparer, enter the amount of the most advantageous proposal on the cost-comparison form, and return the form to the preparer of the cost estimate for Government performance for completion. The preparer shall give due consideration to all types of costs which could add or subtract from the cost of either mode of performance.

(1) If the result of the cost comparison favors performance under contract and the responsible agency official approves the result, the contracting officer shall award a contract in accordance with agency procedures. Concurrently with the award, the contracting officer shall publicly—

(i) Notify interested parties of the result of the cost comparison;

(ii) Inform interested parties that the completed cost-comparison form and detailed supporting data are available for review;

(iii) Announce the contractor's name; and

(iv) Advise interested parties that contractor preparations for performance are conditioned upon completion of the public review period specified in the solicitation plus any additional period required by the appeals procedure.

(2) If the result of the cost comparison favors Government performance, the contracting officer shall—

(i) Notify interested parties of the result of the cost comparison;

(ii) Inform interested parties that the completed cost-comparison form and detailed supporting data relative to the Government cost estimate are available for public review (see subparagraph (3) below); and

(iii) Announce the price of the offer most advantageous to the Government.

(3) The public review period shall begin with the contracting officer's announcement of the cost-comparison result and availability of the cost comparison forms and detailed supporting data to interested parties. The review period shall last for the period specified in the solicitation (at least 15 working days, up to a maximum of 30 working days if the contracting officer considers the action to be complex). Upon completion of the public review period and resolution of any questions raised under 7.307 below, a decision summary form shall be completed by the preparer of the cost estimate for Government performance and approved under agency procedures. The contracting officer shall then, in the case of subparagraph (1) above, give the contractor notice to commence or cancel the contract as appropriate or, in the case of subparagraph (2) above, cancel the solicitation or award the contract, as appropriate.

[48 FR 42124, Sept. 19, 1983, as amended at 50 FR 1735, Jan. 11, 1985; 50 FR 52429, Dec. 23, 1985; 51 FR 34125, Sept. 3, 1986; 53 FR 661, Jan. 11, 1988]

7.307 Appeals.

(a) The Circular provides that each agency shall establish an appeals procedure for informal administrative review of the initial cost-comparison

result. The appeals procedure shall provide for an independent, objective review of the initial result by an official at the same level as, or at a higher level than, the official who approved that result. This review must be completed within 30 days after the contracting officer receives a request under paragraph (b) below. The purpose is to protect the rights of affected parties and to ensure that final agency determinations are fair, equitable, and in accordance with established policy.

(b) The Circular provides that the appeals procedure shall be used only to resolve questions concerning the calculation of the cost comparison and shall not apply to questions concerning selection of one contractor in preference to another, which shall be treated as prescribed in 14.407-8, Protests against award. Directly affected parties may request review of any discrepancy in the cost comparison. Any such requests shall be made in writing to the contracting officer, who shall forward them in accordance with agency procedures. Such requests shall be considered only if based on specific objections and received within the public review period stated in the solicitation.

Subpart 7.4—Equipment Lease or Purchase

7.400 Scope of subpart.

This subpart provides guidance pertaining to the decision to acquire equipment by lease or purchase. It applies to both the initial acquisition of equipment and the renewal or extension of existing equipment leases.

7.401 Acquisition considerations.

(a) Agencies should consider whether to lease or purchase equipment based on a case-by-case evaluation of comparative costs and other factors. The following factors are the minimum that should be considered:

(1) Estimated length of the period the equipment is to be used and the extent of use within that period.

(2) Financial and operating advantages of alternative types and makes of equipment.

(3) Cumulative rental payments for the estimated period of use.

(4) Net purchase price.

(5) Transportation and installation costs.

(6) Maintenance and other service costs.

(7) Potential obsolescence of the equipment because of imminent technological improvements.

(b) The following additional factors should be considered, as appropriate, depending on the type, cost, complexity, and estimated period of use of the equipment:

(1) Availability of purchase options.

(2) Potential for use of the equipment by other agencies after its use by the acquiring agency is ended.

(3) Trade-in or salvage value.

(4) Imputed interest.

(5) Availability of a servicing capability, especially for highly complex equipment; e.g., can the equipment be serviced by the Government or other sources if it is purchased?

7.402 Acquisition methods.

(a) *Purchase method.* (1) Generally, the purchase method is appropriate if the equipment will be used beyond the point in time when cumulative leasing costs exceed the purchase costs.

(2) Agencies should not rule out the purchase method of equipment acquisition in favor of leasing merely because of the possibility that future technological advances might make the selected equipment less desirable.

(b) *Lease method.* (1) The lease method is appropriate if it is to the Government's advantage under the circumstances. The lease method may also serve as an interim measure when the circumstances—

(i) Require immediate use of equipment to meet program or system goals but

(ii) Do not currently support acquisition by purchase.

(2) If a lease is justified, a lease with option to purchase is preferable.

(3) Generally, a long term lease should be avoided, but may be appropriate if an option to purchase or other favorable terms are included.

7.403 General Services Administrati
sistance.

(a) When requested by an a
the General Services Administ
(GSA) will assist in lease or pur
decisions by providing inform
such as—

(1) Pending price adjustmer
Federal Supply Schedule contrac

(2) Recent or imminent techr
cal developments;

(3) New techniques; and

(4) Industry or market trends.

(b) Agencies may request in
tion from the following GSA offi

(1) Office of Information Res
Management Policy (KMA), Wa
ton, DC 20405, for informati
automatic data processing anc
communications equipment a
tions.

(2) Office of Procurement
Washington, DC 20406, for in
tion on other types of equipmen

PART 8—REQUIRED SOURCES
SUPPLIES AND SERVICES

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Pub. L. 102-484

102D CONGRESS 2d Session	HOUSE OF REPRESENTATIVES	REPORT 102-966

23 Oct 92

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 1993

CONFERENCE REPORT

TO ACCOMPANY

H.R. 5006

OCTOBER 1, 1992.—Ordered to be printed

SUBTITLE B—LIMITATIONS

Prohibition of the use of certain funds for Pentagon Reservation (sec. 311)

The House bill contained a provision (sec. 312) that would prohibit the use of contributions to the Pentagon Reservation maintenance funds for any purpose other than the day-to-day operation of these facilities. It would also require a report by the Secretary of Defense no later than December 31, 1992, regarding the proposed renovation of the Pentagon.

The Senate amendment contained no similar provision. However, the Senate report (S. Rept. 102-352) addressed the renovation of the Pentagon within the context of the Defense Department's presence in the National Capital Region. It was the Senate Armed Services Committee's view that the Department should reassess the need of each activity which is currently within the region to remain there, along with a strategy to meet each activity's long-term facility needs. This effort should be undertaken as part of the Department's 1993 base closure and realignment review.

While the Committee supported the renovation of the Pentagon complex, it questioned whether the current scope of the project could be justified in light of the reduced size of the Defense Department. It also recognized that the first phase of this effort, the replacement of the central heating and cooling plant which was authorized at $80.1 million in fiscal year 1992, has been delayed until fiscal year 1993 because of the fiscal year 1992 rescission act. The Senate's proposed authorization level for the Pentagon Reservation maintenance fund was adjusted to provide funding for this project, which is badly needed regardless of the size or pace of the renovation of the Pentagon itself.

The Senate report directed the Secretary of Defense to provide the congressional defense committees with a report regarding the Department's long-term plans for the National Capital Region, as well as a revalidation of its plans to renovate the Pentagon facility, no later than April 15, 1993.

The Senate recedes with an amendment that would modify the prohibition of renovation funds to permit the replacement of the Pentagon's central heating and cooling plant during fiscal year 1993; broaden the scope of the required report to include all Defense Department activities within the National Capital Region; and adjust the reporting date to follow the Defense Secretary's submission of recommendations to the Defense Commission on Base Closures and Realignments.

Prohibition on the use of funds for certain service contracts (sec. 312)

The House bill contained a provision (sec. 313) that would prohibit the Department of Defense from entering into any contract for the performance of a commercial activity in any case in which the contract results from a cost comparison study conducted by the Department of Defense under OMB Circular A-76. This prohibition would not apply to a contract, or the renewal of a contract, for the performance of an activity under contract on September 30, 1992.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would limit this prohibition to fiscal year 1993.

SUBTITLE C—ENVIRONMENTAL PROVISIONS

Extension of reimbursement requirement for contractors handling hazardous wastes from defense facilities (sec. 321)

The House bill contained a provision (sec. 321) that would extend the reimbursement requirement of 28 U.S.C. 2708(b)(1) through fiscal year 1993.

The Senate amendment contained no similar provision.

The Senate recedes.

Extension of prohibition on use of environmental restoration funds for payment of fines and penalties (sec. 322)

The Senate amendment contained a provision (sec. 318) that would prohibit the use of funds appropriated for fiscal year 1993 for the environmental restoration account in the Department of Defense from being used to pay fines or penalties except to the extent that the fine or penalty imposed arises out of activities funded by the account.

The House bill contained a similar provision (sec. 322).

The Senate recedes.

Pilot program for expedited environmental response actions (sec. 323)

The House bill contained a provision (sec. 323) that would establish a pilot program to expedite the performance of on-site environmental response actions at military installations closing under the base closure process and at other military installations pursuant to the defense environmental restoration program.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would add two bases to be identified for closure by the Base Realignment and Closure Commission during fiscal year 1993 and reduce the number of open bases participating in the program from five to four per military Service.

The amendment would broaden the program to include all Department of Defense environmental restoration activities as potential program participants.

The amendment would also clarify that the other environmental restoration activities of the Department of Defense should not be delayed by the program. The conferees believe that the goal of the program should be to identify ways to expedite or reduce the costs of environmental restoration. Once identified, any new concepts, technologies, or initiatives could then be incorporated into other programs. The conferees do not intend that the implementation of any pilot program should delay in any way the other environmental restoration programs at closing bases, open bases, or formerly used defense sites.

102D CONGRESS
2d Session

HOUSE OF REPRESENTATIVES

REPORT
102-527

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 1993

REPORT

OF THE

COMMITTEE ON ARMED SERVICES HOUSE OF REPRESENTATIVES

ON

H.R. 5006

together with

ADDITIONAL AND DISSENTING VIEWS

[Including cost estimate of the Congressional Budget Office]

MAY 19, 1992.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

ROM THE COMMITTEE ON THE JUDICIARY

HOUSE OF REPRESENTATIVES,
COMMITTEE ON THE JUDICIARY,
Washington, DC, May 12, 1992.

Armed Services.

It is my understanding that Congressman
es to offer an amendment to H.R. 5006, the
for FY 1993, that would permit faculty
t the service academies and certain profes-
o accept honoraria under certain circum-

matter within the jurisdiction of the Com-
through its jurisdiction over the Ethics in
. On November 25, 1991, the House passed
n Government Act Amendments of 1991",
prohibition on the acceptance of honoraria
ees contained in Section 501 (b) of the
ct, as amended by the Ethics Reform Act
101-280. The Committee's report on H.R.
d description of our actions modifying the
ed in House Report No. 102-385.
s not yet been enacted into law, I am en-
consistent with the intent and language of
by the House, and would also fulfill the
Martin. Adoption of this language will ob-
Committee to seek sequential referral of
on of the ethics provisions within its juris-

r placing a copy of this letter in your Com-
006.
assistance in this matter. With every good

JACK BROOKS, *Chairman.*

ROM THE COMMITTEE ON GOVERNMENT OPERATIONS

HOUSE OF REPRESENTATIVES,
MITTEE ON GOVERNMENT OPERATIONS,
Washington, DC, May 12, 1992.

Armed Services.

I understand that the Committee on
begin to mark up the Department of De-
or Fiscal Year 1993 and that the language
referred to the Committee on Government
porated within this legislation.
k a sequential referral in this case, th
trued as waiving or diminishing the Gov
mmittee's jurisdiction over the Budg
e issues raised in H.R. 4837. If the Armed

Services Committee does include language from H.R. 4837, I request that this letter be printed in the Committee's report on this legislation.

I reserve the right to seek a sequential referral of the Defense Authorization bill should it contain provisions other than the text of H.R. 4837 that may affect the jurisdiction of the Government Operations Committee.

Sincerely,

JOHN CONYERS, JR., *Chairman.*

HOUSE OF REPRESENTATIVES,
COMMITTEE ON GOVERNMENT OPERATIONS,
Washington, DC, May 18, 1992.

Hon. LES ASPIN,
Chairman, Committee on Armed Services.

DEAR MR. CHAIRMAN: The National Defense Authorization Act for Fiscal Year 1993, H.R. 5006, recently reported by the Armed Services Committee, includes a provision (section 313) that would suspend most contracting-out by the Department of Defense, in view of the current defense down-sizing.

I appreciate your courtesy in working closely with the Government Operations Committee on this provision. As you know, procurement legislation such as section 313 falls within the jurisdiction of the Government Operations Committee under House Rule X, clause 1(j)(2), which provides that the Government Operations Committee has jurisdiction to review legislation bearing on the "overall economy and efficiency of Government operations and activities, including Federal procurement."

I fully support this amendment and look forward to working with you as a conferee on H.R. 5006 to ensure its inclusion in the conference report. Because of our close cooperation on this issue, it will be unnecessary for the Government Operations Committee to request sequential referral of H.R. 5006 for consideration of section 313.

Sincerely,

JOHN CONYERS, *Chairman.*

COMMUNICATION FROM THE COMMITTEE ON FOREIGN AFFAIRS

HOUSE OF REPRESENTATIVES,
COMMITTEE ON FOREIGN AFFAIRS,
Washington, DC, May 18, 1992.

Hon. LES ASPIN,
Chairman, Committee on Armed Services.

DEAR MR. CHAIRMAN: We have reviewed the Committee on Armed Services' substitute to H.R. 5006 and have determined that the following sections fall within the jurisdiction of the Committee on Foreign Affairs. The sections are: 171, 174, 233, 304, 367, 1031, 1032, and 3141-44.

We have no objection to the consideration of these provisions in the full House, as ordered reported by the Committee on Armed Services, without prejudice to the jurisdiction of the Committee on Foreign Affairs.

SECTION 312—PROHIBITION OF THE USE OF CERTAIN FUNDS FOR PENTAGON RESERVATION

This section would prohibit the Department of Defense or any of the military departments from contributing to the Pentagon Reservation Maintenance Fund for any purpose other than for the actual and necessary day-to-day operation of the Pentagon. The provision would also require a report by the Secretary of Defense outlining a revised Pentagon renovation plan.

SECTION 313—PROHIBITION ON THE USE OF FUNDS FOR CERTAIN SERVICE CONTRACTS PERFORMED BY CONTRACTOR PERSONNEL

This section would prohibit the Department of Defense from conducting further cost comparison studies for service functions as described under OMB budget circular A-76, known as contracting out.

SECTION 321—EXTENSION OF REIMBURSEMENT REQUIREMENT FOR CONTRACTORS HANDLING HAZARDOUS WASTES FOR DEFENSE FACILITIES

This section would extend to fiscal year 1993 the requirement contained in section 331 of the National Defense Authorization Act for Fiscal Years 1992 and 1993 (Public Law 102-190) that all Department of Defense contracts for the off-site treatment and disposal of hazardous wastes require the contractor to reimburse the government for all liabilities incurred by the government by the contractor's or subcontractor's breach of any term or provision of the contract or any negligent or willful act of omission.

SECTION 322—EXTENSION OF PROHIBITION ON USE OF ENVIRONMENTAL RESTORATION FUNDS FOR PAYMENT OF FINES AND PENALTIES

This section would extend to fiscal year 1993 the prohibition contained in section 333 of the National Defense Authorization Act for Fiscal Years 1992 and 1993 (Public Law 102-190) against the use of defense environmental restoration account (DERA) funds for the payment of environmental fines and penalties unless they arose out of the defense environmental restoration program.

SECTION 331—LIMITATIONS ON THE USE OF THE DEFENSE BUSINESS OPERATIONS FUND

This section would extend the limitation on the period of management by the Department of Defense of the Defense Business Operations Fund until April 15, 1994 and would add a requirement for separate accounting, reporting, and auditing of funds and activities. The provision would further establish milestones the department must achieve for the implementation of the fund that are to be monitored and evaluated by the Comptroller General.

SECTION 332—CAPITAL ASSET SUBACCOUNT

This section would provide limitations for the use of the capital asset subaccount within the Defense Business Operations Fund and would also require a report by the Secretary of Defense on this account.

DEPARTMENT OF THE ARMY
OFFICE OF THE GENERAL COUNSEL
WASHINGTON, DC 20310-0104

June 18, 1993

MEMORANDUM FOR MARY ANN HOOK, DEPUTY GENERAL COUNSEL

SUBJECT: Defense Language Institute (DLI)

We appreciate the opportunity to provide you our legal analysis regarding the base realignment and closure (BRAC) options pertaining to the DLI as outlined in your memorandum. We are available to discuss other similar issues which may affect the Department of the Army.

The following correspond to the options you raise in paragraph II of your memorandum.

Paragraph II.A. proposes the Army obtain base operations support (BASOPS) from the Naval Postgraduate School, "an installation the size of the Presidio and Annex combined...." We do not believe this option would be legally objectionable. This option simply creates a responsibility for the Department of the Navy to provide regional BASOPS support to all military departments in the Monterey area. As the Army employees providing BASOPS to the Presidio Annex at Fort Ord would not be eliminated in order to provide BASOPS requirements to a contractor, we do not believe the commercial activities (CA) statutes or regulations are applicable. On a practical note, however, we would observe that the Naval School is not equal in size to the land areas of the Presidio and the Annex combined. We understand that the Presidio itself is larger than the school, and certainly the Presidio and the large family housing areas which the Army currently intends to retain to support the DLI will easily exceed the school in size. We have attached for your information and consideration a copy of the family housing areas at Fort Ord which will be retained (highlighted in blue). Most of these areas are on the north side of Fort Ord. As the Army geographically would be the larger owner of land, we would recommend for practical reasons that you coordinate any transfer of maintenance functions with the Department of the Navy to ensure that department does not have any reservations regarding such a proposal.

Paragraph II.B. proposes that the City of Monterey or another supplier provide BASOPS to the Presidio and the Presidio Annex. We believe this proposal cannot be implemented except as a result of a CA cost comparison. You note in your memorandum that about 450 civilian employees support the Presidio and the Annex. 10 USC 2461 requires the conduct of a CA cost study for a function involving

more than 45 employees before that function can be converted to contract. Absent a waiver to the statute, we believe we would be compelled to advise Congress of our intent to conduct a study and to accomplish such a study before we could implement this option.

Paragraph II.C. proposes either of the previous options, the retention of additional MWR facilities, and possibly providing excess family housing to the Navy and Coast Guard. Except for our reservations regarding the requirement to conduct a CA study before contracting out BASOPS support, we do not believe this option would be legally objectionable.

The following respond to the questions you have asked:

In question 1, you ask whether a proposal for Monterey or a contractor to assume BASOPS would be feasible from a contractual viewpoint. We do not believe it could be easily accomplished due to the CA requirements discussed above. We would additionally note that Congress has imposed a one year moratorium against awarding any new CA contracts for the duration of this fiscal year. We additionally have been advised that there is support in the House Armed Services Committee to make this moratorium permanent. Consequently, we believe a recommendation to contract out BASOPS would have to comply with the CA statutory requirements and might be difficult to implement should Congress continue to extend the moratorium against awarding new CA contracts.

Sept 93 but a new one could passed

As question 2 includes a recommendation that the Army contract out its BASOPS, we will not address the recommendation further.

Question 3 asks whether it would be "more reasonable for the Commission to recommend the closure of the POM annex (except the housing) and leave the implementing decisions to the discretion" of the Army. We do not believe this to be a reasonable option. We understand that the Postgraduate School narrowly escaped a Navy recommendation for its closure and relocation. You also have a recommendation from the Army, though unsupported by DOD, for the closure of the DLI and its relocation to Fort Huachuca. Given the apparent transitory presence of the Postgraduate School and possibly DLI in the Monterey area, we would recommend that the BRAC provide no recommendation regarding closure of the POM annex, unless you also make a recommendation regarding the relocation of the DLI itself. As long as the DLI remains active in the Monterey area, the POM Annex should remain open to provide logistical and other support which you note cannot be provided at the Presidio itself due to space constraints.

Question 4 asks whether there would be any contract issues should BASOPS be provided by the Navy. We do not believe any unusual contract issues would arise should the Navy assume the

maintenance responsibilities for all DOD installations in the Monterey region.

I am available to discuss our opinion with you at your convenience. I can be reached at 697-5120.

Anthony H. Gamboa

Enclosures

Anthony H. Gamboa
Deputy General Counsel (Acquisition)

DEPARTMENT OF THE ARMY
OFFICE OF THE GENERAL COUNSEL
WASHINGTON, DC 20310-0104

June 18, 1993

MEMORANDUM FOR MARY ANN HOOK, DEPUTY GENERAL COUNSEL

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Question 4 asks whether there would be any contract issues should BASOPS be provided by the Navy. We do not believe any unusual contract issues would arise should the Navy assume the

maintenance responsibilities for all DOD installations in the Monterey region.

I am available to discuss our opinion with you at your convenience. I can be reached at 697-5120.

Anthony H. Gamboa

Enclosures

Anthony H. Gamboa
Deputy General Counsel (Acquisition)

MARY HOOK

DEPARTMENT OF THE ARMY
OFFICE OF THE JUDGE ADVOCATE GENERAL
WASHINGTON, DC 20310-2200

REPLY TO ATTENTION OF
DAJA-AL 1993/0982 (27-1a)

27 MAY 19

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To Ms Marche | From Diane Sorly Steed
Co. | Co.
Dept. | Phone #
Fax # | Fax #

MEMORANDUM FOR DIRECTOR, TOTAL ARMY BASING STUDY GROUP, ATTN: MS. MARCHE

SUBJECT: Defense Language Institute

1. This responds to your request for information concerning the 1993 Defense Base Closure and Realignment Commission's (Commission) recommendation to relocate the Defense Language Institute (DLI) or its mission to Fort Huachuca, AZ.

2. The following information pertains to the specific questions asked by Mr. Brown, the Army Team Leader to the Commission.

a. If an [Office of Management and Budget (OMB) Circular] A-76 study is required, what is the impact of such a study on the requirement to initiate BRAC actions within two years?

(1) The Defense Base Closure and Realignment (BRAC) Act of 1990 requires the Secretary of Defense to initiate all realignments no later than two years after the President transmits his report to Congress, and to complete such realignments no later than six years after the transmittal of the report (*See* Public Law 101-510, §§ 2904(a)(3) and (4)).

(2) The legislative history of the base closure acts provides guidance as to what actions may initiate a realignment. Earlier versions of the 1988 Base Closure and Realignment Act reported by the House Committee on Rules defined the term "initiate" to include "any action reducing functions or civilian personnel positions but does not include studies, planning, or similar activities carried out before there is a reduction of such functions or positions." (*See* H.R. Rep. No. 751, 100th Cong., 2d Sess. 13, 18 (1988).)

(3) Actions that may implement a realignment or closure include the following:

(a) Involuntary separation of civilian personnel;

(b) Award of contracts for construction, alteration, or the acquisition of facilities;

(c) Expenditures for equipment and supplies;

(d) Removal/relocation of significant items of

equipment related to the realignment from the losing installation;

(e) Installation of significant items of equipment related to the realignment at the gaining installation;

(f) Termination or award of contracts related to the realignment for the affected activity at the losing installation;

(g) Award of significant contracts related to the realignment for the affected activity at the gaining installation.

(4) A study conducted in accordance with Title 10, United States Code, section 2461 (10 U.S.C. § 2461) and OMB Circular A-76 may also be considered initiation of a recommendation because the cost comparison required by these procedures, as interpreted by the Department of the Army, would be based on actual prices bid or offered by private contractors. To have a bid or offer from a private contractor, the Department of the Army would need to prepare specifications, advertise its needs, and solicit proposals. These actions go beyond mere studying and planning; accordingly, in our opinion, such a study would constitute "initiation" of a recommendation to realign or close DLI.

b. Based on previous experience, how long has it taken the Army to complete previous A-76 studies? The average study takes approximately 24 to 36 months to complete.

c. Does OTJAG have any concerns about proceeding with consideration of the recommendation prior to completing an A-76 study?

(1) There is no legal impediment to the Commission considering a recommendation to relocate DLI, contract-out the function, or disestablish the mission. The Defense Base Closure and Realignment Act does not conflict with the provisions of 10 U.S.C. § 2641 and OMB Circular A-76. The issue presented is whether a study must be conducted if the Commission makes a recommendation similar to that proposed by

DAJA-AL 1993/0982 (27-1a)
SUBJECT: Defense Language Institute

the Army in the Department of the Army Analyses and Recommendations.

(2) BRAC waived certain statutory provisions. *See* Public Law 101-510, §§ 2905(c) and (d), which waive certain restrictions of the National Environmental Policy Act; 10 U.S.C. § 2662; and 10 U.S.C. § 2687. The provisions of 10 U.S.C. § 2641 were not waived by BRAC. Accordingly, we recommend that the Commission incorporate language in its recommendation that the requirements of 10 U.S.C. § 2461 and OMB Circular A-76 be followed.

(3) However, as noted in comment 2a(1) above, BRAC prescribes a two year period to initiate a recommendation and six years to implement such recommendation. The average period of time to complete a study would permit both the initiation and implementation of a recommendation within the statutorily required periods. Additionally, if the Army's proposed recommendation is adopted, the 1995 Commission may revise any recommendation the current Commission may propose. hint!

(4) The major impediment to initiating or implementing a recommendation is a provision in the National Defense Authorization Act for Fiscal Year 1993 which provides:

> the Secretary of Defense may not . . . enter into any contract for the performance of a commercial activity in any case in which the contract results from a cost comparison study conducted by the Department of Defense under Office of Management and Budget Circular A-76 . . . (Public Law 101-484, section 312)

Lookup

This provision ends 30 September 1993. If a similar provision is enacted at a later date, it may impede implementation.

d. Does OTJAG have a position on the feasibility of obtaining injunctive relief from any recommendation prior to completing an A-76 study? We cannot formulate any position with respect to injunctive relief, as each case or petition would be decided on the facts stated in the petition for

DAJA-AL 1993/0982 (27-1a)
SUBJECT: Defense Language Institute

equitable relief.

3. Point of contact for this opinion is MAJ Stockel, extension 44316.

FOR THE JUDGE ADVOCATE GENERAL:

SIGNED

RONALD J. BUCHHOLZ
LTC, JA
Chief, General Law Branch
Administrative Law Division

< CONFIRMATION REPORT >

06-16-1993(WED) 11:18

[RECEIVE]

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2.3.1.2 Real Estate Disposal Methods

Methods used by the Army to dispose of real estate properly are:

- Transfer to Other Federal Agency. The Army would transfer administrative or jurisdictional control to another federal agency.

- Assignment Pursuant to McKinney Act. The Army would assign the property to the U.S. Department of Health and Human Services, which would convey or lease the property to homeless providers.

- Public Benefit Discount Conveyance. State or local government entities may obtain property at less than fair market value when sponsored by a federal agency for uses that would benefit the public (i.e., health and education, parks and recreation, wildlife conservation, public health, and airport).

- Negotiated Sale. The Army would sell the property by negotiation to state and local agencies at fair market value. A sale could also be negotiated with private entities (i.e., existing third party leases).

- Competitive Sale. Sale to the public could occur through either an invitation for bids or an auction.

2.3.2 Parcels

As described in Section 2.2, there are at least two processes that might allow for early disposal of individual parcels at Fort Ord. Based on the assumption that one of these processes will be available, the Army is reviewing plans to initiate preparation of an Environmental Baseline Study for Transfer (EBST) and a Finding of Suitability for Transfer (FOST) for at least the 17 areas identified in Figure 2-5.

This early identification of clean parcels for accelerated disposal does not include any resource-based analyses and is not limited to the above areas. To expedite preparation of a FOST and an EBST, the Army will conduct preliminary assessment screenings at the selected areas.

2.4 ESTABLISHMENT OF PRESIDIO OF MONTEREY ANNEX

The Presidio of Monterey is located approximately 8 miles south of Fort Ord. Because it cannot accommodate all operations support functions onsite, many support facilities are housed on Fort Ord. The residual portion of Fort Ord retained by the Army needed to continue to provide support to the Presidio of Monterey is referred to as the POM annex.

To meet the goals identified above, the Army will retain control of the following elements at Fort Ord:

- Presidio of Monterey support: Includes the combined supporting engineer, maintenance, utilities, logistics, legal, information management, medical, contracting, and finance activities (requires 246,000 square feet [sf]).

- Area support: Includes the supporting logistics, legal, finance, and education activities for the area other than Fort Hunter Liggett, Presidio of Monterey, and residual Fort Ord (area requirement included in previous item).

- Fort Hunter Liggett support: Includes the legal, finance, supply, troop, and transportation supports required by Fort Hunter Liggett (area requirement included in "Presidio of Monterey Support" described above).

- Army family housing requirement: Involves Army and DOD activities in the areas that have continuing requirement for 1,590 units of family housing; this would support the DLI school requirement.

- Morale-welfare-recreation requirement: Provides recreation facilities (e.g., youth centers, child development center, library, and recreation center) to the active and retired military population; few facilities in the area are accessible to the military (requires 329,000 sf).

- Defense Language Institute School Support: The DLI cannot support the entire requirement with existing facilities; administrative, housing, classroom, and dining facilities are required for an additional 500 students (requires 786,000 sf).

- Local Department of Defense Requirements: Army and DOD activities in the area are in leased space; they include Defense Manpower Data Center, Personal Security Research and Education Center, Army Research Institute, Logistics Assistance Office, and the Defense Reutilization and Marketing Office (requires 129,000 sf).

The DOD's proposed plans are to establish a POM annex of approximately 1,500 acres (5% of Fort Ord's approximately 28,000 acres) east and south of the installation's main entrance under military control (Figure 2-8). This does not include land and easements that will be required for access and utilities. The proposed POM annex includes the following facilities, which are summarized in Table 2-1, with further detail contained in Appendix D in Volume III: 1,590 housing units, including Fitch Park, Marshall Park, Stilwell Park, and Hayes Park housing areas; two schools (Marshall and Stilwell); post exchange/commissary complex; two 18-hole golf courses; and various other support facilities identified in Figure 2-8. The housing will be retained to house Navy, Coast Guard, and DLI students.

New construction is not proposed as part of establishing the POM annex. The Army will execute a project to renovate or convert 14 existing buildings, on the proposed POM annex. These facilities will house relocated installation operations activities for the Presidio of Monterey. This work will include renovation of administrative buildings, warehouses, maintenance shops, chemical storage areas, and cold storage areas. (Appendix D in Volume III contains a list of facilities involved in the renovation and conversion project.)

The following 14 buildings are to be renovated: 4463, 4481, 4489, 4488, 4499, 4499A, 4512A, 4512B, 4418, 4448, 4490, 4491, 4423, and 4450. These buildings range in size from 1,883 to 19,354 square feet, totaling 134,400 square feet. Major effects of building modification activities, such as demolition and construction, could include generation of noise, air emissions, and hazardous waste.

It has not been determined whether the Silas B. Hays Army Community Hospital would be retained. For purposes of this EIS, the hospital will not be retained within the POM annex.

Table 2–1. Proposed Presidio of Monterey Annex

Name	Square Footage
Administration	60,723
Barracks	327,754
Bachelor Officer Quarters	162,414
Classroom	162,268
Dining	22,798
Administration	151,371
Maintenance	45,148
Storage	63,097
MWR/QOL	289,378
Local DOD Requirement	
Logistics assist OFC (LAO)	5,627
Army Research Institute	128,271
Vacant buildings:	45,338
Total	1,458,560

2.5 RETENTION OF RESERVE CENTER

The DOD's proposed plans are to retain, under military control, a 12-acre parcel of land with a 21,000-square foot reserve center, located at Imjin Gate near Reservation Road, under military control (Figure 2-8). The reserve center provides support functions to reservists (Army, Navy, Air Force, or Marines) for training. The reserve center operates during standard hours during the week and operates only on those weekends when training occurs. Access to the reserve center is through Imjin Gate. Many camouflage trucks are parked in the reserve center parking lot.

The reserve center is not contiguous with the proposed POM annex.

2.6 REUSE

2.6.1 Reuse Development Process

The primary focus of this EIS is evaluation of the action required by Congress, which is disposal of excess Fort Ord property after closure, an action to be taken by the Army. Reuse of the property, which

Name	Building	Square Footage
Administration		
Teleconference Center	P4458	12,194
Admin Gen Purp	P4470	11,399
Admin Gen Purp	P4468	11,399
Print Room	T4477	1,144
ADP Facility	P4464	12,393
ADP Facility	P4473	12,194
Subtotal		60,723
Barracks		
(A) Enl Bks-Seq		
(1) Enl Bks (105 vs 115)	P4469	40,587
(2) Enl Bks (105 vs 115)	P4467	40,587
(3) Enl Bks (105 vs 115)	P4466	40,587
(4) Enl Bks (105 vs 115)	P4432	40,653
(5) Enl Bks (105 vs 115)	P4442	40,653
(6) Enl Bks (105 vs 115)	P4430	42,017
(7) Enl Bks (105 vs 115)	P4440	42,017
(8) Enl Bks (105 vs 115)	P4434	40,653
Subtotal		327,754
Bachelor Officer Quarters		
(B) Officer Quarters-BOQ/42 EA	P4452	40,587
(C) Officer Quarters-BOQ/42 EA	P4456	40,587
(D) Officer Quarters-BOQ/42 EA	P4457	40,587
(E) Officer Quarters-BOQ/42 EA	P4454	40,653
		162,414
Classroom		
(1) DLI Classroom/Lab	P4472	40,587
(2) DLI Classroom/Lab	P4471	40,587
(A) Adm Gen Purp (POM WWII)	P4444	40,507
(B) Adm Gen Purp (POM WWII)	P4446	40,587
		162,268
Dining		
(A) Enl Per Din	P4453	11,399
(A) Enl Per Din	P4455	11,399
Subtotal		22,798
Administration		
(1) FAO	P4463	9,797
(2) DOC (29) + SJA (19)	P4481	6,258
(A) Admin purp	P4489	12,596
(B) One stop (family housing)	P4488	19,354
(C) Admin gen purp	P4518A	486
(D) Self help	T3803	7,792
(A) Fire station	P4400	6,906
(B) Applied inst bldg	P4401	225
(C) Fire station	S4403	3,750
(A) Admin gen pup (dol/optm)	P4418	8,215
(A) Tel exchg bldg (DOIM)	P4250	13,088
(B) Admin gen purp (DOIM)	S4251	6,500
(A) LES/DOS admin	P4423	9,303
(A) Troop medical clinic	P3723	35,114
(B) Prev med and OCC health	P4420	3,772
(A) Admin gen purp	P4408	8,215
Subtotal		151,371

Table D-1 Continued

Name	Building	Square Footage
Maintenance		
(B) Water pump bldg	P4108	128
(C) Groundwater storage tank	P4424	0
(E) Grease rack	P4498	0
(F) Shop	P4499	14,535
(G) Shop	P4499A	1,883
(H) Shop		1,883
(I) Wash platform	P4500	0
(J) Grease rack	P4501	0
(K) Wash platform	P4502	0
(L) Wash platform	P4517	0
(N) Grease rack	P4519	0
(O) Grease rack	P4521	0
(A) High fuel pump	P4441	0
(B1) Scale house	T4447	203
(B2) Scale house	T4437	203
(C1) With platform	P4511	0
(C2) VEH maint shop	P4512	14,517
(C5) Grease rack	P4515	0
(C7) Grease rack	P4513	0
(C8) Wash rack	P4514	0
(B) VEH Mnt shed org	P4495	8,682
(C) Wash rack (LEC)	P4496	0
(E) Grease rack	P4494	0
(A) Shop	P4518A	3,114
Subtotal		45,148
Storage		
(D) Warehouse	P4487	1,622
(M) Storage (supply)	P4518	10,036
(P) Inflam mat sths	P4503	363
(C3) Gen purpose whse	P4512A	1,883
(C4) Gen purpose whse	P4512B	1,883
(C6) Inflam mat sths	P4516	370
(A1) Gen pup whse - dry stg	P4522	7,783
(A2) Gen purp whse - dry stg	P4522A	1,883
(A3) POM storage	P4448	5,627
(B1) Dry cold storage	S4490	14,140
(B2) Cold storage	S4491	16,800
(D) Inflam mat sths (LEC)	P4497	707
Subtotal		63,097
MWR/QOL		
(1) AAFES		
(A) Main exhange	P4235	72,709
(B) Anthony's Pizza	T3677	2,945
(C) Burger King	P4405	3,347
(D) Class VI store		0
(E) Outlet/laundry	P4227	2,497
(F) Serve station	P4220	8,973
(G) Shoppettes:		0
(1) Monterey Road	P7850	4,302
(2) Normandy Street	P4291	2,800
(H) Theater w/drs rm	P4230	15,908
(I) Warehouse/admin	P4465	5,802
(2) Commissary	P4240	111,313
(3) Chapel (w/relig ed)	P4280	24,670
(4) MWR		0
(A) Child development		0
(1) Child dev ctr	P7693	23,800
(2) Rec bldg	P7693A	128
(3) Rec bldg	P7693B	128
(4) Rec bldg	P7693C	128

Name	Building	Square Footage
(5) Basketball ct	T-769	0
(B) Fitness center (gym)	P-4460	20,457
(C) Library - main	P4275	14,400
(D) Outdoor rec/sports	P4450	12,126
(E) Stadium	P3892	0
(F) Field house	P3891	5,665
(G) Youth center	P4283	18,500
(H) Multi court	P4284	0
(I) Playground	P4428	0
Other QDL facilities:		
(A) Auto shill dev ctr		
(1) Skill autocraft	P4492	23,475
(2) Gas station bldg	P4493	196
(B) Bowling alley	S3895	20,180
(C) Consolidated club	P4260	35,612
(D) Golf facility		0
(1) Club house	T4100	8,107
(2) 36 holes	P4101	0
(3) Washroom	T4104	120
(4) Mnt bldg	S4105	1,778
(5) Mnt bldg	S4107	2,720
(6) Mnt bldg	T4103	96
(7) MWR warehouse	T4109	3,673
(8) MWR warehouse	T4110	4,000
Other outgrants		
(A) Post office	P4225	5,216
(B) Credit union	P4242	6,216
Subtotal		289,378
Local DOD Requirement		
Logistics assist OFC (LAO)	P4448	5,627
Army Research Institute		0
(A) Admin	P4438	5,627
(B) Admin	P4550	5,627
(3) PERSEREC	P4560	5,627
(4) DMDC/DEERS		0
(A) DMDC Admin	P4552	42,017
(B) DMDC Storage	P4436	40,653
(C) DEERS Storage	P4560	5,627
(5) DRMO		0
(1) Inflam mat sths	P4504	361
(2) Wash rack (DRMO)	P4505	0
(3) DRMO storage yard	P4506	14,520
(4) Gen purp whse (DRMO)	P4506A	1,883
(5) Grease rack	P4507	0
(6) Wash rack (DRMO)	P4508	0
(7) Grease rack (DRMO)	P4509	0
(8) Flam mat sths (DRMO)	P4510	702
Subtotal		128,271
Vacant buildings:		
(A) Clinic without beds	P4482	3583
(B) Exchange BR	P4419	4,177
(C) Dentral clinic	P4390	5,697
(D) Hospital clinic	P4380	5,627
(E) Dental clinic	P4399	15,524
(F) Chapel	P4483	7,562
(G) VIC	P4214	3,168
Subtotal		45,338
Total		1,458,560

Presidio of Monterey Annex

Retention of Land and Facilities

Facility Measure	Fort Ord	Presidio of Monterey Annex	Percent Retained
Annex Land Area			
Acreage	28,308	1,500	6 %
Annex Buildings (total)			
With Navy and Coast Guard Housing			
Buildings	4,293	1,724	40 %
Square Footage	17,901,000	4,001,000	22 %
Without Navy and Coast Guard Housing			
Buildings	4,293	1,224	29 %
Square Footage (approx)	17,901,000	3,262,000	18 %
Cantonment Area Only			
Buildings	1,293	134	10 %
Square Footage	8,423,000	1,648,000	20 %
Family Housing Area Only			
With Navy and Coast Guard Housing			
Housing Units	3,000	1,590	53 %
Square Footage	9,056,000	2,353,000	26 %
Without Navy and Coast Guard Housing			
Housing Units	3,000	1,090	36 %
Square Footage	9,056,000	1,613,000	18 %

Size of the Presidio of Monterey Annex

Cantonment Area (without housing)

by Functions Served

Functions Served	Square Footage	Percentage of Total
Base Operations	260,000	16
DLI 500-man campus	777,000	47
Morale, Welfare & Recreation	462,000	28
Local DoD*	128,000	8
Other (Reserve Center)	21,000	1
Total:	*1,648,000*	*100*

* Note: Local DoD requirements are:

Defense Manpower Data Center (now leasing space in Monterey)
Defense Reutilization Marketing Office
Logistics Assistance Office
Army Research Institute
PERSEREC

Document Separator

Hook

43 FLRA No. 64

FEDERAL LABOR RELATIONS AUTHORITY
WASHINGTON, D.C.

NATIONAL FEDERATION OF FEDERAL EMPLOYEES
LOCAL 1263
(Union)

and

U.S. DEPARTMENT OF DEFENSE
DEFENSE LANGUAGE INSTITUTE
MONTEREY, CALIFORNIA
(Agency)

0-AR-1922

DECISION

December 26, 1991

Before Chairman McKee and Members Talkin and Armendariz.

I. Statement of the Case

This matter is before the Authority on exceptions to an award of Arbitrator Norman Brand filed by the Agency under section 7122(a) of the Federal Service Labor-Management Relations Statute (the Statute) and part 2425 of the Authority's Rules and Regulations. The Union filed an opposition to the Agency's exceptions.

The Agency contracted out the teaching of a number of languages. In making the determination to contract out, the Agency did not conduct a cost comparison pursuant to the procedures of OMB Circular A-76, as implemented by Army Regulation (AR) 5-20. As a result of the contracting out, 27 civilian employees of the Agency were separated by a reduction-in-force (RIF). The Union filed a grievance contesting the determination to contract out. The Arbitrator found that the grievance was grievable and arbitrable. On the merits, the Arbitrator found that the Agency violated mandatory procurement laws and regulations in determining to contract out without doing a cost comparison. The Arbitrator ordered the Agency to conduct a

cost comparison study. The Arbitrator further ordered that if the study shows that the teaching of the languages should not have been contracted out, the employees who were subject to the RIF must be reinstated with backpay.

This case presents an opportunity for us to reexamine the Authority's approach to the authority of arbitrators in procurement cases as set forth in Headquarters, 97th Combat Support Group (SAC), Blytheville Air Force Base, Arkansas and American Federation of Government Employees, AFL-CIO, Local 2840, 22 FLRA 656 (1986) (Blytheville AFB). On reexamination, we conclude that the basis on which an arbitrator may sustain a grievance disputing an agency's decision to contract out agency work must be modified to conform to section 7106(a)(2) of the Statute. We also conclude that the restrictions placed by Blytheville AFB on the authority of arbitrators to remedy violations by agencies of applicable procurement law are not warranted, and we will now permit arbitrators to remedy violations of procurement law. We will modify the award in this case to conform with the approach we now adopt.

II. Background and Arbitrator's Award

Certain languages taught at the Agency have lower enrollment than others and are denominated low-density languages. In 1989, the Agency determined to contract out the teaching of 10 low-density languages by diverting future students to the Foreign Language Contract Training Program used by other Federal agencies. In making the determination to contract out, the Agency did not conduct a cost comparison between the cost of contract performance and in-house performance pursuant to the procedures of OMB Circular A-76, as implemented by AR 5-20. As a result of the contracting out, 27 civilian employees of the Agency were separated by a RIF. The Union filed a grievance on behalf of the 27 employees, contesting the determination to contract out. The grievance was not resolved and was submitted to arbitration.

The parties were unable to stipulate an issue, but they ultimately agreed to the Arbitrator's following understanding of the issues:

1. Is the grievance arbitrable?

2. Did the [Agency's] decision to eliminate 10 "low-density" languages and divert future students in those languages to existing contracts let by other agencies, under the Contract Foreign

Language Training Program, violate the negotiated agreement, laws, rules, or regulations?

Award at 2. The Arbitrator first determined that the grievance was grievable and arbitrable. He ruled that because the grievance alleged a failure to follow mandatory, nondiscretionary provisions of procurement law and regulation, the grievance was not precluded by law under Authority case precedent. He found that Authority case precedent governed his decision, and, consequently, he declined to follow the decision of the court in Defense Language Institute v. FLRA, 767 F.2d 1398 (9th Cir. 1985). He also found that the Agency had failed to establish that this matter was not grievable under the parties' collective bargaining agreement.

On the merits, the Agency took the position before the Arbitrator that it had simply exercised its discretion to exclude the language training from coverage by Circular A-76 and AR 5-20 pursuant to an exemption for national defense purposes provided by both the Circular and AR 5-20. The Agency maintained that, therefore, it was not required to conduct a cost comparison under Circular A-76 and AR 5-20 before contracting out the language training. The Union argued, to the contrary, that the Agency was authorized for national defense purposes under the procurement regulations only to retain performance of language training in-house without a cost comparison. The Union maintained that the exemption for national defense purposes did not authorize the Agency to contract out language training without a cost comparison.

The Arbitrator concluded that it was impossible to reconcile the Agency's actions with the regulatory requirements. The Arbitrator found that the national defense exemption provides regulatory authority to perform commercial activities in-house and not authority to contract out without performing a cost comparison. The Arbitrator further found that the applicable procurement regulations do not permit a process in which the Agency first removes the activity from the commercial activity program under the exemption for national defense and then uses its absence from the program to contract out without conducting a cost comparison. The Arbitrator ruled that the Agency's position was untenable. He viewed the Agency's position as "nothing more than an attempt to cloak the operative decision in the mantle of 'discretion' in order to make it unreviewable." Id. at 18. In sum, the Arbitrator held that the exemption for national defense purposes can only be used to justify in-house performance of a commercial activity and cannot be

used as a "subterfuge" to avoid the application of AR 5-20, "which implements Circular No. 76, DoD Directive 4100.15, and DoD Instruction 4100.33[.]" Id. at 17, 18.

Accordingly, consistent with the Authority's decision in Blytheville AFB, the Arbitrator found that the Agency violated mandatory procurement laws and regulations "[i]n deciding to contract out without doing a cost comparison in accordance with the provisions of AR 5-20, which implements OMB Circular No. 76 and DoD procurement regulations[.]" Id. at 19. In accordance with Blytheville AFB, the Arbitrator further found that the failure to comply with AR 5-20 and DoD regulations materially affected the decision to contract out because it permitted the Agency to make the decision without the cost comparison on which the decision must be based. Also, in accordance with Blytheville AFB, the Arbitrator found that the failure to comply with AR 5-20 and DoD regulations materially harmed unit employees because the determination to contract out had caused the separation by RIF of 27 employees.

As a remedy, the Arbitrator ordered the Agency, in accordance with AR 5-20, to conduct a commercial activity study of the languages that were contracted out. The Arbitrator directed that "[i]f the study shows that federal employee performance is cost effective and the languages should not be contracted out, the RIFed employees must be rehired with back pay, minus interim earnings attributable to their being RIFed." Id. at 21.

III. First Exception

A. Positions of the Parties

The Agency contends that the Arbitrator's award is deficient because the Arbitrator found that the issue of the Agency's compliance with Circular A-76 and AR 5-20 was a grievable and arbitrable matter. The Agency notes that the U.S. Supreme Court stated in IRS v. FLRA, 110 S. Ct. 1623, 1629 (1990), that only external limitations constituting applicable laws may be enforced by unions and arbitrators as limits on management's right to contract out. The Agency argues that Circular A-76 and AR 5-20 do not constitute applicable laws within the meaning of section 7106(a)(2) of the Statute and that, consequently, the matter of the Agency's compliance with Circular A-76 and AR 5-20 was not grievable and arbitrable.

The Agency alternatively argues that the award is deficient as contrary to the Circular. The Agency notes that the Circular expressly precludes coverage by a

negotiated grievance procedure of commercial activity proceedings. Thus, the Agency claims that, if the Authority finds that Circular A-76 constitutes a Government-wide regulation, the Arbitrator's award is deficient because the Arbitrator found that the grievance was grievable and arbitrable in violation of the Circular's prohibition.

The Union contends that the exception must be denied. The Union notes that in its grievance in support of its position that the Agency was required to have conducted a cost comparison, it relied on 10 U.S.C. § 2462; DoD Directive 4100.15, 32 C.F.R. part 169; DoD Instruction 4100.33, 5 C.F.R. part 169a; and Federal Acquisition Regulations, 48 C.F.R. part 7.3, in addition to Circular A-76 and AR 5-20. The Union asserts that these other provisions relied on constitute applicable laws and independently support the Arbitrator's ruling that the grievance was grievable and arbitrable. Therefore, the Union states that the Authority need not address whether Circular A-76 and AR 5-20 constitute applicable laws under section 7106(a)(2) of the Statute. Alternatively, the Union argues that both Circular A-76 and AR 5-20 constitute applicable laws and, therefore, support the Arbitrator's ruling.

The Union also disputes the Agency's contention that Circular A-76 can legitimately preclude coverage by a negotiated grievance procedure of commercial activity proceedings. The Union asserts that a Government-wide regulation cannot supersede the grievance procedure prescribed by the Statute covering alleged violations of procurement law. The Union further asserts that, in any event, the Circular's exclusive jurisdiction to resolve cost comparison disputes does not apply to preclude the grievance in this case because the Agency failed to conduct a cost comparison.

B. Analysis and Conclusions

In National Treasury Employees Union and U.S. Department of the Treasury, Internal Revenue Service, 42 FLRA 377 (1991), petition for review filed sub nom. Department of the Treasury, Internal Revenue Service v. FLRA, No. 91-1573 (D.C. Cir. Nov. 25, 1991) (Treasury), we examined the scope of the term "applicable laws" in section 7106(a)(2) of the Statute and whether the term encompasses Circular A-76. For the reasons fully set forth in Treasury, we concluded that OMB Circular A-76 constitutes an applicable law within the meaning of section 7106(a)(2) of the Statute. 42 FLRA at 391. We also concluded that the

Circular's provision for an agency-established administrative appeal procedure does not preclude grievances over compliance with Circular A-76. We held that OMB cannot preclude grievances enforcing the Circular by issuing regulations that limit the scope of the statutory grievance procedure. Id. at 404.

In view of these determinations, we conclude that the Agency fails to establish that the Arbitrator's ruling that the grievance was grievable and arbitrable is deficient. As we stated in Treasury, grievances over compliance with Circular A-76 "would require nothing more than that which is already required by section 7106(a)(2) of the Statute itself, namely, that determinations as to contracting out must be made 'in accordance with applicable laws[.]'" Id.; accord U.S. Department of the Navy, Pacific Missile Test Center, Point Mugu, California and National Association of Government Employees, Local R 12-33, 43 FLRA 157 (1991).

Furthermore, in our view, the Arbitrator's findings and references to AR 5-20 and DoD regulations do not render the award deficient. Clearly, Circular A-76 was the source and the authority of the Arbitrator's findings. The violations he found were based on the requirements of Circular A-76 and not DoD regulations or AR 5-20. As specifically recognized by the Arbitrator, AR 5-20 merely implements the requirements of Circular A-76 in the Agency. Likewise, DoD Directive 4100.15 and DoD Instruction 4100.33 implement the requirements of Circular A-76 throughout the Department of Defense. 32 C.F.R. § 169.1; 32 C.F.R. § 169a.1(a). AR 5-20 is simply the formal means by which the requirements of the Circular are applied in the Agency. AR 5-20, promulgated in response to Circular A-76, sets out Agency guidelines that both reiterate and incorporate the requirements of Circular A-76. As the summary of AR 5-20 states, the regulation "implements Office of Management and Budget Circular A-76, DOD Directive 4100.15, and DOD Instruction 4100.33 [and] . . . provides guidance for managing and carrying out the Commercial Activities (CA) Program." Consequently, we view the Arbitrator's findings with respect to AR 5-20 and DoD regulations simply to constitute the Arbitrator's references to the means by which the requirements of Circular A-76 are applied within the Agency. The Arbitrator's mere referencing of AR 5-20 and DoD regulations does not establish that he required anything more than is required by Circular A-76.

Accordingly, we will deny the exception.

IV. Second Exception

A. Position of the Parties

The Agency contends that the award is contrary to management's right under section 7106(a)(2)(B) of the Statute to make determinations with respect to contracting out because it orders the Agency to rehire the employees separated by the RIF if a cost comparison favors in-house performance. The Agency argues that under the Authority's decision in Blytheville AFB, it is the agency, and not the arbitrator, that determines what action to take as a result of the reconstruction of the procurement process. The Agency notes that in Blytheville AFB, the Authority held that if the decision to contract out can no longer be justified, the agency must determine whether considerations of cost, performance, and disruption override cancelling the procurement action and must take whatever action is appropriate on the basis of that determination. The Agency argues that by prescribing the remedy if the decision to contract out can no longer be justified, the award is deficient because it precludes management from determining what "action is appropriate on the basis of that determination" and prevents management from exercising "its discretion to fashion other remedies appropriate to the circumstances." Exceptions at 7 (quoting Blytheville AFB, 22 FLRA at 662).

The Union concedes that the Arbitrator exceeded his authority under current Authority case precedent by ordering the employees separated by the RIF reinstated with backpay if the decision to contract out could not be justified. However, the Union requests that we reconsider Blytheville AFB and hold that an arbitrator has authority to award employees reinstatement and other compensation for injuries suffered as a result of an agency's violation of procurement laws.

The Union argues that the limits on an arbitrator's authority set forth in Blytheville AFB are inconsistent with the Back Pay Act, 5 U.S.C. § 5596, and are inconsistent with the authority granted arbitrators in other areas. The Union maintains that under the Back Pay Act, an employee who is affected by an unjustified or unwarranted personnel action is entitled on correction of the action to the pay, allowances, or differentials that the employee would have received if the action had not occurred. The Union asserts that in order to conform to the Back Pay Act, the Authority must permit arbitrators to order reinstatement with backpay when a reconstructed commercial activity study determines that in-house performance is more cost effective than

conversion to contract. The Union also asserts that procurement laws should be no less enforceable by arbitrators than other laws, such as the laws governing performance appraisals. The Union claims that it is inconsistent for an arbitrator to have authority to remedy agency violations of laws governing performance appraisals, but not to have the authority to remedy violations of procurement law. In the Union's view, in either case, employees are entitled to be made whole by the arbitrator.

B. Analysis and Conclusions

This case presents us with the opportunity to reexamine the Authority's approach, as set forth in Blytheville AFB, to the role of arbitrators in resolving grievances disputing determinations by agencies to contract out agency work.

In Blytheville AFB, the Authority noted that, in recognition of the substantial discretion accorded agency officials under procurement law and regulation, and the many decisions made as a part of the procurement process that necessarily involve judgment and managerial choices, the scope of review of procurement actions by courts and administrative bodies has been narrow and limited. 22 FLRA at 659. The Authority recognized that courts generally hold that a procurement decision may not be overturned unless it is demonstrated that there is no rational basis for the agency's decision and that no public interest considerations override cancelling the procurement. Id. at 660. The Authority held that in view of the substantial discretion vested in agency procurement officials, the paramount public interest in the efficient procurement of goods and services, and the avoidance of excessive costs, arbitrators are "without authority to order cancellation of a procurement action or to review an agency decision in the procurement process concerning a matter of agency judgment or discretion." Id. at 661. The Authority concluded that arbitrators "are authorized to consider only grievances challenging a decision to contract out on the basis that the agency failed to comply with mandatory and nondiscretionary provisions of applicable procurement law or regulation" and that "[t]hese provisions must be sufficiently specific to permit the arbitrator to adjudicate whether there has been compliance with such provisions." Id.

The Authority advised that when an arbitrator is presented with such a grievance, the arbitrator may sustain the grievance if the arbitrator finds that the agency failed

to comply with such provisions of procurement laws or regulation. However, the Authority ruled that in sustaining the grievance, the arbitrator is limited to ordering the agency to reconstruct the procurement action. Id. at 661-62. Under Blytheville AFB, the agency must determine on reconstruction whether the decision to contract out is in accordance with law and regulation and, if the decision to contract out cannot be justified, "the agency must determine whether considerations of cost, performance, and disruption override cancelling the procurement action and take whatever action is appropriate on the basis of that determination." Id. at 662.

On reexamination, we conclude that the basis on which an arbitrator may sustain a grievance directly challenging an agency's decision to contract out agency work must be modified to conform to section 7106(a)(2) of the Statute, as discussed in Treasury. On reexamination, we further conclude that the restrictions on the authority of arbitrators to remedy violations by agencies of applicable procurement law are not warranted, and we will now permit arbitrators to remedy violations of procurement law in conformity with the remedial authority of Federal courts in such matters.

In IRS v. FLRA, the U.S. Supreme Court reversed the Authority's holding that compliance with OMB Circular A-76 could be enforced through a negotiated grievance procedure because the Circular constituted a law, rule, or regulation within the meaning of section 7103(a)(9) of the Statute. The Court stated that the Authority's holding was "flatly contradicted by . . . § 7106(a)'s command that nothing in this chapter . . . shall affect the authority of agency officials to make contracting-out determinations in accordance with applicable laws." 110 S. Ct. at 1627 (emphasis in original). The Court stated that "there are no 'external limitations' on management rights, insofar as union powers under § 7106(a) are concerned, other than the limitations imposed by 'applicable laws.'" Id. at 1629 (emphasis in original).

The Court also held that the term "applicable laws" in section 7106(a)(2) is not synonymous with the phrase "any law, rule, or regulation" in section 7103(a)(9) of the Statute. The Court stated that "[i]t cannot be true . . . that all actions not in accordance with a 'law, rule, or regulation' under § 7103(a)(9) are, by definition, also actions not 'in accordance with applicable laws' in § 7106(a)." Id. (emphasis in original). However, the Court

stated that it is a "permissible (though not an inevitable) construction of the [S]tatute that the term 'applicable laws' in § 7106(a) extends to some, but not all, rules and regulations . . . ." Id. (footnote omitted). Because the scope of the term "applicable laws" in section 7106(a)(2) was not considered by the U.S. Court of Appeals for the D.C. Circuit, the Supreme Court remanded the case to the D.C. Circuit to consider that issue or "await [the Authority's] specification, on remand, of the particular permissible interpretation of 'applicable laws' (if any) it believes embraces the Circular." Id. at 1630.

The D.C. Circuit subsequently remanded the case to the Authority. IRS v. FLRA, No. 87-1439 (D.C. Cir. May 11, 1990) (order). Following the remand, we examined the scope of the term "applicable laws" in Treasury. In Treasury, we held that, insofar as management rights under section 7106(a)(2) are concerned, proposals that require compliance with applicable laws do not directly interfere with the exercise of such rights. We also held that the term "applicable laws" in section 7106(a)(2) includes, among other things, provisions of the U.S. Code and provisions of rules and regulations having "the force and effect of law." 42 FLRA at 390-91. We concluded that in order for a regulation to have the force and effect of law, so as to constitute an applicable law, the regulation, among other things, must have substantive characteristics affecting individual rights and obligations. Id. at 391.

In view of these determinations, the basis on which an arbitrator may sustain a grievance claiming that an agency decision to contract out agency work failed to comply with applicable procurement regulations must be modified to conform to section 7106(a)(2) of the Statute. In accordance with IRS v. FLRA and Treasury, we now hold that an arbitrator may sustain a grievance disputing an agency's determination to contract out on the basis of a procurement regulation only if that regulation constitutes an applicable law within the meaning of section 7106(a)(2) of the Statute. However, a regulation must have certain substantive characteristics to have the force and effect of law, and, as noted in Blytheville AFB, 22 FLRA at 660, the courts have stressed that the procurement regulations alleged to have been violated must contain discernible requirements and meaningful criteria against which the determination to contract out may be analyzed and reviewed. Therefore, we will continue to adhere to that portion of Blytheville AFB, id. at 661, holding that the applicable provision must be mandatory and nondiscretionary and must contain sufficiently specific standards against which an

arbitrator can objectively analyze and review the agency's actions to determine whether the agency failed to comply with the requirements.

As we have noted, in addition to limiting the basis on which an arbitrator was permitted to sustain a grievance, Blytheville AFB also concluded that "arbitrators are not authorized to cancel a procurement action." Id. That conclusion was reached without any discussion as to the relief granted by courts in procurement cases. On review of the type of relief granted by the Federal courts in procurement cases, we cannot justify the restrictions of Blytheville AFB on the authority of arbitrators to remedy grievances disputing determinations to contract out.

In Choctaw Manufacturing Co. Inc., v. United States, 761 F.2d 609 (11th Cir. 1985) (Choctaw Mfg.), the court held that "[t]here is no question that a district court may '[e]njoin the performance of a [government] contract if the award was the result of procedures not comporting with the law . . . .'" 761 F.2d at 619 (quoting Sea-Land Service, Inc. v. Brown, 600 F.2d 429, 433 (3d Cir. 1979). In Ulstein Maritime, Ltd. v. U.S., 833 F.2d 1052 (1st Cir. 1987) (Ulstein Maritime), the court held that disappointed bidders for Federal government contracts may seek judicial review and that when the actions of contracting officers violate applicable procurement laws or regulations, "the award may be set aside." 833 F.2d at 1057. The court also noted that Congress in enacting 28 U.S.C. § 1491(a)(3) explicitly endorsed the authority of Federal district courts to grant equitable relief from illegalities in the Federal procurement process. The court explained that in enlarging the powers of the U.S. Claims Court under 28 U.S.C. § 1491(a)(3), Congress recognized and did not alter the preexisting powers of the district court to award injunctive relief in procurement cases. Id. at 1057-58.

In Delta Data Systems Corp. v. Webster, 744 F.2d 197 (D.C. Cir. 1984) (Delta Data), in an opinion by then Judge (now Justice) Scalia, the court stated that the court's role in reviewing agency procurement decisions is limited to determining whether the agency acted in accord with applicable standards and regulations and had a rational basis for its decision. 744 F.2d at 204. Although observing that the "ultimate grant of a government contract must be left to the discretion of the government agency," the court held that a district court may order that a contract be awarded when "it is clear that, but for the illegal behavior of the agency, the contract would have been

awarded to the party asking the court to order the award." Id.; accord Ulstein Maritime, 833 F.2d at 1058; Choctaw Mfg., 761 F.2d at 619. The court explained that "the main objective of our effort at framing a remedy is to assure that the government obtains the most advantageous contracts by complying with the procedures which Congress and applicable regulations have provided. Putting the disappointed bidder in the economic position it would have occupied but for the error is normally the best approach to this result." Id. at 206-07. The court cautioned, however, that "[w]here that is impractical . . . or can only be achieved at a cost to the government that will greatly exceed the benefits derived from requiring observance of the proper procedures in [a] particular case, we must seek a more reasonable alternative." Id. at 207.

Similarly, the court in Choctaw Mfg. held that a district court, in determining whether to exercise the authority to award a contract to an unsuccessful bidder, "must consider several equitable factors, among them: whether the contract has already been awarded to another party and, if so, is being performed; the extent an order awarding the contract to the unsuccessful bidder is necessary to vindicate the interest of the public, and competing bidders, in the agency's adherence to the law; and the cost to the government, and hence to the taxpayers, of substituting an unsuccessful bidder for the successful bidder whose price may have been considerably lower." 761 F.2d at 619. Because these cases frequently involve the Department of Defense, courts have also been careful to consider the possible detriment to the national interest before granting an injunction in a procurement case. For example, Diebold v. U.S., No. 90-5373 (6th Cir. Oct. 15, 1991), slip op. at 17 (Diebold).

Although the courts have acknowledged the availability of equitable relief, they nevertheless have clearly recognized that the granting of such relief should be extraordinary. "They have looked carefully at the interests to be affected by equitable relief, fully aware that the Government and the public may be harmed when courts interfere with agencies' procurement decisions." B.K. Instrument, Inc. v. U.S., 715 F.2d 713, 730 (2d Cir. 1983). In many cases, despite finding merit in the claims of disappointed bidders, "they have struck the balance of equities in favor of the government's interests in the smooth and efficient functioning of the procurement process at the expense of the interests of the unsuccessful bidder in the integrity of the bidding process and equal access to the procurement dollar (and of the public in fairness and

competitive bidding)." Gull Airborne Instruments, Inc. v. Weinberger, 694 F.2d 838, 846 n.9 (D.C. Cir. 1982). Moreover, Congress in expanding the equitable powers of the U.S. Claims Court "affirmed this judicial reluctance to enjoin contract awards, recognizing that 'courts ordinarily refrain from interference with the procurement process by declining to enjoin the Government from awarding a contract.'" Diebold, slip op. at 17 (quoting S. Rep. No. 275, 97th Cong., 2d Sess. at 23).

Clearly, the circumstances warranting the grant of injunctive relief do not reduce to an objective delineation. However, the court in Choctaw Mfg. offers some guidance in the balancing of equities to determine whether to award a contract by contrasting the situations in Superior Oil Co. v. Udall, 409 F.2d 1115 (D.C. Cir. 1969) (Superior Oil) and Delta Data. The court explained that in Superior Oil the district court was presented with a clear violation of law that required the cancellation of the contract. In addition, the court noted that, but for the violation, the unsuccessful bidder, Superior Oil, would have received the contract. In the judgment of the court in Choctaw Mfg., the district court in Superior Oil "had the authority to order that the contract be awarded to [Superior Oil] and the relevant equities counseled that it exercise that authority." 761 F.2d at 620. The court in Choctaw Mfg. concluded that the equities warranted award of the contract because the challenged bidder and the government had not materially changed their respective positions and no significant expense or disruption of a governmental function would have attended the substitution of Superior Oil for the successful bidder. The court additionally concluded that "'the need to promote the integrity of the bidding process' outweighed the fact that such substitution would cost the government 'approximately two million dollars more in immediate revenue . . . .'" Id.

In contrast, the court in Choctaw Mfg. noted that in Delta Data no award was found to be appropriate because in Delta Data there was no showing that, but for the agency's failure to comply with regulations, Delta Data would have been awarded the contract. Following the example of Superior Oil, the court in Choctaw Mfg. ordered award of the contract to Choctaw, an unsuccessful bidder. The court was persuaded to exercise its discretion because, but for the violations of procurement regulations, Choctaw would have received the contracts; the successful bidder had not commenced performance of the contracts; the substitution of Choctaw would cause only an insignificant disruption of the

procurements; and the interest to the public, and those who bid for the agency's work, outweighed the higher price the Government would have to pay for the procurements. Id. at 621.

Other courts have also recognized when there may be "sound reasons" for granting equitable relief. Motor Coach Industries Inc., v. Dole, 725 F.2d 958, 968 (4th Cir. 1984) (MCI). In MCI, the court was persuaded that injunctive relief was necessary because the agency's actions did not constitute only a "technical violation" of procurement law: "Rather, the agency completely ignored the [Federal Property and Administrative Services] Act's substantive and procedural requirements . . . ." Id. at 968. In the court's view, "[a]llowing the purchase contract to stand in such circumstances would soon make the procurement statutes little more than 'dead letters on a page.'" Id.

On the basis of our review of the remedial authority of Federal courts in procurement cases, we now hold, contrary to Blytheville AFB, that an arbitrator may order a procurement contract terminated and performance of the activity converted to in-house.1/ We recognize that these cases have involved Federal court review, rather than arbitration awards, and unsuccessful or disappointed bidders, rather than employees or unions representing employees. The reason that these cases have not involved employees or unions is that the courts have denied employees and unions standing to bring an action alleging that an agency wrongfully converted to contract an activity previously performed in-house by agency personnel. For example, NFFE v. Cheney, 883 F.2d 1038 (D.C. Cir. 1989). However, in cases like the one before us, we are not constrained by a lack of standing. The lack of standing in court of unions and employees cannot limit the extent of relief available in arbitration under the Statute where

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1/ For a discussion of the difference between a cancellation or rescission of a contract and an order to terminate the contract under the contract's termination-for-the-convenience-of-the-government clause, see United States v. Amdahl Corp., 786 F.2d 387, 394-95 (Fed. Cir. 1986) (Amdahl Corp.). In accordance with Amdahl Corp., when the contractor was not the cause of the illegality and was not aware of the illegality, the appropriate order would be to direct the termination of the contract and not to order the contract cancelled or rescinded.

they undeniably have standing. Indeed, in Treasury, we determined that the inability of unions or employees to challenge procurement decisions in court was not dispositive of whether OMB Circular A-76 constituted an applicable law under the Statute. In view of our decision that Circular A-76 is an applicable law, and the statutory right of employees and unions to resolve issues concerning conditions of employment through a negotiated grievance procedure, it is clear to us that arbitrators must have the authority to make employees whole in cases where in-house performance of an activity was converted to contract in violation of Circular A-76 or any other applicable procurement law or procurement regulation having the force and effect of law.

We find no basis in procurement law or regulation or in the Statute or its legislative history for continuing to hold that this relief that is granted by the courts cannot be granted on the same grounds by arbitrators. We also agree with the Union that the Back Pay Act, 5 U.S.C. § 5596, provides arbitrators with the authority to reinstate with backpay employees subjected to a RIF. The Authority has repeatedly held that the Back Pay Act authorizes arbitrators to make employees whole for pay, allowances, or differentials lost as a result of an unjustified or unwarranted personnel action. For example, American Federation of Government Employees, Local 31 and U.S. Department of Veterans Affairs Medical Center, Cleveland, Ohio, 41 FLRA 514, 517 (1991). The Authority has advised that, in order to award backpay, the arbitrator must find that: (1) the aggrieved employee was affected by an unjustified or unwarranted personnel action; (2) the personnel action directly resulted in the withdrawal or reduction of the employee's pay, allowances or differentials; and (3) but for such action, the employee would not otherwise have suffered the withdrawal or reduction. Id. at 517. Furthermore, an "unjustified or unwarranted personnel action" is specifically defined to include an action found to have been unjustified or unwarranted under applicable law. 5 C.F.R. § 550.803. In our view, the Back Pay Act clearly encompasses a conversion to contract in violation of Circular A-76, or any other applicable procurement law or regulation having the force and effect of law, as a result of which employees are separated by RIF. Moreover, the findings necessary to support an award of backpay under the Back Pay Act are no different from the findings necessary to award a contract. In both, a "but for" or causal connection finding is necessary and in both the aggrieved party is placed in the position the party would otherwise have achieved if the violation had not occurred.

Based on our review of the law, we conclude that we should not permit agencies to maintain unreviewable discretion to "take whatever action is appropriate[.]" Blytheville AFB, 22 FLRA at 662. Consequently, we will no longer deprive arbitrators of the power and responsibility under the Statute to appropriately remedy unlawful actions taken with respect to contracting out. In resolving such cases under the authority we have now prescribed, arbitrators will not be exercising any additional authority beyond that which they generally exercise in resolving other grievances, including those that involve the exercise of other management rights under the Statute. See Social Security Administration and American Federation of Government Employees, AFL-CIO, 30 FLRA 1156 (1988); Newark Air Force Station and American Federation of Government Employees, Local 616, 30 FLRA 616 (1987). Arbitrators will simply be examining an action by management to determine whether that action was lawful and, if they determine that the action was not lawful, to make employees whole who were aggrieved as a result of the action. In our view, this is precisely one of the functions that arbitrators perform, and that Congress intended arbitrators to perform, under the Statute.

As noted by the court in Diebold, "[t]hese wrongful privatization cases under procurement statutes and regulations like Circular A-76 are basically accounting cases. Courts have long dealt with disputes that required an accounting of one party or the other. Otherwise the cases are like other administrative review cases. The delay, judicial expertise, and floodgates arguments are no more persuasive here than other cases. Congress made a policy decision that agency action should be reviewable." Slip op. at 22. We would reiterate the court's conclusion in terms of the authority of arbitrators to remedy these grievances under the Statute. In our view, in requiring parties to negotiate grievance procedures that result in binding arbitration, and in broadly defining what grievances could encompass, Congress fully expected arbitrators to review and, when necessary, to appropriately remedy a wide variety of actions taken by management, including determinations to contract out. Accordingly, we conclude that the permissible remedies available to arbitrators include termination of the contract and reconversion to in-house performance of the disputed activity as well as the authority to order make-whole relief to employees affected by the wrongful conversion to contract.

We believe our approach accommodates the deference afforded the procurement process by the courts. An

arbitrator may sustain a grievance on the basis of procurement law or regulation only if the arbitrator finds a violation of a mandatory and nondiscretionary provision. We will continue to adhere to that portion of Blytheville AFB holding that the provisions must contain sufficiently specific standards to objectively analyze and review the agency's actions and permit an objective conclusion that the agency failed to comply with the requirements. This approach protects from interference matters of agency judgment or discretion. In our view, this assures that the arbitration process does not "improperly intrud[e] into the agency's decision making process[.]" Delta Data, 744 F.2d at 203 (quoting Vermont Yankee Nuclear Power Corp. v. Natural Resources Defense Council, 435 U.S. 519, 525 (1978)).

Although the circumstances warranting the granting of equitable relief cannot be fully prescribed, we note the following authority of arbitrators in procurement cases. When an arbitrator finds that an agency has violated a mandatory and nondiscretionary provision of applicable procurement law or procurement regulation having the force and effect of law, the arbitrator may sustain the grievance over the disputed procurement. We emphasize that the provision of law or regulation must be sufficiently specific to permit the arbitrator to adjudicate whether there has been compliance with such provision. In sustaining the grievance, the arbitrator as a preliminary remedy may properly order reconstruction of the procurement action when the agency's noncompliance materially affected the final procurement decision. We note that this would likely be the remedy in cases such as this case where a required cost comparison was never conducted.

An agency in taking the action required by such an award must reconstruct the procurement process in accordance with the provisions that were previously not complied with and must determine on reconstruction whether the decision to convert to contract is justifiable based on applicable law and regulation. If, after reconstruction, the decision to contract out cannot be justified and it is established that, but for the violation(s) of procurement law or regulation, the activity would not have been converted to contract, the arbitrator must determine whether consideration of the various factors that have been recognized by the courts in procurement cases warrants an order directing that the agency terminate the contract, reconvert the activity to in-house performance, and make employees adversely affected by the conversion to contract whole for their losses resulting from the unjustified conversion to contract. In this respect, we reiterate the guidance of the court in

Delta Data: the objective in framing a remedy is to assure that the Government obtains the most advantageous contracts by complying with the requirements of applicable law. 744 F.2d at 206-07.

In determining whether to grant the conversion of the contract, the arbitrator must set forth in a fully articulated and reasoned decision the basis for determining whether or not to grant such relief. We caution arbitrators that the granting of such relief is extraordinary and that courts ordinarily refrain from interference with procurement decisions. Thus, an arbitrator initially must determine whether it is clear that, but for the illegal actions of the agency, the performance of the work would have remained in-house. The arbitrator should also examine whether the contract has already been awarded to another party and, if so, the extent to which it has been performed, and whether the cost to the Government of the contemplated remedy will greatly exceed the benefits that would be derived from observing the proper procedures. The arbitrator should also take into consideration any possible detriment to the national interest. On the filing of exceptions, we will review the award to decide whether the arbitrator's determination of remedy is arbitrary, capricious, an abuse of discretion, or otherwise not in accordance with law.

In sum, if, in sustaining a grievance, an arbitrator is able to determine on the basis of the record presented that the decision to contract out cannot be justified and that, but for the violations of procurement law or regulation, the activity would not have been converted to contract, the arbitrator need not order a reconstruction. Instead, the arbitrator may directly determine whether the circumstances warrant reconversion to in-house performance.

Because we have modified the remedial authority of arbitrators in contracting out cases, we will modify the Arbitrator's award to permit the application of the principles we have announced in this case. We conclude that the Arbitrator's award must be modified to provide for consideration by the Arbitrator, if necessary, of the various factors that need to be examined before reconversion to in-house performance and a make-whole remedy for affected employees can be ordered.[2/] The Arbitrator may use

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2/ We need not, and do not, decide here whether backpay can be ordered under the Back Pay Act in a case where an arbitrator finds that an agency has violated a mandatory and nondiscretionary provision of applicable procurement law or (Footnote continued on next page.)

whatever means he considers appropriate to assess these factors and to make his determination. Consequently, we will modify the award accordingly.

V. Decision

The Arbitrator's remedy set forth in paragraph 2 of the "AWARD" is modified to provide as follows:

> 2. DLI must perform a commercial activity study of the language instruction contracted out, in accordance with applicable procurement law and regulation. If the study shows that the decision to contract out cannot be justified in accordance with law and regulation and it is established that, but for the violations of OMB Circular A-76, as implemented by the Agency, the languages would not have been contracted out, I will determine, after consideration of all relevant circumstances, the appropriate action to be taken.

(Footnote continued from previous page.)
procurement regulation having the force and effect of law but does not order a conversion of the contract after applying the standards set forth above.

FEDERAL LABOR RELATIONS AUTHORITY
WASHINGTON, D.C.

NATIONAL FEDERATION OF FEDERAL EMPLOYEES
LOCAL 1263
(Union)

and

U.S. DEPARTMENT OF DEFENSE
DEFENSE LANGUAGE INSTITUTE
MONTEREY, CALIFORNIA
(Agency)

0-AR-1922

is this final decision
- good question, answer?

STATEMENT OF SERVICE

I hereby certify that copies of the Decision of the Federal Labor Relations Authority in the subject proceeding have this day been mailed to the following parties:

Joshua F. Bowers
Staff Attorney
National Federation of Federal Employees
1016 16th St., NW
Washington, DC. 20036

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

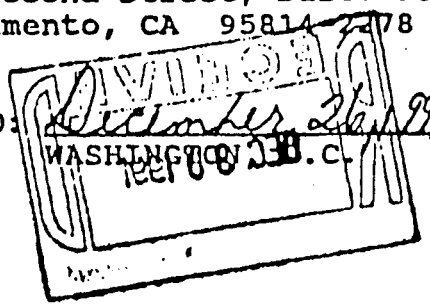
David A. Helmer
Office of Labor and Employee Relations
HQDA (DAPE-CPL)
Room 2C655, Pentagon
Washington, DC. 20310-0300

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Norman Brand
Arbitrator
928 Second Street, Suite 300
Sacramento, CA 95814-2278

FIRST CLASS MAIL

DATED: December 26, 1991
WASHINGTON, D.C.



Deborah D. Johnson
Deborah D. Johnson
Legal Technician

A GUIDE FOR WRITING AND ADMINISTERING PERFORMANCE STATEMENTS OF WORK FOR SERVICE CONTRACTS

OCTOBER 1980

OFPP PAMPHLET #4

SUPPLEMENT #2 TO OMB CIRCULAR NO. A-76

SERVICE CONTRACTS

This document describes a systematic means for developing statements of work and quality assurance surveillance plans. It describes how to write and use these documents. It tells how to write performance into statements of work and implements policy concerning contracting out for services. It is written for mid-level managers who write the documents and for contracting personnel who review and administer service contracts. Parts of it apply to quality assurance evaluators who use these documents.

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CHAPTER 1

GENERAL AND INTRODUCTION

1-1. New Role of Contractors. Each year the government contracts for a large part of its mission support. As a result, civilian contractors have assumed a major role in day-to-day operations in the area of services. Contractors do such work as transportation, refuse collection, food services, and janitorial services. At some places they provide an entire support function, including engineering and supply.

a. Whenever the government contracts out a job, it is entitled to receive quality service. So that the government can define and measure quality, this document presents a method of identifying and stating requirements in such a way that the statement of work (SOW) will state accurately our minimum requirements. It also explains how to assure that the contractor has actually performed the services required.

b. This document is also designed to show non-contracting personnel how to write a SOW and a Quality Assurance (QA) surveillance plan for service contracts. It explains how contract administration personnel should take action based on surveillance results. (The example used is a service contract for vehicle operations and maintenance but, the method can be used for other service contracts, including total support contracts.)

c. The new technique used in this document is called job analysis. Its use results in performance oriented statements of work that describe the desired services and their quality. This document and its procedures are designed for use by managers and technical persons responsible for the area to be contracted.

1-2. Terms Explained. Following are terms used frequently in this document.

a. Acceptable Quality Level. The maximum percent defective, the maximum number of defects per hundred units, or the number of defects in a lot that can be considered satisfactory on the average. The allowable leeway or variance from a standard before the government will reject the specific service. And AQL does not say that the contractor may knowingly offer defective service. It implies that the government recognizes that defective performance sometimes happens unintentionally. As long as the percent of

m. Lot. A collection of service outputs from which a sample is to be drawn and inspected to determine conformance with the standard.

n. Lot Size. The number of service outputs in a lot.

o. Organizational Analysis. The act of looking at an organization to determine what kind of services it provides.

p. Output. The amount of something produced by a system or process during a given span of time.

q. Percent of Sample Found Defective. Determined by dividing the number of defects by the sample size when the reject number has been equalled or exceeded. The resulting number is used to make an equitable deduction from the contract price for non-performance by the contractor.

r. Performance Indicator. A characteristic of an output of a work process that can be measured.

s. Performance Value. A composite of a standard and an acceptable quality level which describes the quality of an output of a work process.

t. Qualify. That stage of the contracting cycle in which one determines that the contractor's work satisfies the requirements of the SOW.

u. Quality Assurance. Those actions taken by the government to check goods or services to determine that they meet the requirements of the SOW.

v. Quality Assurance Evaluator (QAE). That person responsible for checking contractor performance.

w. Quality Control. Those actions taken by a contractor to control the production of goods or services so that they will meet the requirements of the SOW.

x. Random Number Table. A table of numbers arranged in a random fashion. A table used to make random samples.

y. Random Sample. A sampling method whereby each service output in a lot has an equal chance of being selected.

z. Random Sampling. A method of looking at a few individual items in a lot to determine the quality of that lot against a standard.

am. Uniform Service. A service that is, within defined limits, always the same.

an. Work. A series of actions, changes, or functions that bring about an end result.

1-3. Government Policy. The government policy in service contracting is as follows:

a. The performance oriented statement of work (SOW) for a service contract includes the standards of performance and acceptable quality levels.

b. Standards must be measurable.

c. Quality control is a contractor responsibility.

d. A performance oriented SOW must not contain detailed procedures unless absolutely necessary. Rely on a statement of the required service as an end product.

e. References to directives in the SOW should be held to a minimum.

f. The surveillance plans described in this document are an acceptable way of performing quality assurance.

g. The most qualified persons available must write the SOW and the surveillance plan. Standardized government documents, when available, will provide valuable basic information.

1-4. A Systems Approach. The design of a SOW and the surveillance plan is based on a systematic analysis of the function to be put under contract or already under contract. The procedure for deriving these two products is called job analysis. The procedure consists of a step-by-step review of the requirement to arrive at the specific output services and associated standards.

a. Jobs as Systems. The analysis assumes that an operation is a system. An operation can be called a system because it consists of a job or a combination of jobs carried out by people, and sometimes, machines for a certain purpose. The parts of a system are usually called input, work, output, and control loops. These parts are shown in figure 1-1.

(1) From a contractor's view, the system consists of taking people, facilities, material, and the SOW and inputting it into a work process. The result of this work is a contract output.

(2) Two major control loops are at work in this system. Both loops use standards as the basis for determining acceptability.

(3) The contractor quality loop feeds back information from the output into the work process so that the contractor can adjust performance to meet the standard specified.

(4) On the other hand, government quality assurance looks at the output and determines its acceptability. This information then becomes an input for contractor management to adjust the quality control function.

b. Parts and Subparts. Every service contract operation can be viewed as a system. Further, each major system can be broken into small parts or subsystems. For example, if the system portrayed in figure 1-1 were called transportation, the major system could be broken into small parts called vehicle operations, vehicle maintenance, and traffic management. Further, each of these parts could be broken down into the smaller parts or subparts that make up that part, as shown in figure 1-2.

(1) Note that the transportation work area leads to vehicle operations, which leads to vehicle dispatch, which leads to taxi dispatch and U-drive dispatch. Each work area has its own set of inputs and outputs. This chart does not contain all of the work areas associated with transportation. Rather, it only shows an example of how a system can be broken into its parts.

(2) The chart looks a great deal like a standard organizational chart, except that this chart shows each thing that happens rather than who performs the task. Further, by showing an input, it shows what must be there for something to take place. It shows that each job must have an output that can be measured in some way.

c. Results of the Systems Approach. A proposed contract effort must be viewed in a systematic way to arrive at an output or performance-oriented SOW and a means of measuring the service. Thus, a systematic approach to analysis will result in an enforceable, clear SOW. It will also produce a quality assurance surveillance plan that tells the government if the service is provided as specified. Further, the systems approach permits the analyst to identify outputs and separate them from the specific procedures required to create the outputs.

(1) When the government specifies a given procedure, it assumes responsibility for insuring that the design or procedure will result in the desired output. On the other hand, if it specifies the output performance and its quality standard, the contractor must then use the best management to achieve that level of performance.

(2) Last, systematic analysis gives a clear picture of what input is needed to get the job done. This data is most useful in analyzing a contract bid price, conducting a preaward survey, creating a list of government furnished property, and making payment deductions in case of non-performance.

1-5. Team Approach. The development of a quality SOW is a result of team effort. The leading members of the team are the functional office, the local contracting office, and the manpower/management engineering office. The latter can provide previous manpower studies to assist in determining jobs performed.

a. Responsibilities. During the contracting cycle, responsibilities are assigned as shown in figure 1-3. This chart shows which major functions occur during the contracting cycle and which important actions take place during each function. The columns on the right show who is responsible at each stage of the purchase cycle.

(1) The functional area chief should be considered the team leader exercising authority and responsibility for the function that will be under contract. Functional persons state the service that will be delivered, measure the quality of service, and accept the service.

(2) The contracting office is the means of getting a contract and enforcing its provisions.

(3) The contracting office also provides the necessary authority and technical experience in contracting to make the contract a workable document.

(4) The manpower/management engineering office performs cost studies required by OMB Circular A-76.

b. Relationship in Contracting Out. The lines of authority and responsibilty that exist when a function is contracted out, are shown in figure 1-4.

(1) When a given function is performed in-house, with government personnel, the line of authority flows from

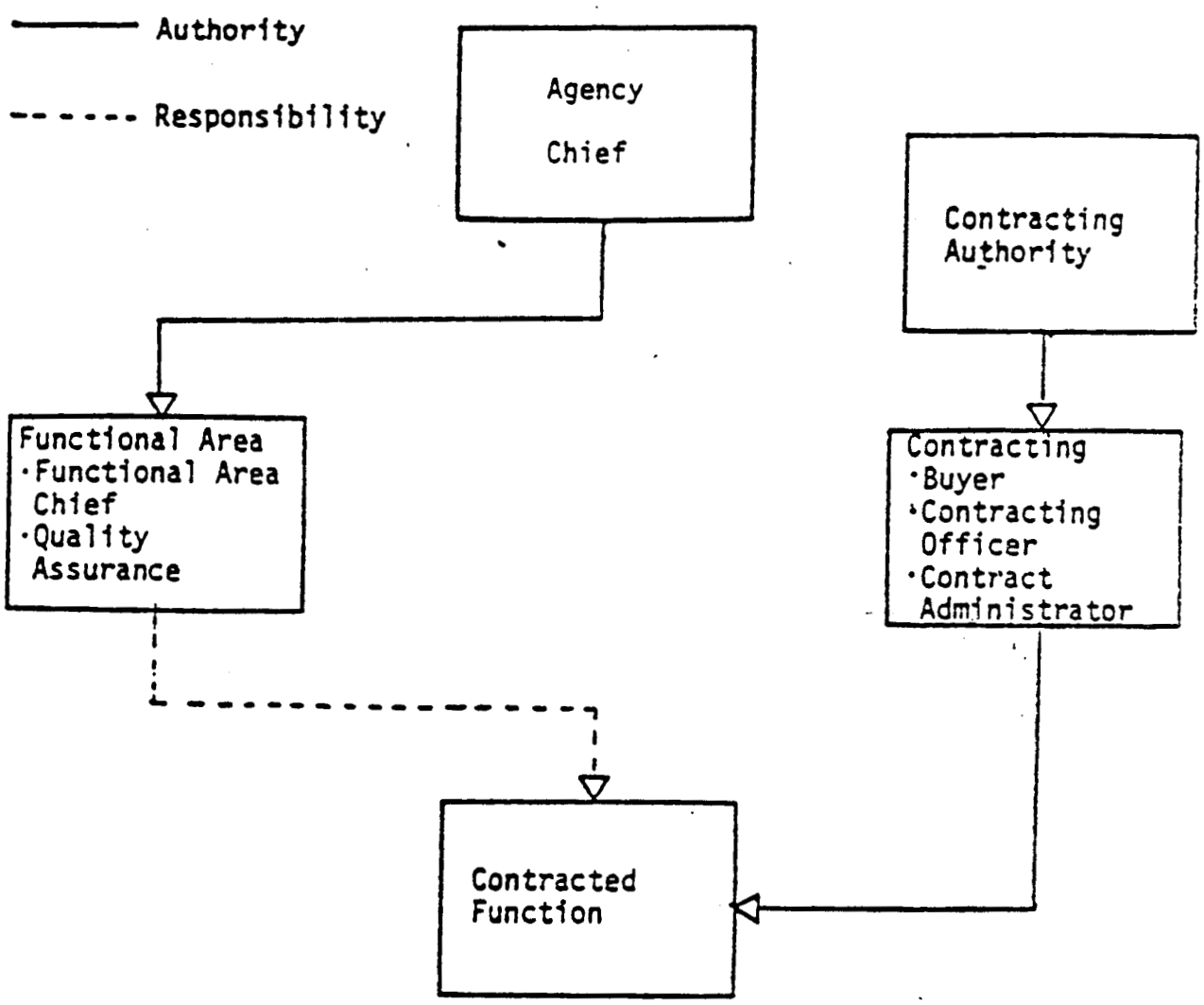


Figure 1-4. Relationships in Contracting.

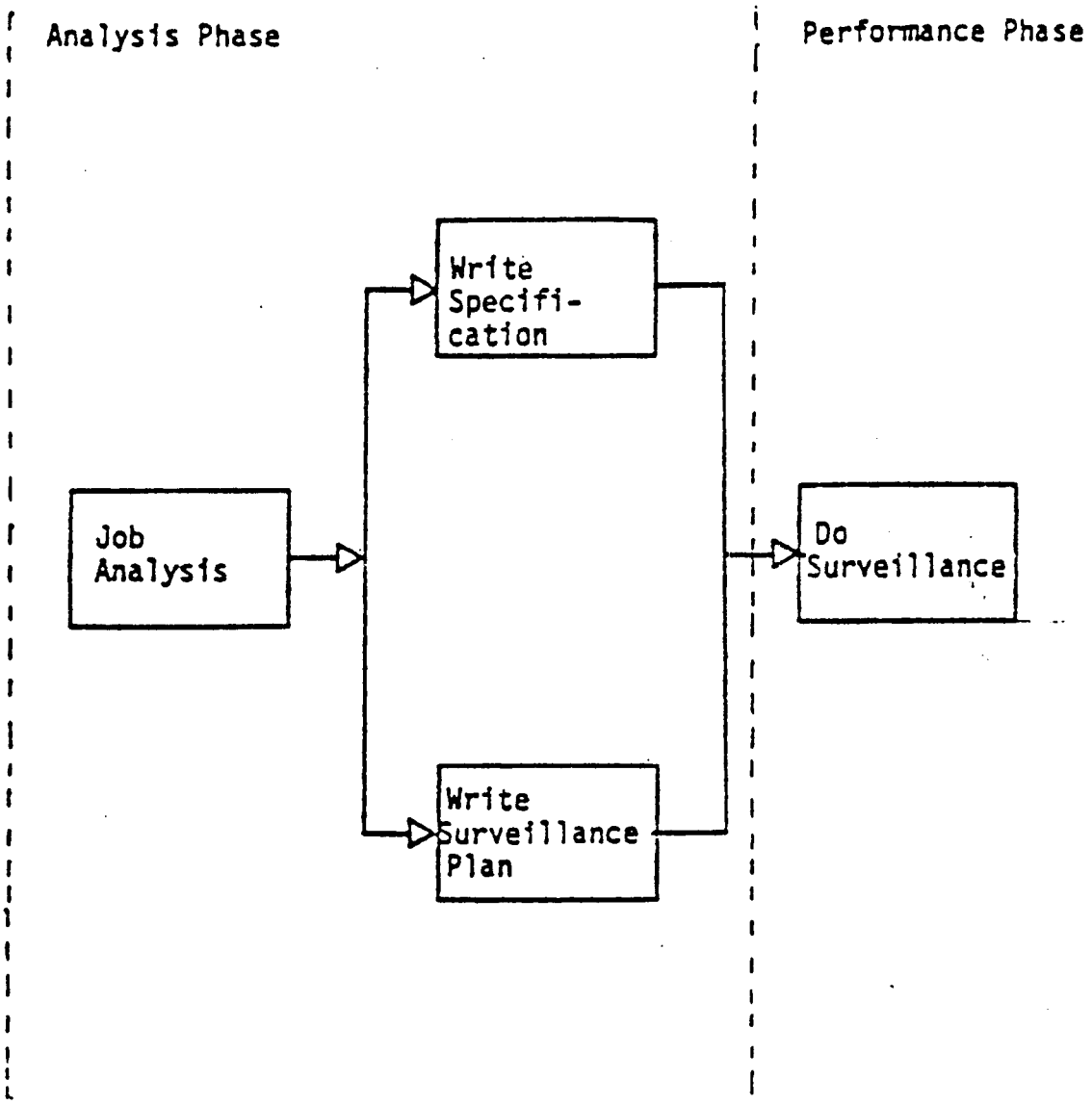


Figure 1-5. Overview of Analysis Steps.

assurance methods are used. It assumes that the contractor is responsible for managing and controlling the output of service. The government plan seeks to determine if contractor-provided service meets the quantity and quality standards. The development of the plan involves these major steps:

(1) Identifying Key Performance Indicators. The job analysis phase identified many performance indicators. Not all of these indicators are critical to the service being provided. During this step the analyst must decide which indicators to include in the plan, using as criteria, the criticality of the process and its output, the availability of quality assurance manpower, and the adaptability of each indicator to overlap and check many kinds of outputs.

(2) Identify Information Sources. Each plan uses many sources of information (for example, existing management information systems, customer complaints, and random sampling).

(3) Develop Tools. The writer of the surveillance plan has many tools. These tools are:

(a) The Sampling Guide. The sampling guide is a written procedure which states what will be checked, the standard of performance, and how the checking will be done. (for a sample guide, see Chapter 4). The sampling guides used in this regulation are based on statistical techniques called for in Military Standard 105D, Sampling Procedures and Tables for Inspection by Attributes. By sampling a small part of the total service in a random fashion, the QAE can accept or reject the service, based on the standard.

(b) Decision Tables. When a service is rejected, a decision must be made as to who is at fault (the contractor or the government). A decision table is used for this purpose. The decision table identifies different kinds of unsatisfactory performance, probable cause factors, and the things from which these factors could result.

(c) Checklist. The last tool is the checklist. Checklists as used to record what has been checked by a sampling guide and to record information on contract items not covered by sampling.

d. Do Surveillance. The final step is doing surveillance, that is, taking the written surveillance plan and using it on a daily basis. In this step, random samples are drawn and schedules of quality assurance inspections made. Contractor discrepancies are documented and corrective action taken. If appropriate, money is deducted from a contractor's payment by the contracting officer.

CHAPTER 2

JOB ANALYSIS

2-1. Advantages of Job Analysis. The previous chapter outlined the steps involved in developing a statement of work (SOW) and a quality assurance surveillance plan. This chapter explains job analysis in greater detail. This process enables the analyst to pull together all of the essential information needed to write a performance-oriented SOW. It also helps to build a foundation that will help the government determine the quality of the contractor's output service. The steps in job analysis are described below.

2-2. Organization. The starting point in looking at a service function is to see how it is organized and what kind of service it provides. This is not to say that the SOW will require that a contactor adopt the government style of organization. Rather, organizational analysis will provide a framework for determining what is done by the organization.

a. To capture this data, use an organizational analysis sheet as shown in figure 2-1. The data gathered and placed on the analysis sheet will show a complete picture of the organization. Of particular importance is the choice of services performed.

b. These services or outputs become the basis for writing the SOW, development of standards, defining performance indicators, and identifying acceptable quality levels of performance. Be as specific as possible when making the entries.

2-3. Tree Diagram. After doing the organizational analysis to find out what kind of services the organization provides, the analyst must now link the services together in a logical flow of activities. The major tool used is the tree diagram.

a. An example of a tree diagram for vehicle operations is shown in figure 2-2. As shown in the figure, the top box states the overall function (in this case, to operate and manage vehicles). Each of the following levels breaks the job into parts and subparts, to develop a chart that fully describes the job in terms of these parts.

b. The boxes are numbered to show the relationship of the parts back to the higher level part. For example, test is numbered "3.1", because it relates to train and qualify vehicle operators which is numbered, "3". These

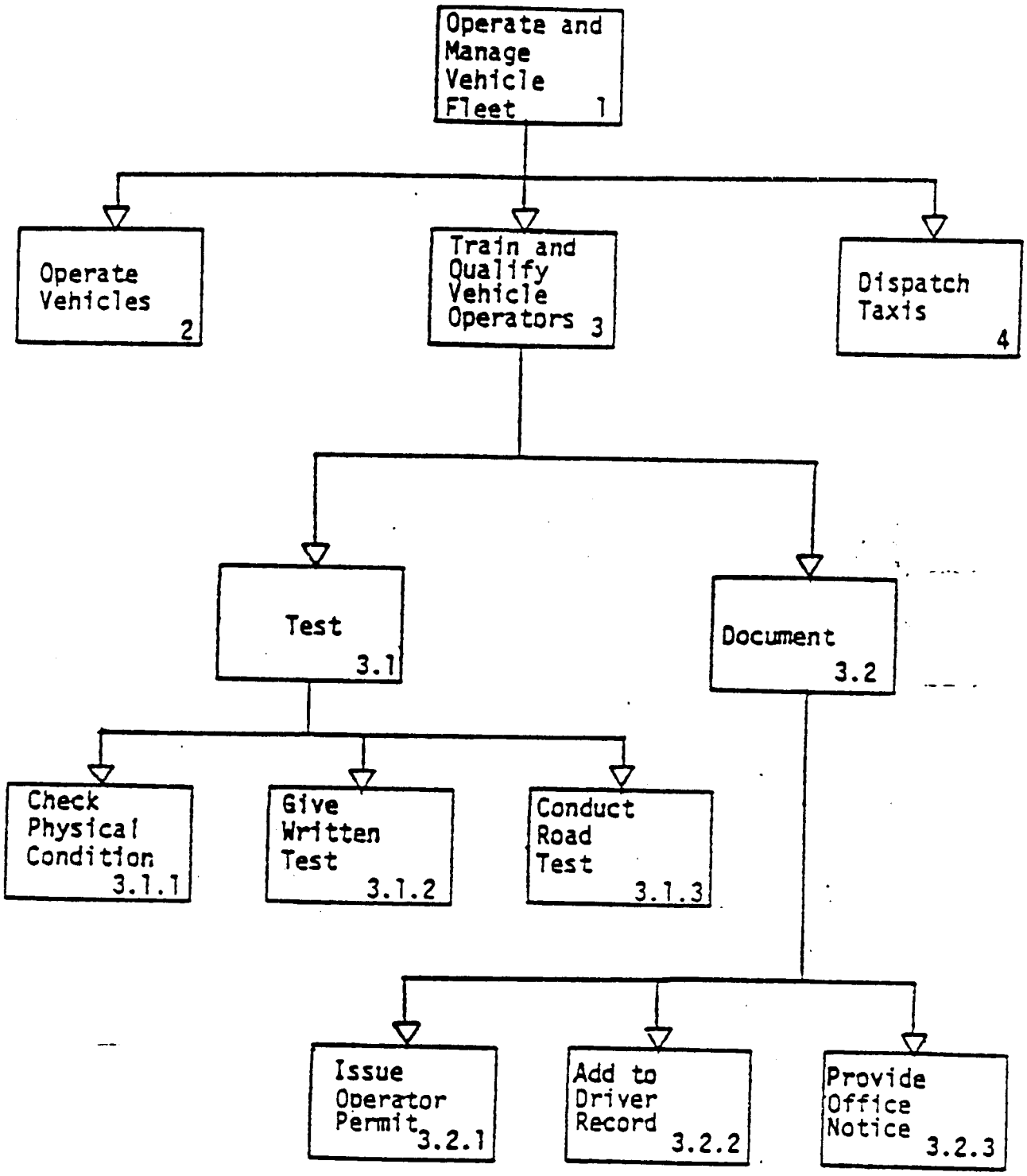


Figure 2-2. Tree Diagram.

Activity: Dispatch

Service Number: 5

Input	Work	Output	Include in Contract? Yes	No
Taxi Service Request - Telephone - Walk-in - Written	1. Determine Request Validity 2. Document Taxi Request 3. Update Taxi Request 4. Dispatch Taxi 5. Pickup Passenger 6. Deliver Passenger 7. Complete Form "Request for Motor Vehicle Services"	Form - Request for Vehicle Services Pending Form - In-work Passenger Movement Filed Form		

Figure 2-3. Activity Analysis.

Workload			
Service	Historical Workload	Known Change	Estimated Workload
Taxi	1200/month	-10%	1080/month
U-Drive	50/month	+20%	60/month

Figure 2-4. Workload Analysis.

Service: Vehicle Repair		Facility
Facility	Square Feet	Location
Bldg 209	2000	Maxwell AFB
Bldg 1024	1500	Gunter AFS

Figure 2-5. Facility Analysis.

Personnel			
Service	Authorized Grade	Number	Security Clearance Required
Vehicle Dispatch	WB-5 WB-4 WB-3	1 1 4	No No No
Taxi Service	WB-5 WB-3	1 6	No No

Figure 2-8. Personnel Analysis.

Activity: Taxi Operation

Performance Indicator	Standard	Acceptable Quality Level
Response Time	4 minutes	5%
Accidents Per Mile	0	0%
Operational Cost Per Mile	$0.14	20%
Taxi In-Commission Rate	80%	10%

Figure 2-9. Performance Value Analysis.

h. Using Standards. A standard is something against which another thing can be measured. Nearly everyone is familiar with standards of some sort. For example, the standard operating speed for automobiles on highways is 55 miles per hour. In this case the number 55 is the standard, while miles per hour is the performance indicator.

(1) In looking at the processes and the performance indicators chosen, one must ask what kind of yardstick will be used to measure the process. In some cases the yardstick or standard is provided by agency authorities.

(a) The standard for average taxi response time of 4 minutes is an example. However, there is no standard for bus service.

(b) In this case, the analyst, with management's help, will have to find a reasonable standard that bears some relation to the criticality of the service to be provided and how well the government does the job in-house.

(2) A standard for bus service could be stated in terms of timeliness of arrival at a bus stop. Thus, the standard for bus service would be stated: depart the stop no earlier than scheduled time nor later than scheduled time plus five minutes. An example of the taxi service job and the standard for the performance indicator is shown in figure 2-9.

i. Acceptable Quality Level. The acceptable quality level of a standard tells what variation from the standard (that is, error rate) is allowed. It is used to measure the reliability of the output generating process.

(1) An acceptable quality level is generally used in referring to a production line that produces a tangible object. These products can then be measured to see if they meet the standard within an acceptable quality level.

(2) Service contracts also produce measurable services (even though they are not always tangible) and one can determine how often they meet the standard.

(3) An acceptable quality level is expressed in terms of a percentage of allowable error in a time period. Using the performance indicator with its associated standard, the analyst determines what error rate should be allowed, based on agency directives, historical records of how well the government provided the service, or they can be established by management decision.

Governing Directives					
Directive	Title	Date	Referenced In	Mandatory	
				Yes	No
AFM 77-310	Motor Vehicle Management	20 July 78			
T.O.00-20B-5	Vehicle and Base Support Equipment Inspection and Administration	15 Mar 74	AFM 77-310, Vol II		

Figure 2-10. Governing Directives Analysis.

Job: Vehicle Operations	Personnel	Payroll Cost Per Month	% Of Total
Operate Vehicles	XXXXXX	XXXXX	XXXXXX
Operate Taxi.....	5	$5000	19.2 %
Operate Scheduled Bus.....	4	$4000	15.4 %
Operate Unscheduled Bus.....	1	$1000	3.8 %
Train/Qualify Vehicle Operators	XXXXXX	XXXXX	XXXXXX
Test.....	XXXXXX	XXXXX	XXXXXX
Check Physical Condition.....	1	$1000	3.8 %
Give Written Test.....	1	$1000	3.8 %
Conduct Road Test.....	1	$1000	3.8 %
Document.....	XXXXXX	XXXXX	XXXXXX
Issue SF 46.....	.3	$ 360	1.4 %
Add to DD Form 1360.....	.3	$ 360	1.4 %
Provide Unit Notice.....	.1	$ 100	0.4 %
Manage Credit Card Issuance Use....	XXXXXX	XXXXX	XXXXXX
Issue Cards.....	.2	$ 240	0.9 %
Process Receipts.....	.2	$ 240	0.9 %
Dispatch Vehicles.....	1	$1000	3.8 %
(etc.)	(etc.)	(etc.)	(etc.)
(etc.)	(etc.)	(etc.)	(etc.)
TOTAL	28	$26,000	100 %

Figure 2-11. Deduct Analysis.

CHAPTER 3

WRITING THE STATEMENT OF WORK

3-1. Statements of Work. Job analysis makes writing a statement of work (SOW) relatively easy. Once data has been gathered and analyzed, only two things remain to be done. The first task consists of actually writing a SOW that states what is required. The second task entails writing a QA surveillance plan that complements the SOW. This chapter addresses the first task.

3-2. Writing the SOW. Considering all the data gathering, analysis, and decisions that have been done to this point, writing the SOW should be easy. All that remains is to use a format or outline and compose words that will be used to express the requirement. Each of these tasks is described below. A note of caution: do not repeat material in the SOW that is already included in other parts of the contract, for example, General Provisions, Special Provisions, etc.

3-3. Service Contract Format. Prior to beginning writing the SOW, an outline must be developed to provide structure for the document. The following major sections provide the basis for an outline and are in Section F in most service contracts. The standard numbering scheme for service contracts is numeric (for example, 1, 1.1, 1.1.1).

a. General (Section F-1). This section provides a broad overview to the SOW. It contains a part describing the scope of work. Personnel related matters come under this heading. Most importantly, this section contains a part that states clearly the contractor's specific responsibility for quality control. (This quality control part is in addition to what may be in the standard clauses in the general provisions of a given contract.) This part of the SOW tells the contractor what specific kind of quality control is required for the contract.

b. Definitions (Section F-2). A definitions section includes all special terms and phrases used in the SOW. The definitions must clearly establish what is meant so that disinterested parties will fully understand them.

c. Government-Furnished Property and Services (Section F-3). If the Air Force will provide any of these for the contractor's use in providing the required services, use this section to describe what will be given. If the list(s) is fairly extensive, make it into a technical exhibit(s) and include at the end of the SOW, rather than in the main body.

VEHICLE OPERATIONS

Required Service	Standard	Maximum Allowable Degree of Deviation from Requirement (AQL).	Method of Surveillance	Deduction from Contract Price for Exceeding the AQL.
Operate Taxi	Customer must be picked up within 4 minutes of the agreed upon time.	5 %		19.2 %
Operate Bus	Bus must not arrive at the stop later than scheduled time or depart earlier than schedule time +5 min.	4%		15.4 %
Operate Unscheduled Bus	Bus must arrive not later than 4 minutes from agreed upon time between customer and dispatcher.	5%		3.8 %

Figure 3-1. Performance Requirements Summary.

(5) Consistent terminology. The same words and phrases must be used throughout the SOW. This is especially true when referring to technical terms and items; for example, always refer to a particular part by the same name.

(6) Numerals. When numerals are used on the drawings and illustrations, use them in the SOW, rather than spelling out the number.

e. Spelling. Most words have only one acceptable spelling; however, throughout the English language there are words that can be spelled several ways. To avoid misunderstanding, adopt the standard spelling.

f. Punctuation. To keep the SOW clear, use simple, short, and concise sentences, so that only the minimum punctuation is needed. A well-planned word order will require a minimum of punctuation. A rule for the analyst should be: When extreme punctuation is necessary, rewrite the sentence.

g. Abbreviations. For the analyst, abbreviations serve as a form of shorthand. Abbreviations can make complex terms easy and precise. However, many misunderstandings also arise from the use of abbreviations because the reader is not always familiar with them. The first time an abbreviation is used in text, show it in parenthesis immediately after the spelled-out word or phrase. This readily defines the abbreviation for further use.

h. Sentences. Sentences in a SOW are often spiced with legal phraseology and high sounding words. This type of writing is difficult to read and understand. Clarity is the analyst's overriding concern. The analyst must try to construct logical sentences that which are exact and concise. It is better to eliminate a long and involved sentence by rearranging it into two or three short, simple sentences limited to a single idea or thought. Good writing of any type is dependent upon natural order. The word order of a sentence tells the reader the function of each word in the sentence. The simple sentences one strives for in a SOW are based on the traditional order of subject-verb-complement or object.

i. Paragraphs. Use a paragraph to state a single idea and elaborate on it. Even though it may appear anywhere in the paragraph, it is best to state the idea (topic sentence) at the beginning, so that the reader can grasp it immediately. The topic sentence, then, is the framework to which other sentences are added to develop and support the original

ATCH NO 1 TO EXHIBIT 11

TO CONTRACT/PR

CONTRACT DATA REQUIREMENTS LIST

CATEGORY

SYSTEM/ITEM Vehicle Operations and Maintenance

CONTRACTOR

1. SEQUENCE NUMBER	2. TITLE OR DESCRIPTION OF DATA	3. AUTHORITY	4. CONTRACT REFERENCE	5. TECHNICAL OFFICE	6. FREQUENCY	7. DATE OF 1ST SUBMISSION	8. DISTRIBUTION AND ADDRESSEES
A001	Contractor's Quality Control Program	U-VOM-1	F-1, para 1.3	Chief of Transport. OS	ONE/R	See 16	Base Contracting Office 1/0; Chief of Transport. 1/0; TOTAL 2/0
A002	List of On-call Drivers	U-VOM-2	F-6, para 5.1.1.2.6	Chief of Transport. OS	ONE/R	Contract Start	QAE 1/0; Base Command Post 1/0; TOTAL 2/0
A003	Monthly Statistical Report	U-VOM-3	F-5, para 5.3.2	Chief of Transport. OS	MTHLY *See 16	30 DAC	QAE 1/0; TOTAL 1/0

10. REMARKS

*12. Basic version submitted at Preaward Survey. Updated version adapted to specific contract submitted on contract start date.

*11. Submitted by 5th workday after end of each month. Current as of the end of the month.

9. AS OF DATE	10. DATE OF SUBSEQUENT SUBM/EVENT	11. REVISIONS
		Revisions as req.
		Revisions as required
		IAW 5th workday after end of each month

PREPARED BY V. Straus DATE 1 May 79 APPROVED BY Adam Michaels DATE 16 May 79

DD FORM 1 JAN 79 1423 PREVIOUS EDITION WILL BE USED.

PAGE 1 OF 1 PAGES

Figure 3-2. Contract Data Requirements List.

CHAPTER 4

THE SURVEILLANCE PLAN

4-1. Basic Approach. This chapter describes the major contents of a surveillance plan. There are three key ideas that are the basis for a surveillance plan.

a. Management By Exception. Quality assurance relates to the output service provided by the contractor. As pointed out earlier, the output service can result either from a contractor-developed procedure or from an government specified procedure. When the procedure is specified by the government, compliance with the procedure is the desired output service.

(1) When the output is based on a contractor developed procedure, the procedures are only looked at on a by-exception basis; that is, satisfactory performance of the output service as specified in the contract normally indicates that the contractor is using satisfactory procedures. The government should be concerned only when services are not adequately performed.

(2) In this case, the inspector looks beyond the level of services provided only to determine if the problem is caused by the government or the contractor. If government provided items to the contractor's operation (such as, parts, equipment, or facilities) are at fault, action must be taken through government channels to correct the problem. No action will be required of the contractor. When the problem is the contractor's fault, the contractor is told to take corrective action.

b. Performance Indicator. The level of contractor provided services is monitored by checking the performance values in the statement of work (SOW). As described in chapter 2, a performance value is a feature of the service that can be measured by a number. For example, two important performance values in vehicle maintenance and vehicle operations are vehicle out-of-commission (VOC) rate and taxi response time.

c. Problem Location. When performance values show that the service is not adequately performed, the QAE uses decision tables to locate the problem. The tables provide a logical sequence to find the problem cause. Basically, they are a set of pointers which should find the problem's source in a step-by-step fashion. The construction and use of decision tables are described in paragraph 4-4b.

(2) When sampling by attributes, a certain number of observations will match the standards and the remaining number will not match. Therefore, attribute sampling is useful for describing how a job is done, in terms of defects per hundred observations, or percent defective. Using this concept, sampling for a performance indicator can be developed by proceeding through a number of formal steps based on MIL-STD-105D. The use of these concepts is described in paragraph 4-3, Sampling Plan.

c. Surveillance Checklists. Checklists are also used to check contract performance. They must be used sparingly, however. The use of the MIS and random sampling are preferred information sources. Checklists help in surveillance of contract requirements that happen infrequently. (For example, if a contractor is required to perform a service once a month, this service would be included on a checklist.) Any service that is not provided on a daily basis should be considered for inclusion on a checklist unless a MIS can be used to determine the quality of the service.

d. Formal Customer Complaints. Even the best surveillance plan will not allow the QAE to check all aspects of the contractor's performance.

(1) Formal customer complaints are a means of documenting certain kinds of service problems. The way to get and document customer complaints needs to be carefully planned by the persons checking the service contract.

(2) Customer complaints are not truly random. They are seldom used to reject a service or deduct money from the contractor.

(3) When random sampling is the chosen method of surveilance, a customer complaint cannot be used to satisfy a random observation. However, it can be used as further evidence of unsatisfactory performance if random sampling shows that the specific service is unsatisfactory. These complaints can be used to decide if action other than a deduction should be taken.

(a) Getting Customer Complaints. An aggressive customer complaint program, once established, needs to be briefed to every organization that receives the contractor's services. An operating instruction should be given to each organization outlining the customer complaint program, the format and the content of a formal customer complaint, and the action which can be expected from those assigned to watching and managing the service contract.

CUSTOMER COMPLAINT RECORD

Date and Time of Complaint: 21 Jan 1979 / :1005

Source of Complaint

Organization: 382 Bomb Wing/LGC

Individual: Capt John Murry

Nature of Complaint: Called wrecker and it did not arrive until 3 hours after the request.

Contract Reference: F-5, para 5.1.1.2.5 and Performance Requirements Summary.

Validation: Contract requires a 1 hour response time. Complaint is valid.

Date and Time Contractor Informed of Complaint: 21 Jan 79/:1030

Action Taken by Contractor:

Contractor had a person out sick and did not have a back up driver. He has now developed a roster of back up drivers who can operate a wrecker.

Received and Validated By: H. Smyth/QAE

Figure 4-1. Customer Complaint Record.

Allowable Acceptable Quality Levels	
0.010 %	1.0 %
0.015 %	1.5 %
0.025 %	2.5 %
0.040 %	4.0 %
0.065 %	6.5 %
0.10 %	10. %
0.15 %	15. %
0.25 %	25. %
0.40 %	40. %
0.65 %	65. %

Figure 4-2. List of MIL-STD-105D Acceptable Quality Levels.

e. Selecting the Rejection Level. Use MIL-STD-105D to identify the acceptance and rejection level for the sample size (see figure 4-4). To use the figure, begin with the known values for the AQL and the sample size.

(1) Find the selected sample size (in the sample size column) and read across that line to the column for the selected AQL. At that point there will either be two numbers or an arrow pointing up or down.

(2) If there is an arrow, follow the direction of the arrow until it leads to a pair of numbers. Of the two numbers at the intersection or at the end of the arrow, the number on the left (Ac or accept) indicates the maximum number of defects which can occur in a sample and still permit the total group or lot to be judged acceptable.

(3) When there is no accept of reject number for a given sample size and AQL, following the arrow will also cause a change in sample size. For example, with an AQL of 1.5 and a sample size of 20, the sample size would become 32.

(4) The number on the right (Re or reject) indicates the minimum number of defects that occur in a sample which causes the total group or lot to be judged unacceptable. For example, suppose the sample size is determined to be 32 and the AQL has been set at 6.5 defects per hundred. Find the number 32 in the sample size column and read across that line until the AQL column for 6.5 has been reached. The two numbers at that intersection are 5 and 6.

(a) In other words, the number on the left, 5, is the number of defects which can be found in a sample and still permit acceptance of the lot.

(b) The number 6, to the right of 5, is the smallest number of defects needed to declare the lot unacceptable and subject to further check, using the decision tables.

4-4. Developing the Sampling Method. The final thing to be decided in sampling is how the sample will be drawn. The objective in the method is to insure that the sample is random (that is, that all services have an equal chance of being selected). To achieve random selection, use a random number table, as explained in the following examples (see attachment 1 for the whole table). Most items will fall into one of these examples.

a. Use Of The Random Number Table. The random numbers in figure 4-5 are arranged in groups of five numbers (51259, 77452, and so on).

(1) To use the table, begin by picking at random a group of numbers on any page of the table. This is usually done by closing the eyes and pointing with a pencil or finger to some initial group.

(2) To identify additional random numbers, follow a pattern. Go along a given line to its end and then along the next line to its end and so on through the table until enough numbers have been selected or until the table ends.

(3) If the table ends and there are still more numbers to select, go back to the beginning of the table and continue using the same pattern. Use various patterns alternately; for example, use lines for one sample, use columns for the next sample, and use a diagonal pattern for the third sample.

b. How To Use the Random Number Table To Identify a Random Sample of Consecutively Numbered Workorders. Suppose one has to identify a random sample of 3 workorders for inspection. This can be done at the beginning of the month (before the workorders are written) or at the end of the month (to select workorders already on file).

(1) If there are, or might be, 200 workorders to select from, then one begins by listing the lowest workorder number (known or projected). This could be #001 or possibly #743, for example.

(a) List the highest workorder number (known or projected); in this case, it could be #200 or #943. With these boundaries now enter the random number table to the first group of numbers. For this example, use workorders numbered #743 to #943.

(b) If the last three digits in the first group of random numbers is not between 743 and 943, discard that group of numbers and go to the next group.

(2) Again, using figure 4-5, if one starts at the initial 77452, disregard the two numbers to the left of the three significant digits, or in this case, 77. The remaining number is 452. Since this is not between 743 and 943, go to the next group in the same line which is 16308, again, discard the leftmost two numbers, and the number is 308. This is again too low.

(3) Go to the next number, 60756. The last part of this number, 756, falls within the brackets one is looking for, so workorder 756 is selected to be sampled. The next random number group is 92144. Since 144 is not within the brackets, move to the next group 49442. Again, 442 is not within the brackets and therefore is not selected to be sampled.

(4) This process would be continued until three workorders are selected.

c. How To Use The Random Number Table To Identify Random Sample From a List. If a number of items need to be sampled that are not consecutively numbered, the simplest solution is to list the identifiers, for all the items in the lot, in a column, on a piece of lined paper.

(1) Next, number the lines consecutively, beginning with the number one hundred. Now use the random number table to draw the sample from the line numbers. A selected line number leads to the identifier located on that line and that identifier tells which item to sample. For example, if one chooses to sample a set of workorders with attached sales slips, one is not going to have to have a set of consecutively numbered workorders because not every workorder has a sales slip attached.

(2) List the workorders with sales slips in a column, number each line in the column, and randomly select enough line numbers to make up the sample.

d. How To Use The Random Number Table To Identify a Random Sample of Days. Suppose one wants to identify 4 days in the month on which to sample something. The days of the month can be numbered 01 to 31 (or less, as appropriate). Begin in the random number table in figure 4-5 at 77452.

(1) It is best to use a starting point different from the one used in the previous example but for the purpose of this example it is being used again.

(2) One can move down the column from random number group to random number until the first number between 01 and 31 is spotted. In this case, it is 23216 or, using the rule to discard the numbers to the left of the number of digits, simply 16. Thus the 16th day of the month is selected for sampling.

(3) Continuing in this fashion, one discovers that 58731, or simply 31, or the 31st, is the next day for sampling. Proceed in this manner until the four days for sampling have been identified.

the information needed to sample the performance of a particular service. Information for the sampling guide is developed while the sampling information is being derived for the sampling plan. The steps involved in developing sampling information are described in paragraph 4-3. As shown in figure 4-6, a sampling guide has these sections:

(1) A statement of the AQL and its meaning in layman's terms.

(2) The lot size for sampling.

(3) The sample size.

(4) A description of the sampling procedure which tells how the service will be sampled.

(5) An explanation of the inspection procedure which tells what will be checked during the inspection of the sample.

(6) Acceptable performance criteria which states the acceptance and rejection levels.

b. QAE Decision Tables. Once a problem has been discovered, the inspector must turn to a decision table and use the information in that table to aid him in finding the source of the problem. The decision table lists the symptoms of the problem and identifies the possible sources of the problem. Questions are established for each potential source to determine the contributing factors. A decision logic entry is worked up for each required service. As soon as it is considered satisfactory, the information is transferred to the decision table. An example of a decision logic entry is shown as part of a decision table in the sample in figure 4-7.

c. Checklists. There are two main uses for checklists.

(1) Tally Checklists. Tally checklists are used to document all sample observations made during a sampling period. Checklists may be preprinted with any format which contains the following information:

(a) Contract requirements - a statement of the service being inspected.

(b) Date, time, entry for each observation.

(c) Observation identifier of applicable workorder number, bus stop, or sales slip number, meal period, etc.

IF THE CONTRACTOR'S DEFICIENCY IS:	PROBABLE CAUSE FACTORS/ IMPACTING CONDITIONS ARE:	WHICH COULD RESULT FROM:	SUGGESTED REVIEW PROCEDURES AND/OR PREVENTIVE MEASURES IS/ARE:
Vehicle out of commission hours too high	High vehicle down for maintenance hours (VDM)	Poor control over work documentation	Review PCNs N310032, N310030, or N310031 for individual vehicles reflecting VDM hours in excess of the reporting period available hours. If this condition exists, it is usually found that two or more work orders were in "open" status for the same vehicle at the same time. Normally results from failure to ensure "close" of a particular work order, and not reviewing the PCN N310018, Work Order Master File Status Report previous to initiating a new work order. (Frequently noted when two or more work orders were required to satisfy contract maintenance work requirements). Are changes from VDM to VDP status accomplished in a timely manner?
		Insufficient manning	Review PCN N310032 for individual vehicle data reflecting a very low ratio of direct labor compared to VDM hours accrued. One prime indicator of this problem prevailing is when "Estimated Times in Commission" (ETIC), is constantly slipped. (When work is hardly ever completed within time-frame allotted by labor hour estimates).
		Improper control over work flow	Determine the appropriateness of workflow prioritizing and the disruptive effect caused by over-reacting to unrealistic application of priorities, such as shifting technicians from one vehicle to another, shuffling vehicles from one location to another for shop spaces, etc.

Figure 4-7. QAE Decision Table.

Vehicle Operations Sampling Guide #3					
Vehicle Condition Monitoring					
Registration Number	Date	Time	Satisfactory	Un-satisfactory	Remarks
B 7305	2 Oct	1530	X		
B 9763	2 Oct	1540		X	Hood latch KLG
B 8764	2 Oct	1545	X		
B 0010	5 Oct	0900	X		
B 8764	5 Oct	0915	X		
B 7707	5 Oct	1345	X		
B 7706	5 Oct	1400	X		
B 9654	8 Oct	1000	X		
B 8752	8 Oct	1025		X	Door handle KLG
B 3103	8 Oct	1045	X		
B 2758	8 Oct	1600			

Figure 4-8. Sample Tally Checklist.

CHAPTER 5

DOING SURVEILLANCE

5-1. Surveillance Methods. This chapter tells how to do surveillance once the plan is written. It tells how to build a monthly schedule, how to use the surveillance plan, and what to do when there is poor contractor performance. This chapter applies to Quality Assurance Evaluators (QAEs) and contract administrators.

5-2. Building A Schedule. A surveillance plan is organized to facilitate use by the QAE. The QAE is responsible for developing a monthly schedule for activities, based on the surveillance plan's requirements. Complete the Quality Assurance Evaluator Schedule by the last workday of the preceding month and send a copy to the contract administrator and the functional area chief for their information and review. Each QAE builds a schedule by filling in the blocks on the schedule. Specific instructions for filling out the schedule are provided below.

a. Quality Assurance Evaluator Schedule. An example of a surveillance schedule is show in figure 5-1. The left-hand side of the schedule divides the sheet into days of the week. This example shows only a 7-day schedule. The QAE must make up enough sheets to include each day of the month. Along the top of the schedule, insert the items to be checked during the month. Along the bottom of the schedule, indicate the number of observations to be made during the month (that is, how often a MIS is checked, how many samples will be taken, how often a surveillance checklist will be used).

b. Filling In And Updating the Schedule. To fill in the inspection schedule, the QAE refers to the sampling guide for each service being monitored. The sampling guide is used with the random number table to determine the inspections (observations) to be made during the month (see chapter 4, paragraph 4-4).

(1) Contract surveillance must cover all hours of operation. Random observations are scheduled at night, on weekends and holidays when services are performed during these periods. Areas that are monitored on a set schedule (for example, VIMS standards and analysis reports) are included in the monthly schedule. This monthly schedule shows where and what the QAE is monitoring at all times.

(2) Post any changes to the schedule weekly and send copies to the contract administrator and to the functional area chief. Document and explain the reasons for each change. Actual surveillance activity recorded on the surveillance checklist must be comparable to the monthly schedule.

(3) As updated, one must be able to conduct a complete audit trail from the monthly schedule, to observing the QAE perform sampling, to completion of the surveillance checklist.

(a) There must also be a correlation between contractor performance versus standards, AQLs, checklists and actions taken by the contract administrator. The sample in figure 5-1 shows the schedule for one week. The QAE completes the blank forms, indicating week of (Monday through Sunday), and enters the time, observation, and check (if pertaining to a checklist), in the blocks corresponding to the item and day.

(b) After it is completed and filled in, this form is "FOR OFFICIAL USE ONLY" and <u>must</u> <u>not</u> be shown to the contractor.

5-3. Doing Surveillance. Doing surveillance involves using the surveillance plan called for in the monthly schedule. Use the following procedure to record observations and take action when the contractor's defects exceed the allowable number.

a. Recording Observations. Monthly tally and surveillance checklists are used for each sampling guide and less frequently checked services. They are used to tally information on scheduled observations and defects noted. Each observation in the sample is recorded on the checklists, and the documents then become a formal government record for later reference.

(1) When random sampling guides are used, the tally of observations and defects at the end of each month are compared to the acceptable number of defects appearing in the sampling guide.

(2) The contractor is told each time an error is found during scheduled observations and asked to initial the observation recorded on the checklist.

(3) Errors found in services not scheduled for observation should be brought to the contractor's attention but not used to count as a defect for determining if the AQL has been met.

CONTRACT DISCREPANCY REPORT

1. CONTRACT NUMBER
F12345-79-98765

4. TO: (Contractor and Manager Name)
Vehicles Inc. - Mr. Travis

5. FROM: (Name of QAE)
Mr. Smyth

DATES

PREPARED	ORAL NOTIFICATION		RETURNED BY CONTR	ACTION COMPLETE
1 Sept 79	1 Sept 79		5 Sept 79	10 Sept 79

7. DISCREPANCY OR PROBLEM (Describe in detail, including reference to SOW/Specifications, attach continuation sheet if necessary.)
Reference the performance requirements summary Exhibit 12. The contract requires that taxi service meet a four minute response time with an acceptable quality level of 15%. Random observations indicate that this standard was not met. In a sample of 20 dispatches, 40 pickups exceeded the standard..

8. SIGNATURE OF Contracting Officer Eileen Dubing

9. TO: (Contracting Officer)

FROM: (Contractor)

10. CONTRACTOR RESPONSE AS TO CAUSE, CORRECTIVE ACTION AND ACTIONS TO PREVENT RECURRENCE: ATTACH CONTINUATION SHEET IF NECESSARY. (Cite applicable Q.A. program procedures or new Q.A. procedures.)

During August, there was a limited number of drivers and vehicles available due to sickness and maintenance. I will initiate short morning coordination meetings each day at 7:30 a.m. so that maintenance and operations personnel can assure that enough drivers and vehicles are available for daily activities.

11. SIGNATURE OF CONTRACTOR REPRESENTATIVE John W. Travis — DATE 5 Sept 1979

12. GOVERNMENT EVALUATION (Acceptance, partial acceptance, rejection; attach continuation sheet if necessary.)

The proposed corrective action and explanations are acceptable.

13. GOVERNMENT ACTIONS (Payment deduction, cure notice, show cause, other.)

The contractor's actions should prevent further recurrence. A deduction of $6750 will be made from the August invoice computed as follows:

Monthly Cost -	$90,000
Deduct Percentage	15%
Percent of Sample Defective	50%
Deduction	$6750

If this recurs next month a deduction will be taken plus a cure notice will be issued.

CLOSE OUT

	Name - Title	Signature	Date
CONTRACTOR NOTIFIED	Mr. Travis - Manager	N/A	10 Sept 79
QAE	Mr. Smyth	Hoam Smyth	10 Sept 79
ACO	Mrs. Dubing	Eileen Dubing	10 Sept 79

Figure 5-2. Contract Discrepancy Report.

(4) When a CDR is issued for a specific service the contracting office deducts from the month's payment, an amount up to the percentage indicated in the Performance Requirement Summary exhibit of the contract. Do not delay the deduction until the contractor responds to the CDR. If surveillance was done right and the decision tables used, the unsatisfactory performance is clearly the fault of the contractor. For a specific example of a deduction, see paragraph 5-5.

(5) If the contractor does not achieve satisfactory performance in that specific service by the end of the next month, the contracting officer issues another CDR and deducts the appropriate amount from the contractor's payment.

(6) If a third CDR must be issued, consider issuing a cure notice. (However, a cure notice can be issued sooner, if necessary).

(7) Depending on the contractor's overall performance, the government may issue a Show Cause letter if the reply to a cure notice is unsatisfactory; next consider terminating the contract.

5-5. Deductions For Non-Performance. Through the Inspection of Services clause, the government can deduct from a contractor's payment an amount equal to the services not provided.

a. To do this, the contract administrator must know the major cost categories in the contract and the percentage of cost each service output represents. The percentage cost of each service is found in deduct analysis; see chapter 2, paragraph 2-9. An example of how the deduct formula works is shown in figure 5-3.

b. Suppose the bid schedule showed the monthly contract price for vehicle operations, maintenance, and analysis as shown. The percentage cost of the service output is then found by looking at the Performance Requirements Summary Technical Exhibit in the contract statement of work. In the example, the percentage cost of quality of completed work is 10 percent. This is then multiplied by $100,000 to obtain the maximum amount to deduct.

c. If completed work was unsatisfactory during the month (that is, did not meet performance values) and the percent of the sample found bad was 20 percent, $2000 would be deducted from the payment normally due the contractor.

d. This amount for quality of completed work is deducted because the contractor failed to provide reliable, uniform services within the assigned performance values. Although some completed work may have met the standard during the month, the acceptable quality level was not met and at least 20 percent of the observations were defective. Hence, the total quality performance requirement has not been achieved. As a consequence, the service output is unsatisfactory.

5-6. Good Performance. When a contractor's quality control program works, good performance results. If the result of a QAE's surveillance shows consistently good performance, the amount of surveillance can be decreased.

a. Reduced Inspection. Inspection can be reduced when the following conditions have been met for a sampling guide.

(1) The preceding 4 lots (that is, the last 4 months) have all been acceptable.

(2) The number of defects in each of the preceding 4 lots is less than one half of the acceptance number. For example, with an AQL of 6.5 percent and a sample size of 32, the acceptance number is 5. If two or less defects were found in each of the last 4 lots, reduced inspection could be used.

(3) The normal sample size is being used.

(4) The functional area chief and the contract administrator agree to use reduced inspection.

b. Reduced Sample Size and Acceptance or Rejection Numbers. Reduced inspection decreases the sample size as shown in figure 5-4. In addition, the acceptance and rejection numbers change as shown in figure 5-5. To make the changes to the existing sampling guide, take the following steps.

(1) Make sure that the original sampling guide was using the normal sample size. To determine this, see Chapter 4, figure 4-3 and compare the lot size with the sample size in the sampling guide.

(2) Find the new sample size by using figure 5-4. Take the lot size and find the new reduced sample size.

(3) Using the AQL in the sampling guide and the new reduced sample size, see figure 5-5 for the new acceptance

Single sampling plans for reduced inspection

Sample size code letter[1]	Sample size	Acceptable Quality Levels (tightened inspection)†																																							
		0.010		0.015		0.025		0.040		0.065		0.10		0.15		0.25		0.40		0.65		1.0		1.5		2.5		4.0		6.5		10		15		25		40		65		100		150		250		400		650		1000	
		Ac	Re	Ac	Re	Ac	Re	Ac	Re	Ac	Re	Ac	Re	Ac	Re	Ac	Re	Ac	Re	Ac	Re	Ac	Re	Ac	Re	Ac	Re	Ac	Re	Ac	Re	Ac	Re	Ac	Re	Ac	Re	Ac	Re	Ac	Re	Ac	Re	Ac	Re	Ac	Re	Ac	Re	Ac	Re	Ac	Re
A	2	⇩		⇩		⇩		⇩		⇩		⇩		⇩		⇩		⇩		⇩		⇩		⇩		⇩		⇧		0	1	⇩		⇧		1	2	2	3	3	4	5	6	7	8	10	11	14	15	21	22	30	31
B	2	⇩		⇩		⇩		⇩		⇩		⇩		⇩		⇩		⇩		⇩		⇩		⇩		⇩		0	1	⇧		⇧		0	2	1	3	2	4	3	5	5	6	7	8	10	11	14	15	21	22	30	31
C	2	⇩		⇩		⇩		⇩		⇩		⇩		⇩		⇩		⇩		⇩		⇩		⇩		0	1	⇧		⇧		0	2	1	3	1	4	2	5	3	6	5	8	7	10	10	13	14	17	21	24	⇧	
D	3	⇩		⇩		⇩		⇩		⇩		⇩		⇩		⇩		⇩		⇩		⇩		0	1	⇧		⇩		0	2	1	3	1	4	2	5	3	6	5	8	7	10	10	13	14	17	21	24	⇧		⇧	
E	3	⇩		⇩		⇩		⇩		⇩		⇩		⇩		⇩		⇩		⇩		0	1	⇧		⇩		0	2	1	3	1	4	2	5	3	6	5	8	7	10	10	13	14	17	21	24	⇧		⇧		⇧	
F	8	⇩		⇩		⇩		⇩		⇩		⇩		⇩		⇩		⇩		0	1	⇧		⇩		0	2	1	3	1	4	2	5	3	6	5	8	7	10	10	13	⇧		⇧		⇧		⇧		⇧		⇧	
G	13	⇩		⇩		⇩		⇩		⇩		⇩		⇩		⇩		0	1	⇧		⇩		0	2	1	3	1	4	2	5	3	6	5	8	7	10	10	13	⇧		⇧		⇧		⇧		⇧		⇧		⇧	
H	20	⇩		⇩		⇩		⇩		⇩		⇩		⇩		0	1	⇧		⇩		0	2	1	3	1	4	2	5	3	6	5	8	7	10	10	13	⇧		⇧		⇧		⇧		⇧		⇧		⇧		⇧	
J	32	⇩		⇩		⇩		⇩		⇩		⇩		0	1	⇧		⇩		0	2	1	3	1	4	2	5	3	6	5	8	7	10	10	13	⇧		⇧		⇧		⇧		⇧		⇧		⇧		⇧		⇧	
K	50	⇩		⇩		⇩		⇩		⇩		0	1	⇧		⇩		0	2	1	3	1	4	2	5	3	6	5	8	7	10	10	13	⇧		⇧		⇧		⇧		⇧		⇧		⇧		⇧		⇧		⇧	
L	80	⇩		⇩		⇩		⇩		0	1	⇧		⇩		0	2	1	3	1	4	2	5	3	6	5	8	7	10	10	13	⇧		⇧		⇧		⇧		⇧		⇧		⇧		⇧		⇧		⇧		⇧	
M	125	⇩		⇩		⇩		0	1	⇧		⇩		0	2	1	3	1	4	2	5	3	6	5	8	7	10	10	13	⇧		⇧		⇧		⇧		⇧		⇧		⇧		⇧		⇧		⇧		⇧		⇧	
N	200	⇩		⇩		0	1	⇧		⇩		0	2	1	3	1	4	2	5	3	6	5	8	7	10	10	13	⇧		⇧		⇧		⇧		⇧		⇧		⇧		⇧		⇧		⇧		⇧		⇧		⇧	
P	315	⇩		0	1	⇧		⇩		0	2	1	3	1	4	2	5	3	6	5	8	7	10	10	13	⇧		⇧		⇧		⇧		⇧		⇧		⇧		⇧		⇧		⇧		⇧		⇧		⇧		⇧	
Q	500	0	1	⇧		⇩		0	2	1	3	1	4	2	5	3	6	5	8	7	10	10	13	⇧		⇧		⇧		⇧		⇧		⇧		⇧		⇧		⇧		⇧		⇧		⇧		⇧		⇧		⇧	
R	800	⇧		⇧		0	2	1	3	1	4	2	5	3	6	5	8	7	10	10	13	⇧		⇧		⇧		⇧		⇧		⇧		⇧		⇧		⇧		⇧		⇧		⇧		⇧		⇧		⇧		⇧	

⇩ = Use first sampling plan below arrow. If sample size equals or exceeds lot or batch size, do 100 percent inspection.
⇧ = Use first sampling plan above arrow.
Ac = Acceptance number.
Re = Rejection number.
† = If the acceptance number has been exceeded, but the rejection number has not been reached, accept the lot, but reinstate normal inspection

Figure 5-5. MIL-STD-105D Acceptance, Rejection Levels for Reduced Inspection.

CHAPTER 6

QUALITY CONTROL AND PREAWARD SURVEYS

6-1. Quality Control Clause. Each standard SOW contains a contractor quality control clause. This clause provides specific implementation of the standard Inspection of Services clause normally present in service contracts.

a. Contracting officers must pay particular attention to this requirement during the preaward survey and must make sure that the contractor provides a written quality control program prior to the contract start date.

b. To aid contractors in developing a quality control program, the contracting officer must provide the government Quality Assurance (QA) Surveillance plan along with the Invitation for Bids or Request for Proposal.

c. Make sure to mark the QA surveillance plan with the following statement: "For Information Purposes Only. This Quality Assurance surveillance plan is not part of the Request for Proposal or Invitation for Bids nor will it be made part of any resulting contract." Use this statement since the government must retain the right to change or modify inspection methods.

d. An example of a clause is as follows:

Quality Control

a. Quality Control. The contractor shall establish a complete quality control program to assure the requirements of the contract are provided as specified. One copy of the contractor's basic quality control program shall be provided to the Contracting Officer at the preaward survey conference or not later than at the pre-performance conference if a preaward survey is not conducted. An updated copy must be provided the Contracting Officer on contract start date and as changes occur. The program will include, but not be limited to the following:

(1) An inspection system covering all the services stated in the Performance Requirements Summary of the Statement of Work. It must specify areas to be

will be conducted at (Name Location) shortly after bid opening by government personnel.

b. If a preaward survey is conducted, you will be requested to have management officials, of the appropriate level, represent your firm. In addition, your proposed project manager should be available to respond to questions raised during the preaward survey. You should also be prepared to present a briefing regarding the manner in which you intend to accomplish your contractual obligations. As a minimum, you should address the following items of information in your presentation (a written copy of the presentation with the backup data below must be submitted to the contracting officer 5 work days before the presentation):

(1) Startup and phase-in schedule.

(2) Key personnel letters of intent and resumes.

(3) Availability of labor force, plan for recruiting, type and extent of training.

(4) The role of the project manager and the extent of his/her authority.

(5) Organizational and functional charts reflecting line of management responsibility.

(6) Manning charts in a format requested by the contracting officer (only to be used to ensure that you understand the workload).

(7) Plans and management procedures for logistical administrative support of all functions; that is, contractor furnished supplies and equipment and procedures for timely payment of personnel.

d. Emphasize to the bidder the importance of having a detailed quality control program for presentation at the PAS.

e. Remind the functional person to have estimated manning charts available for the PAS. These charts must estimate what contractor manning would be required to perform the requirement. They may not estimate what it would take government personnel to accomplish the tasks.

f. Coordinate the date of the PAS with the technical PAS team chief and the contractor. Notify the contractor of the finalized date and location of the PAS.

g. Perform the PAS. Do all tasks in paragraph 6-7a thru 67-g.

6-7. Technical Evaluation. Perform the following tasks.

a. Evaluate the adequacy of the financial PAS performed by the outside office. Check the bidder's financial statements if they are submitted.

b. Thoroughly analyze manning charts submitted by the bidder. The following procedures apply:

(1) First, validate the government prepared contractor manning estimates. Make sure the government did not overestimate.

(2) Next, compare the bidder's charts to the government estimate. Insure that:

(a) Bidder's total manning is comparable to the estimate. A variance of more than twenty percent should be considered suspect.

(b) The bidder has the right classes of employees on duty at the appropriate times.

(c) The bidder has sufficient personnel on duty during peak or key workload periods.

(3) Next, analyze the contractor's net bid to see if it will support the level of manning proposed. Use the following procedures.

(a) Compute total man-hours for each labor category in the wage determination.

where the technical representative goes to work. Interview the bidder and find out whether or not the bidder understands the job.

e. Besides the total estimate, financial PAS and general evidence of competence, the next most important factor is the bidder's proposed quality control plan. This plan should be detailed enough for the PAS team to evaluate and determine that the bidder actually knows what to do.

f. The bidder's performance history is also a very important subject to be thoroughly covered by the PAS team. Establish complete and thorough documentation if a determination of nonresponsibility is going to be based upon lack of tenacity, perseverance or integrity.

g. PAS reports must state the facts, draw a conclusion based upon those facts and end with a recommendation to the contracting officer.

6-8. Outside Office Performs the PAS. If an outside office such as DCAS is going to perform the financial and technical PAS, the buyer does the following:

a. Ask the office to perform the PAS. Indicate which particular acquiring activity will assist in the PAS. Name the personnel in the request; for example, buyer, food services officer, etc.

b. Provide all acquiring activity team members written guidance as to duties and responsibilities. Provide it in enough time for members to study and fully understand their responsibilities.

c. Insure that acquiring activity team members realize that the outside office is running the PAS, and that they understand that they have a very important input (the outside office may be lacking in a particular area of expertise that the acquiring activity provides).

Random Number Table

Page 1

Line \ Col.	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)
1	10480	15011	01536	02011	81647	91646	69179	14194	62590	36207	20969	99570	91291	90700
2	22368	46573	25595	05393	30995	89198	27982	53402	93965	34095	52666	19174	39415	95505
3	24130	48360	22527	97265	76393	64809	15179	24830	49140	32081	30680	19655	63348	58629
4	42167	93093	06243	61680	07856	16376	39440	53537	71341	57004	00849	74917	97758	16379
5	37570	39975	81837	16656	06121	91782	60468	81305	49684	60672	14110	06927	01263	54613
6	77921	06907	11008	42751	27756	53498	18602	70659	90655	15053	21916	81765	44394	42580
7	99562	72905	56420	69994	98872	31016	71194	18738	44013	48840	63213	31069	10634	12952
8	96301	91977	05463	07972	18876	20922	94595	56869	69014	60045	18425	84903	42508	32307
9	89579	14342	63661	10281	17453	18103	57740	84378	25331	12566	58678	44947	05585	56941
10	85475	36857	53342	53988	53060	59533	38867	62300	08158	17983	16439	11458	18593	64952
11	28918	69578	88231	33276	70997	79936	56865	05859	90106	31595	01547	85590	91610	78188
12	63553	40961	48235	03427	49626	69445	18663	72695	52180	20847	12234	90511	33703	90322
13	09429	93969	52636	92737	88974	33488	36320	17617	30015	08272	84115	27156	30613	74952
14	10365	61129	87589	85689	48237	52867	67689	93394	01511	26358	85104	20285	29975	89568
15	07119	97336	71048	08178	77233	13916	47564	81056	97735	85977	29372	74461	28551	90707
16	51085	12765	51821	51259	77452	16308	60756	92144	49442	53900	70960	63990	75601	40719
17	08360	21382	52404	60268	89368	19885	55322	44819	01188	65255	64835	44919	05944	55157
18	01011	54092	33362	94904	31273	04146	18594	29852	71585	85030	51132	01915	92747	64951
19	58162	53916	46369	58586	23216	14513	83149	98736	23495	64350	94738	17752	35156	35749
20	07056	97628	33787	09998	42698	06691	76988	13602	51851	46104	88916	19509	25625	58104
21	48663	91845	85828	14346	09172	30168	90229	04734	59193	22178	30421	61666	99904	32812
22	54164	58492	22421	74103	47070	25306	76468	26384	58151	06646	21524	15227	96909	44592
23	32639	32363	05597	24200	13363	38005	94342	28728	35806	06912	17012	64161	18296	22851
24	29334	27001	87637	87308	58731	00256	45834	15328	46557	41135	10367	07684	36188	18510
25	02488	33062	28834	07351	19731	92420	60952	61280	50001	67658	32586	86679	50720	94953
26	81585	72895	04839	96423	24878	82651	66566	14778	76797	14780	13300	87074	79666	95725
27	29676	20591	68086	26432	46901	20849	89768	81536	86645	12659	92259	57102	80428	25280
28	00742	57392	39064	66432	84673	40027	32832	61362	98947	96067	64760	64584	96098	98253
29	05366	04813	25869	26422	44407	44048	37937	63904	45766	66134	75470	66540	34693	90449
30	91921	26418	64117	94305	26766	25940	39972	22209	71300	64568	91408	42416	07844	69618
31	00582	04711	87917	77341	42206	35124	74087	99547	81817	42607	43808	76655	62028	76630
32	00785	69884	62797	56170	86324	88072	76222	36086	84637	93161	76038	65055	77919	88006
33	69011	65795	95876	55293	18988	27354	26575	08625	40801	59920	29841	80150	12777	48501
34	25976	57948	29888	88604	67917	48708	18912	82271	65424	69774	33611	54262	85963	03547
35	09763	83473	73577	12908	30883	18317	28290	35797	05998	41688	34952	37888	38917	88050
36	91567	42595	27958	30134	04024	86385	29880	99730	55536	84855	29080	09250	79656	73211
37	17955	56349	90999	49127	20044	59931	06115	20542	18059	02008	73708	83517	36103	42391
38	46503	18884	18848	49618	02304	51038	20655	58727	28168	15475	56942	53389	20562	87338
39	92157	89634	94824	78171	84610	82834	09922	25417	44137	48413	25555	21846	35509	20468
40	14577	62765	35636	81863	39667	47358	56873	56307	61607	49518	80686	20103	77490	18062
41	98427	07523	33362	64270	01638	92477	66969	98420	04880	45585	46565	04102	46880	45709
42	34914	63976	88720	82765	34476	17032	87589	40836	32427	70002	70663	88863	77775	69348
43	70060	28277	39475	46473	23219	53416	94970	25832	69975	94884	19661	72828	00102	66794
44	53976	54914	06990	67245	68350	82948	11398	42878	80287	88267	47363	46634	06541	97809
45	76072	29515	40980	07391	58745	25774	22987	80059	39911	96189	41151	14242	60697	59583
46	90725	52210	83974	29992	65831	38857	50490	83765	55657	14361	31780	57375	56228	41546
47	64364	67412	33339	31926	14883	24413	59744	92351	97473	89286	35931	04110	23726	51900
48	08962	00358	31662	25388	61642	34072	81249	35648	56891	69352	48373	45578	78547	81788
49	95012	68379	93526	70765	10592	04542	76463	54328	02349	17247	28865	14777	62730	92277
50	15664	10493	20492	38391	91132	21999	59516	81652	27195	48223	46751	28923	32261	85653

Line \ Col.	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)
101	13284	16634	74151	98027	84670	36665	00770	24078	02179	51002	07270	70517	97275	45969
102	21224	00370	30440	03803	94648	89428	41563	17564	27395	63904	41548	49197	82877	24120
103	99052	47887	81085	64933	66279	80432	65793	83287	34148	13241	30590	97760	35048	91983
104	00199	50993	98603	38452	87890	94624	69721	57484	67501	77638	44331	11257	71131	11059
105	60578	06483	28733	37867	07936	98710	98539	27186	31237	80612	44488	97819	70401	95419
106	91240	18318	17441	01929	18163	69201	31411	54288	39496	37318	63784	90401	79017	62077
107	97458	14829	12063	59611	32849	90466	33216	19358	02891	54263	88449	01918	07436	50813
108	35249	38646	34475	72417	60514	49257	12489	51924	86871	92446	36607	11458	30440	52639
109	38980	46600	11759	11900	46743	27860	77940	39298	97038	95145	32378	68038	89351	37005
110	10750	52745	30749	87365	58959	53731	89295	59062	39404	13198	59960	70408	29812	83126
111	36247	27850	73958	20673	37000	63835	71051	84724	52498	22342	78071	17456	96104	18327
112	70994	66986	99744	72438	01174	42159	11392	20724	54322	36923	70009	23233	65438	59605
113	99638	94708	11443	18148	81386	80431	90628	58506	02016	85151	88598	47841	00265	82585
114	72055	13774	43857	99808	10419	76939	25993	03544	21560	83471	43989	90770	22965	44247
115	84038	65841	85788	55835	38835	59399	13790	35112	01384	39520	76210	22467	83275	32286
116	74976	14631	38908	28221	39470	91548	12854	30166	09073	75887	36782	00268	97121	57676
117	35553	71688	70189	26436	63407	91178	90348	55359	80398	41012	36270	77786	89578	21059
118	35676	18797	51434	82976	42010	86344	92920	92135	58807	54644	58581	95331	78689	73344
119	74815	67583	72985	83183	02446	63594	98924	20633	50842	85961	07048	70164	34994	47662
120	45846	88048	65173	50989	91060	89894	36036	32819	68559	99221	49475	50558	34698	71800
121	76509	47069	86378	41797	11910	49678	88875	97066	32466	10083	54728	81972	58975	30761
122	19689	90332	04315	21358	97248	11188	39062	83318	52496	07349	79178	33692	57352	72862
123	48751	35318	97513	61537	54953	08159	00337	80778	87507	95478	21252	12746	37554	97775
124	11946	28681	45045	13964	57517	59419	58045	44067	56716	58840	45557	96345	33271	53464
125	96518	48688	20996	11090	48396	57177	83867	86464	14342	21545	46717	72364	86954	55580
126	35726	58643	76869	84682	39098	36083	72505	92265	23107	60278	05822	46760	44294	07478
127	39737	42750	48968	70536	84864	44952	38404	94317	65408	13589	01055	79044	19308	83623
128	97085	66498	56177	04049	80312	48028	86408	43591	75528	65341	49044	95495	81256	53214
129	62814	08075	09788	56350	76787	51591	54509	49295	85830	59860	30883	89660	96142	18354
130	25578	88950	15887	83291	41737	79599	96191	71845	86899	70694	84290	01551	80098	82118
131	68763	69576	88991	49662	46704	83368	56625	00481	73323	91427	15264	06969	57048	54149
132	17900	00813	64341	40725	08974	81005	99709	30666	86451	11528	44323	34778	60342	60388
133	71944	60227	63851	71109	05624	43836	58254	86160	32116	63403	35404	57146	10909	07346
134	84684	93691	85138	64399	29188	44324	14491	55226	76793	34107	30374	48449	51376	09559
135	85946	27623	11258	65804	52832	50880	82273	05554	99521	73791	85744	29276	70386	60251
136	01353	39318	44961	44978	91766	90868	36073	06606	51886	18093	83448	31918	97764	73091
137	99083	88191	87668	99113	87174	35871	99884	13951	71087	53961	61448	74909	07322	80960
138	58081	45404	37948	75834	84327	86978	82644	87779	83763	99986	63898	54886	18081	96314
139	78758	47744	43776	83098	03885	14881	03637	55984	13300	88818	58781	14905	46602	04472
140	88868	69106	59180	16857	88810	43609	12884	28643	89884	31149	88483	38681	34374	70873
141	11989	94808	02743	86847	79788	31811	14998	76844	05320	54836	63891	70886	38438	84776
142	11644	13798	98190	01484	30078	88197	55583	05197	47714	68440	88016	79804	06868	94451
143	06307	97918	68110	59818	95448	43044	31268	88880	13040	16458	43813	89416	48488	33939
144	76885	78714	89585	99896	58640	46518	55486	90734	88938	19937	57119	23251	55419	83479
145	55388	07598	39608	60866	63007	80007	66819	84164	61131	81489	60676	42807	78286	29015
146	78917	90988	90880	98503	83375	86986	74399	30885	88567	89169	78816	53357	15488	86938
147	44768	43348	80696	26331	43140	69744	82928	84988	94837	46138	97486	39039	85596	12455
148	85100	19336	14408	86603	51680	97678	84241	02464	86563	74818	60069	71474	15478	47442
149	83618	46683	68876	85197	07824	91398	58317	37726	84688	48881	10268	30692	15699	89147
150	41347	81466	68961	60413	71080	83658	0241	33388	66036	98718	46795	16308	28413	05417

Line \ Col.	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)
201	78994	36244	02473	88478	84983	41793	50443	63483	69309	00308	49977	18075	43287	08266
202	04969	58461	70466	93930	34880	73059	06483	80257	44193	08337	47653	75932	89809	41954
203	46882	73370	33984	81795	86477	46734	60460	70345	37322	19987	67143	41149	89314	48498
204	89248	89798	88634	60885	07190	07795	87011	85941	01882	43096	31173	43730	40505	17958
205	68104	81339	97090	30601	78940	20228	22003	96070	10281	42711	66200	74330	13820	18946
206	17156	98188	88604	19880	93747	80910	78860	23136	62018	68919	73801	37193	83457	70597
207	80711	94789	07171	02103	99037	98778	37997	18383	88281	61091	97889	79977	04544	72943
208	39449	38489	78098	77728	39789	83805	09313	43645	43786	70443	41380	73369	48405	80516
209	75689	08789	76916	72887	88998	38756	01184	84090	04107	17469	89348	68681	97433	89491
210	01020	55151	36138	81971	38155	60735	64867	35424	25287	93844	39928	52519	34368	02114
211	08337	09909	84180	08418	46798	25889	52860	37375	52815	43539	18078	44870	27309	36535
212	76889	47289	19706	30094	69430	92399	98759	28081	52564	90431	38208	40343	87505	10227
213	39708	30641	81267	16801	95188	78448	81445	17276	90344	33199	02588	97883	09515	65930
214	09836	55817	56747	73195	06818	83043	47403	38266	82630	73573	91088	41118	27195	40650
215	28903	41370	66081	84076	67448	58984	23883	02718	28786	06181	89680	55295	67086	57574
216	71348	03488	01015	68088	19703	77313	04555	83485	46763	95315	83180	15116	18017	42730
217	61454	98863	14447	08473	34184	10740	40839	05620	62418	73374	98577	04755	21056	56272
218	80374	08909	30470	40280	46858	61742	11643	98181	82894	26648	69676	46198	00331	85186
219	48144	84373	05808	90074	84783	86899	20900	15144	86506	53770	76431	23861	71208	80694
220	18191	08587	58858	51175	11534	87218	04876	85584	78468	82182	03418	13817	14313	70593
221	62936	59180	73987	38969	81598	47287	39394	08778	38036	30140	89117	32054	44603	61849
222	31588	96798	43668	18611	01714	77846	55079	84690	84716	77738	35363	85545	17015	56344
223	20787	96048	84786	17518	39450	43618	30629	24158	05294	34836	65299	36922	46995	85765
224	48603	80748	84638	43079	52784	14862	05750	89373	79088	38088	68082	92504	80545	03090
225	31606	64788	34087	86734	09368	20008	93559	78384	99819	61747	96111	86985	33833	89818
226	10458	33874	76718	99856	16086	00013	78411	93107	10786	44886	44612	06830	27848	87597
227	37016	84633	67301	30949	91898	74968	73631	57397	08638	04768	39328	34946	07403	60916
228	66785	97865	85409	37498	08816	99264	14471	10838	19035	81695	07540	96447	28743	98472
229	07380	74438	82180	17890	40963	55757	13498	68294	87170	49468	40164	13374	83081	17006
230	71681	87688	50856	47708	74724	89419	08085	48519	95188	54788	38999	34374	05780	17506
231	03466	13863	83917	80417	11315	58805	33078	07783	87876	75858	28709	99669	11609	46666
232	18898	38931	97387	34088	83775	91674	76549	37635	91118	31062	89441	31839	88614	70168
233	82198	30941	44998	17833	94863	83068	95785	38463	03665	49189	46359	37401	73407	61817
234	56691	78389	64063	73570	86660	68185	40436	31303	79330	59083	34868	00340	31734	75535
235	74958	43041	58069	15677	78598	43580	97581	83848	52173	17636	77106	01044	88990	74874
236	18758	43693	38867	53017	88661	39610	03796	02622	78867	24503	73518	76545	99088	08369
237	61691	04944	43111	88385	82319	65589	66048	98498	46941	81487	44447	70357	18864	15525
238	49197	63948	38947	60807	70667	39043	60607	15328	09528	17877	84278	04463	12188	35359
239	19436	87891	71684	74859	76501	93486	93714	92618	10683	76617	78641	85318	74041	71554
240	36143	64893	14604	13543	09681	68301	69817	58140	03976	48798	60266	99598	68334	18790
241	88844	67849	76491	09761	74494	91307	64888	66598	67870	38593	18094	95095	08649	25047
242	58847	36135	48878	83708	97999	40131	58360	90390	73108	40478	80487	07787	35238	50990
243	94095	95970	07826	85991	37504	56966	68683	83454	49461	97707	12479	85041	40565	18313
244	11751	69469	65581	44097	07511	88976	30128	67548	54825	03874	08765	67162	40318	76127
245	69908	08995	87821	11788	64989	81902	38181	28165	21386	97375	44801	66977	08232	06007
246	81880	85352	86686	98141	23898	43894	10479	37079	21886	11453	89584	70067	09471	16319
247	78850	44998	85145	85906	48339	88958	91717	15786	78817	35541	01177	04869	10543	57452
248	29448	28086	42581	05677	20851	39641	65786	80689	49066	14456	91681	69371	18292	39377
249	88740	28443	48734	25518	88887	35885	90488	32911	79466	52959	01475	83321	84991	80102
250	36842	48098	52075	83986	48875	71500	69816	01350	92846	84798	87458	06842	28428	77379

Line \ Col.	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)
301	64670	10394	82981	30380	71476	08143	40294	42631	45464	58098	14187	18271	98179	07612
302	25771	02205	73984	80436	88192	11470	11775	67305	66360	59804	93073	89948	66302	82227
303	87551	13537	64984	89406	60346	33993	92384	13249	35871	60400	70768	08343	76456	90068
304	91224	22417	44820	26189	57541	87558	45835	20461	54835	98411	44369	47518	49508	02811
305	75179	64320	71523	67068	38883	09674	87645	76240	47587	01677	38342	85590	12482	30749
306	64664	91085	68818	03313	39273	46384	66677	14148	87588	38383	67435	21078	63866	74644
307	98059	81123	47832	04108	66188	78800	67466	46043	65406	82034	08680	17509	51484	25187
308	38765	63585	18810	95805	11414	88096	00295	02626	42483	44518	18209	83845	53771	95469
309	01981	03564	71754	10213	80383	13473	94128	68199	59411	46788	68871	51149	87146	40129
310	16811	93671	27704	66778	96307	06738	63750	04191	40003	51453	54828	14916	05361	08084
311	70732	86076	61527	56183	48514	63935	86784	42331	67586	07438	61499	01773	97463	58815
312	88332	94265	67627	85815	00394	75271	98385	53697	56378	50592	77441	88505	89791	16331
313	81333	43968	64171	84367	15058	37965	03122	81914	69381	70034	92563	61804	58386	97895
314	39333	47453	66174	04546	10894	64871	61026	39471	55981	18688	67943	35599	37809	34061
315	89198	20885	50878	80873	86285	90070	79586	12449	77893	36577	89198	03658	90056	83145
316	74480	64037	06960	85109	08881	60143	34485	19857	89417	78713	78384	41578	41553	46946
317	82763	16508	84866	13177	07464	51730	65808	95718	80560	11338	74878	59189	53167	13133
318	78919	54618	40816	33887	51874	78491	53604	66748	97777	64468	98884	45485	17857	31561
319	92385	48402	15922	90033	21555	31647	82288	75692	80598	84620	86679	84587	83517	85327
320	85431	19857	97246	46118	71282	82744	67892	77156	10785	00344	19441	90879	18716	13895
321	40778	18451	14921	51464	45331	75888	46859	66829	35803	27645	76095	41535	85508	53066
322	88903	46598	60637	65831	08778	86813	47819	19218	46837	89671	77661	08518	85816	62464
323	89830	34899	85457	19548	83355	52479	77801	01596	48890	56104	68733	40830	58611	59101
324	08838	47482	08073	10107	46772	98299	42975	86376	87849	82934	07900	75918	51398	87598
325	75159	14809	11930	83531	51839	86298	72661	63015	98804	96491	99565	48801	71816	84000
326	99390	08817	56276	09263	48685	30451	85742	41105	74711	48007	08088	93025	86641	28952
327	68608	86897	08908	10847	91379	30068	84289	45080	92489	03831	08531	63496	98830	48684
328	92393	95901	41179	72189	72508	91097	09488	84896	37780	66104	73817	67686	16881	63587
329	83188	66033	38229	51879	89928	45574	33938	72801	64067	76388	88941	43648	37181	95389
330	43851	11941	86631	93264	53433	70881	58000	84550	74731	38855	85399	95743	85393	20861
331	16613	84901	34866	78002	65163	68308	80070	36953	39378	71191	84510	47599	93608	84379
332	18010	60858	98603	70393	17988	95755	14678	50786	41996	02893	94163	36156	54203	94138
333	85528	97879	87814	08819	08808	71582	31439	80360	72864	87848	65903	42898	88065	81889
334	38890	85078	33156	83168	98087	77939	53798	78798	58159	86394	41749	91423	86973	81474
335	98934	30650	16449	15805	61551	38489	59179	85485	18837	70496	98694	19796	76804	83673
336	80614	10180	08309	61898	79477	14588	40870	48744	89688	89717	30590	10823	43049	78778
337	68398	18034	90744	58878	88885	50598	48501	80560	38813	18917	18018	03887	68589	15851
338	08828	46811	05148	67914	15184	08636	89078	87773	81889	84090	56708	65566	04487	83984
339	08090	31785	41664	61388	84149	81471	83388	03093	31866	14840	30707	01640	07874	16638
340	68187	73897	66168	12888	73191	89438	68414	41886	75911	38708	43808	89193	84787	31037
341	18384	61149	88643	64999	63738	46671	85408	69313	84488	04917	38847	09951	78776	84697
342	47625	48879	98488	70677	58388	50904	97483	63731	48090	88179	98088	47788	45696	74176
343	70785	00390	08878	15373	70376	71889	86953	37931	83886	86508	46188	88486	37323	35489
344	85964	15268	96814	34548	00848	19781	78869	88937	36639	89138	12433	67885	69588	74178
345	07489	05409	31847	50854	68389	67714	98866	64698	38883	46188	46813	85446	84748	98304
346	18668	86659	54088	53817	76898	88931	88706	58918	88869	89818	84976	08888	94338	58588
347	64208	83838	99459	43601	04583	48481	60154	49436	49891	68584	68133	88163	76768	86006
348	17698	73876	58567	46489	64864	84288	31498	97548	98437	86033	39086	17377	43819	87485
349	40531	43817	39999	38618	97195	76988	87688	99010	90108	12588	80678	81998	88781	98136
350	76098	39999	43884	68110	88083	88787	14187	98683	84888	78440	67088	37488	40859	16038

* U. S. GOVERNMENT PRINTING OFFICE: 1941—7[illegible]

ENHANCING GOVERNMENTAL PRODUCTIVITY THROUGH COMPETITION:

A New Way of Doing Business Within The Government

To Provide Quality Government at Least Cost

A PROGRESS REPORT ON
OMB CIRCULAR NO. A-76

"PERFORMANCE OF
COMMERCIAL ACTIVITIES"

Office of Management and Budget
Office of Federal Procurement Policy
August 1988

"I have recently promulgated an Executive Order to foster greater contracting out of services currently provided by the government to private providers, many in America's vital small business community. Study after study . . . demonstrate that savings of between 30 to 40 percent can be achieved by contracting-out government work to private business. If all agencies took advantage of contracting-out opportunities, the total savings would amount to $7 billion per year."

President Ronald Reagan
Legislative and Administrative Message
January 25, 1988

INTRODUCTION

In August of 1983, President Reagan stated "Competition is fundamental to our free enterprise system. It is the single most important source of innovation, efficiency and growth in our economy." In this time of a growing competitive world economy, it is vital that we carry this philosophy into Government operations. The competitive marketplace is a principal source of national economic strength, and the potential for using our free enterprise system to reduce government costs and improve service is great.

The public sector is engaged in many activities that are similar to, or even the same as, those performed by the private sector. Today, the Federal Government spends over $21 billion on commercial services, such as automated data processing, aircraft repair and food preparation. However, substantial savings occur when the Government competes with the open marketplace to provide these services. In fact, since 1981 Federal agencies have realized cumulative savings of $2.8 billion by using competition as a means to determine whether the government or the private sector can provide a service at the best price.

This booklet describes the current efforts of the Administration to ensure that the Government obtains commercial services in the most cost-effective manner. The program for carrying out this policy is described in the Office of Management and Budget (OMB) Circular No. A–76, "Performance of Commercial Activities." Presidential Executive Order 12615 sets specific goals for the program over the next several years.

The Circular describes how to uses competition to foster improved quality, increased efficiency, and savings. Quality service and reduced cost are emphasized in two ways: (1) by providing an incentive to Federal agencies to clearly define their performance standards and to reduce the cost of Government operations in order to compete with private industry; and (2) by offering the commercial sector an opportunity to meet these Government needs when they can do so more economically. In either case, the American public are the true beneficiaries, since costs are reduced whether the government or industry "wins" the competition.

If OMB Circular No. A–76 policies were fully carried out, savings exceeding $7 billion would be achieved annually. The following pages describe our progress in meeting that objective.

James C. Miller III
Director
Office of Management and Budget

WHAT IS THE A–76 PROGRAM?

Competition is the driving force behind quality and economy of operations in the private sector. Private sector managers are continually challenged by competitors who may force them out of business if they do not operate in the most efficient manner. This constant competitive pressure forces managers to be innovative and flexible as they promote performance-based management to serve their customers.

Government managers, in normal operations, do not encounter the same pressures for efficiency that private sector managers do. They have few baselines for comparisons and do not face the constant threat of competition. Moreover, Government managers many times face legislative and fiscal constraints that force them to operate inefficiently. Competition with the private sector can highlight these inefficiencies and consequently help identify the changes necessary either to streamline the Government operation or to determine whether the private sector can more efficiently perform the service.

Office of Management and Budget (OMB) Circular No. A–76, "Performance of Commercial Activities," provides an effective management tool to increase quality, efficiency and productivity in the performance of Government support services. The A–76 review process enhances quality and efficiency by using the simple principle of competition to select the most cost effective operation to perform the service. The program can be categorized as the Government's "make or buy" program. It is based on the concept that the American people deserve and expect the most economical operations from their Government.

The Circular does not mandate that commercial type work currently being done by the government automatically be contracted out to the private sector. Rather, it requires that studies be conducted to see whether work should be performed by the government or by industry. This evaluation process alone enhances productivity by challenging government managers to find the most effective and efficient means of doing business at competitive prices. In fact, about 40 percent of the competitions with the private sector have resulted in the government retaining the work, while the remaining 60 percent have been converted to contractor operations. If applied correctly, the A–76 process can save the taxpayers billions of dollars annually and improve the accountability of the government's commercial services.

The program was formalized in 1955 when the Eisenhower Administration issued Bureau of the Budget Bulletin 55–4. In 1966 the Bureau of the Budget issued the policy as Circular No. A–76.

This policy has been supported by every administration since 1955.

WHAT FUNCTIONS ARE *COMMERCIAL* AND SHOULD BE COMPETED AND WHAT FUNCTIONS ARE *GOVERNMENTAL* AND SHOULD NOT BE COMPETED:

* Governmental—Those which are so intimately related to the public interest as to mandate performance by government employees.

* Commercial—A product or service that could be obtained from a commercial source.

EXAMPLES OF COMMERCIAL OCCUPATIONS IN THE FEDERAL GOVERNMENT AS OF JUNE, 1987:

Occupation	*Number of Employees*
Mail and File	26,763
Data Transcription	12,885
Civil Engineering	15,315
Automated Data Processing	63,757
Audiovisual Services	9,670
Library Services	4,556
Training	20,682
Food Preparation and Serving	22,561
Laundry Work	2,640
Warehousing and Stockhandling	41,299
Motorpool and Vehicle Maintenance	45,939
Facilities Operation:	
General Service and Support Work	44,644
Painting and Paperhanging	9,036
Plumbing and Pipefitting	12,180
Wood Working	9,164
General Maintenance and Operation	19,928
General Equipment Maintenance	2,944

"We must seek in every feasible way to reduce the cost of carrying out Government programs."

President Lyndon Johnson

> *"When the Government must perform a function, it should do it efficiently. Whenever free competition would do a better job of serving the public, the Government should stay out."*
>
> President Jimmy Carter

The concept of real competition between the government and commercial sources under a set of defined guidelines was introduced in March of 1979. OMB issued a revised circular reaffirming a general policy of reliance on the private sector for commercial activities but stating that where the Government was already doing the work, conversion to contract would only take place when non-federal sources were more cost effective. This revision also introduced a new management concept of defining the job to be done in measurable performance standards rather than in specifying the method for doing the work. This approach involves developing a quality assurance surveillance plan to provide a means of measuring performance.

In 1983 Circular A–76 was again revised, with more information provided on how to decide whether a function should be performed in-house or by a private contractor.

The policy has evolved over the years to where it now states:

- All new requirements that can be performed by private sector commercial sources must be acquired from such sources, except where a statute or national security interests require Government performance or where private industry costs are unreasonable.
- Commercial activities currently being performed by the government shall be compared to private sector sources to determine which can provide the work in the most cost effective manner.

Since 1981 the Government has studied commercial activities performed by over 72,000 Government employees, resulting in:

- $696 million in annual savings/cost reductions by the agencies.
- Approximately $9,700 savings per position studied.
- Cumulative savings of $2.8 billion.
- 45,697 positions that have been saved or moved to higher priority needs.

- An average savings of 30% from the original government cost:

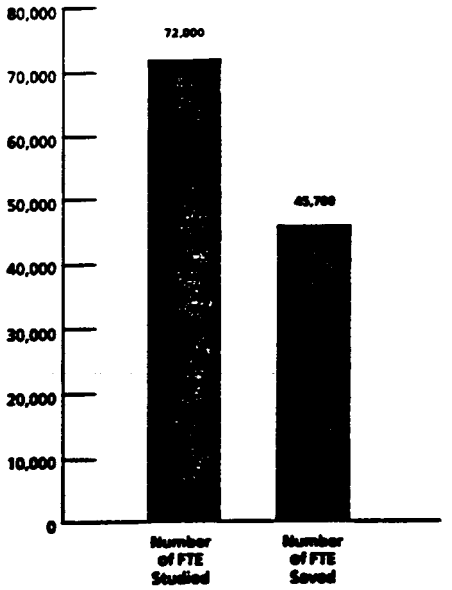
  —20% savings for in-house government "wins".

  —35% savings for private sector "wins".

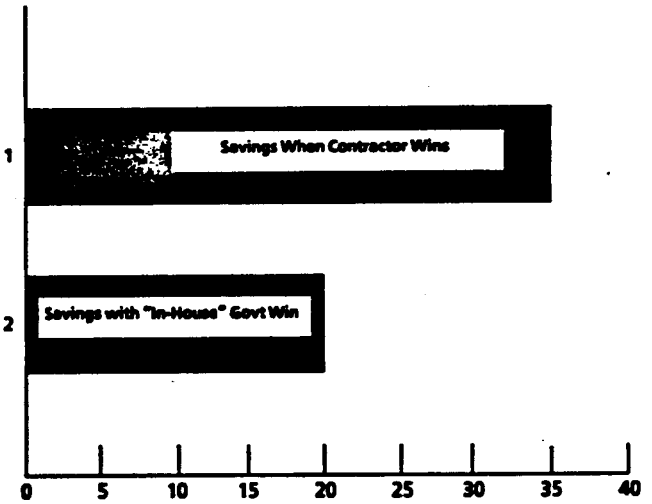
The very success described above proved that the program was not being implemented fast enough and that much more could be done.

> *"Once an activity has been through the A–76 process, management at all levels has increased visibility over the activity. Performance standards are clear, associated workload is defined and costs for each service are specified. This provides agencies a significantly increased capability to monitor cost and performance, and leads to the belief that savings should continue to increase."*
>
> **Joseph R. Wright, Jr.**
> **Deputy Director, OMB**
> **Winter, 1987**

FULL TIME EQUIVALENT (FTE) GOVERNMENT POSITIONS STUDIED AND SAVED IN THE A-76 PROGRAM



AVERAGE PERCENT SAVINGS WITH A-76 STUDIES



THE NEW EXECUTIVE ORDER AND FUTURE POTENTIAL

In the fall of 1987, President Reagan issued Executive Order No. 12615. This was in recognition of the considerable opportunities for better service at less cost through competition, which could come about by accelerating the implementation of the A–76 program. Specifically, it required:

- a senior official in each agency be designated to coordinate A–76 studies and other privatization efforts and report progress to OMB and the President on a quarterly basis. These privatization officials gave the program added stature and visibility.
- Government requirements for new commercial type activities to be provided by the private sector, except where excluded by statute or national security.
- agencies to identify all Government-operated commercial activities and develop a schedule to compete these activities.

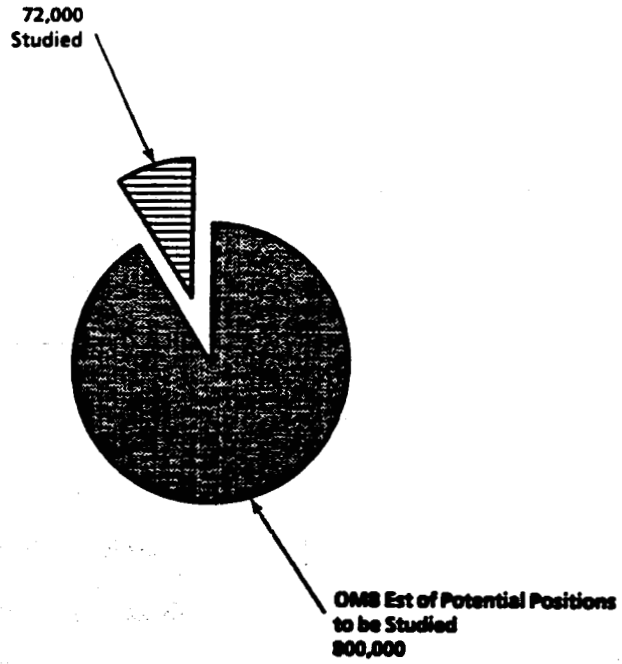
Beginning in fiscal year 1989, positions involving at least three per cent of each agencies' civilian work force will be reviewed annually until all commercial activities have been reviewed. This is about 55,000 jobs a year Government-wide. Other features of the Executive Order include:

- an option for agencies to retain a portion of the expected first year savings to reward employees covered by studies for their productivity efforts.
- a requirement that agencies develop and maintain effective job placement programs and cooperate fully in interagency placements.
- an Office of Personnel Management review of personnel policies and procedures to give Government managers the flexibility to organize in the most efficient manner and to reduce the adverse effects of A–76 efforts on employees.

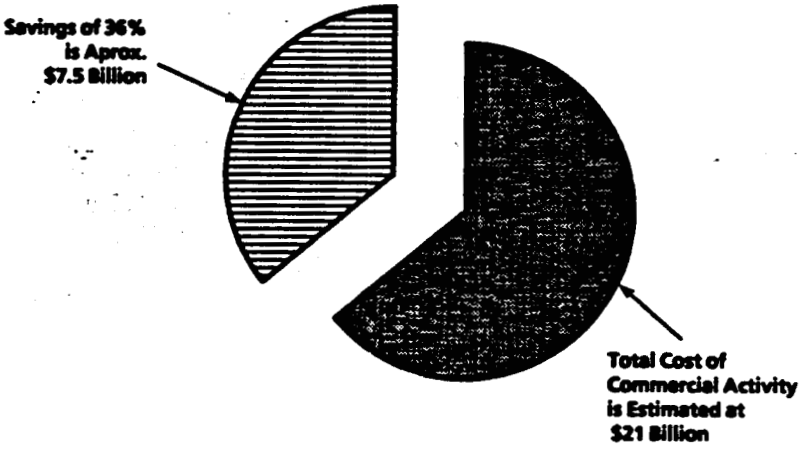
Future Potential

Out of approximately two million civilian government positions, the Office of Management and Budget estimates there are as many as 800,000 full time equivalent (FTE) Government positions that could be competed. Historically the government saves $9,700 for every job studied. Annual savings of over $7.5 billion are possible if all of these activities were to be studied and the previous savings rates continued. The potential of the program is great, however, not only in terms of dollars saved, but in terms of better quality of goods and services that result from the most efficient producer meeting the Government's needs.

GOVERNMENT COMMERCIAL POSITIONS STUDIED AS OF 1987



POTENTIAL SAVINGS FROM A–76



All would agree that it makes little sense for the Government to perform services if the private sector can do part of the job as well or better, and at less cost. Government employees can then pursue higher priority projects. The National Oceanic and Atmospheric Administration realized an average savings of $4.00 for every $1.00 spent in 31 recently completed studies. And as Commander Steve Scully, task force manager for the U.S. Coast Guard, puts it, "A–76 builds most efficient organizations that provide better quality services to the Coast Guard."

To exploit the full potential of A–76 is not easy. Good management is never easy. It takes commitment to write and administer performance work statements. However, A–76 allows for the employees currently doing the job to be creative, to come up with new ways to make Government work better, and, as such, A–76 is a management tool that allows the most efficient means to deliver services currently provided by Government. A Logistics Management Institute (LMI) study, "How Winners Win", commissioned by the Department of Defense in 1984 found that efficiency increases as the in-house organization becomes more competitive and that regardless of who "wins" the A–76 study, the Government—*and the public*—ultimately benefits from the competitive process.

"We view the A–76 program as an efficiency program, not a contracting out program; and are proud of the fact that almost 60 percent of our cost comparisons result in continued in-house performance (at a reduced cost). We find that regardless of study outcome savings are realized as a result of the competitive process."

Charles Maca
Department of the Navy
Head, Commercial/Retail Activities Branch
July 8, 1988

A BRIEF OUTLINE: HOW TO DO AN A–76 STUDY FOR COMMERCIAL ACTIVITIES

Here is a brief outline of how the Federal Government accomplishes an A–76 competition.

1. Once a commercial activity is identified for competition, an agency must develop a performance work statement (PWS) defining the Government's requirements in terms of measurable performance standards.

   Rather than specifying procedures that may be out of date or inefficient, the performance work statement describes the acceptable quality levels (AQL) and output required by the Government. The PWS provides a common base line for the Government and private sector to compete. The quality of the performance is the key, not the process of doing the work. This allows the Government and contractors to use the most modern, cost effective management techniques to accomplish the job.

   The heart of the PWS is the performance requirements summary (PRS) which provides all the information necessary to properly describe the work standards and to measure performance. An example of a PRS from vehicle maintenance and audiovisual contracts is shown below.

2. To determine the most efficient organization (MEO) on which to base the Government's bid, agencies perform an internal management review of the in-house operation. Employee input is vital. The knowledge that the resulting plan will form the basis for a cost comparison with private commercial firms provides a powerful incentive to develop innovative and less costly ways of accomplishing the work to meet the performance standards.

> *"We tell them (the Government managers) they have no FTE, no budget, and are not bound by how we got the job done before."*
>
> Commander Steve Scully
> U.S. Coast Guard

PERFORMANCE REQUIREMENTS SUMMARY

REQUIRED SERVICE	STANDARD	MAX. ALLOWABLE % OF DEVIATION FROM THE AQL	METHOD OF SURVEILANCE	MAX PAYMENT PERCENTAGE FOR MEETING THE AQL
(RS-8) Provide vehicle recovery service.	Wrecker responds not later than_____ minutes from notification during normal duty hours and within_____ minutes after normal duty hours.	NONE ALLOWED Lot is number of responses required in the month.	Customer Complaint	_____%
(RS-3) Provide Graphic Arts Products and Services. Para 5.3	Graphic Arts Products & services meet customer requirements and satisfaction within times specified in the TE 2a.	4.0 Lot is number of requests for graphics products and/or services.	Random Sampling	18.0

3. Commercial firms and Government agencies compete in the open market place for the option to perform the activity. The public benefits as the most effective bidder wins the competition.

4. There is a built-in bias for the status quo. Private contractors must beat the Government by a factor of at least ten per cent to account for intangible costs from disruption and loss of productivity due to changeover, in order to win a contract.

> *"The beauty of the process is that you go to your people and find out not how the job is done now, but how they would do it if they could start over from scratch."*
>
> **Gerry Carmen**
> **Former Administrator**
> **GSA**
> **June 23, 1988**

EMPLOYEE GOALS AND ACCOUNTABILITY

The underlying philosophy of A–76 is to use the competitive marketplace to change the way the Government manages. The goverment's method of doing business in the past has been based on defining the job to be done in terms of how the Government thinks the work should be done rather than in terms of what the Government actually needs. This process oriented management, gives the employees little incentive to push themselves to do their work well. According to the Logistics Management Institute (LMI) report "How Winners Win", the biggest challenge to Government managers in achieving a competitive operation is to obtain a true commitment from their employees to do the work as efficiently and effectively as possible. Too often, as in any non-competitive monopolistic operation, employees have no clear cut goals and hence little to motivate them to do the work.

Many employees feel the Government is trying to take advantage of them through the A–76 process, with its goals and standards and measurement systems. When the study starts, the worker knows there will be a reduction in staff and that means more work per remaining employee. They feel they will be worse off. However, LMI found that the better managers have sought to create definitive goals for their workers so that they have a means by which to measure their contribution to the overall work being performed. Rather than creating negative incentives, this results-oriented management approach has done just the opposite. Once the Government manager establishes a new management system based on measurable performance standards, the employees finally have something to work towards. Initially, the workers are resistant to this kind of change but once they get over the initial hurdle of adopting the clearly defined goals, managers tend to find the employees happier, better adjusted and more productive.

One of the more outstanding examples LMI found was the in-house win of the family housing maintenance program at Camp Lejeune. At first, management tried to get the workers to follow a complex cost-accounting system. Eventually, however, management simplified the system and produced a one page summary of unit standards. (See below). The workers were to complete a specified number of units in a specified amount of time. LMI found the results to be excellent. The employees now had clearly defined goals to work towards. In fact, most workers strove to exceed the goals. Morale and productivity at the family housing unit in Camp Lejeune increased dramatically.

Overall, LMI determined that those managers that have concentrated on setting goals and holding employees accountable for these goals have had far more success in attaining a high degree of employee motivation and loyalty than those who have not.

FAMILY HOUSING MAINTENANCE—UNIT STANDARDS

Contract Line No.	Description	Units	Average Time Allow—Min.
01	Exterior walls	SF	7
02	Interior walls and celings	SF	8
03	Wallpaper	SY	14
04	Concrete floors or subfloor	SF	23
05	Finished hardwood flooring	SF	13
06	Carpet—install	SY	5
07	Carpet—clean	SY	2
08	Linoleum/carpet/vinyl tile	SF	6
09	Fixture sealant	LF	2
10	Interior door and frame	C	57
11	Window screen	C	38
12	Screen/storm door	C	33
13	Exterior door and frame	C	73
14	Window and frame	C	53
15	Reglaze window/door	SF	32
16	Rescreen	SF	3
17	Roofing	SF	4
18	Gutter/downspout/clean roof	C	99
19	Porches, garages, etc.	C	132
20	Cabinet repair	C	14
21	Cabinet replace	U	266
22	Lock set	K	31
23	Keys	K	4
24	House accessories	C	37
25	Supporting accessories	C	49
26	Blinds/rods/shades repair	E	39
27	Blinds/rods/shades replace	E	34
28	Bird/animal/pest remove	C	75
29	Tenant not home (TNH)	C	5
30	Refrigerators/ranges	C	54
31	Other appliances	C	54
32	Electrical system	C	43
33	Plumbing system repair	C	36
34	Plumbing system replace	F	163
35	Heating system, repair	C	28
36	A/C system repair	C	26
37	Heat pump repair	C	33
38	AC/Heat pump complete install	F	341
39	A/C checkout	C	70
40	Heating system PM	DU	76
41	Heat pump checkout	C	42
42	Filters	DU	11
43	Mowing	A	43
44	Clean-up	A	4
45	Leaves/fine straw	A	36
46	Tree/shrub trim	C	62
47	Drainage	CY	31
48	Erosion control	SF	2
49	Custodial service	E	1188
50	COOR-rehabilitation	E	177
51	Replace above ground fuel tank	E	153
52	Replace under ground fuel tank	E	603
54	Lawns	E	216
55	Down time		

THE DEPARTMENT OF THE NAVY: A CASE STUDY OF A FUNCTION CONVERTED TO CONTRACTOR PERFORMANCE

Trainer Aircraft Maintenance. The Chief of Naval Education and Training completed two large A–76 cost comparisons of the maintenance of the T–2 and TA–4 trainer aircraft at various naval air stations. The Navy was able to reassign 2,000 military billets from these non-combat maintenance functions to the maintenance of tactical combat aircraft and other combat readiness positions. Conversion to contractor resulted not only in significant dollar savings but there have been overall increases in productivity as well.

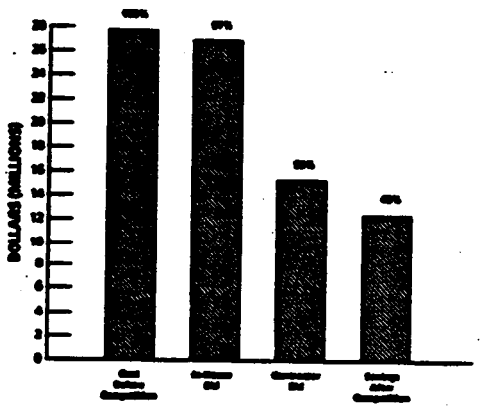
T–2 Aircraft

A cost comparison was conducted at three naval air stations for the maintenance of the T–2 trainer aircraft. The pre-study operation consisted of 31 civilian positions and 811 military billets. A Most Efficient Organization (MEO) was developed with 816 civilian positions.

In-house MEO cost per year:	$ 26,906,750
Total Contract Cost per year:	$ 15,289,250
Annual Savings:	$ 11,618,000

The conversion to a four year contract with Dynalectron Corp. resulted in dollar savings of 45% from the pre-study operation: the $11,618,000 per year difference between the in-house MEO and the contractor's cost + an estimated $780,000 per year savings achieved by reducing the in-house staffing to the MEO = a total annual savings of approximately $12,400,000.

T–2 AIRCRAFT MAINTENANCE



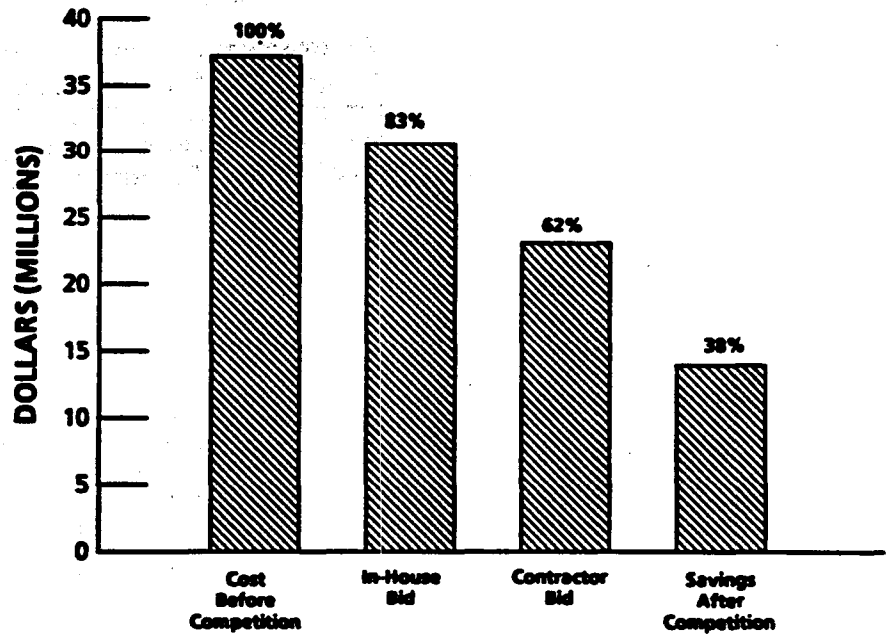
TA–4 Aircraft

A cost comparison was conducted at four naval air stations for the maintenance of the TA–4 trainer aircraft. The pre-study operation consisted of 41 civilian positions and 1,074 military billets. A Most Efficient Organization (MEO) was developed with 897 civilian positions.

In-house MEO cost per year:	$30,663,000
Total Contract Cost per year:	$23,180,000
Annual Savings:	$ 7,483,000

The conversion to a three year contract with Lockheed Support Systems, Inc. resulted in dollar savings of 38% from the pre-study operation: the $7,483,000 per year difference between the in-house MEO and the contractor's cost + an estimated $6,540,000 per year in savings achieved by reducing in-house staffing to the MEO = total annual savings of approxiamately $14,000,000.

A – 4 AIRCRAFT MAINTENANCE



The Department of the Navy believes the A–76 process made a significant contribution to supporting the nation's defense. Besides showing that support services can be provided at equitable and economic prices through competition, this A–76 study freed up 2,000 military billets from non-essential work, allowing for their eventual transfer to areas of higher priority. In addition, the process enabled the Navy to take a hard look at their trainer aircraft maintenance operation, and determine what requirements were necessary to ensure quality and timeliness of service.

> ***"The conversion of government activities to the private sector results in substantial benefits to the local economy. For instance, tax revenues and purchasing power increase as a result of increased private sector employment. As well, local and state economies benefit from contractors purchasing supplies through the local economy instead of the federal supply systems utilized by the existing government agencies and installations."***
>
> **Contract Services Association**

THE VETERANS ADMINISTRATION: A CASE STUDY OF A FUNCTION RETAINED IN-HOUSE

Data Processing Center (DPC), Hines, Illinois. The Veterans Administration (VA) has completed a large cost comparison of the DPC in Hines, Illinois. A 39 percent staff reduction and a 30 percent cost savings were realized in implementing the most efficient organization (MEO). Despite making such drastic staff reductions and large savings, productivity actually improved as the operation was run more efficiently and employee morale was enhanced as workers strove to meet clearly defined goals.

In developing the most efficient organization at Hines, the work schedule was restructured from three eight hour shifts to two twelve and one half hour shifts. This resulted in a much more efficient operation, allowing significant cut back in personnel. The new schedule was put into place even before the study was completed to test its effectiveness. The employees adjusted quite remarkably to the twelve and one half hour shift; morale remained high, productivity increased and continuity of service was better.

Dedicated stand-alone systems that supported the Hines, Illinois DPC cost comparison contributed tremendously to its success. For example, the study team developed a mock RIF (reduction in force) computer program to determine what would happen if a RIF was necessary, i.e. which employees would be bumped, which employees would have to be let go, and which employees would stay. However, through attrition and retirement the VA was able to reduce FTE from 184 to 112 without serious effect on the employees:

- 5 employees chose early retirement
- 17 employees chose normal retirement
- 40 employees resigned, were transferred, or were placed in other government jobs
- 10 temp. employees worked until expiration of appointment

Annual dollar savings achieved by implementation of the MEO:

- Original cost of operation $4,454,000
- MEO cost estimate $3,121,000
- Annual savings $1,333,000

Also crucial to the success of the VA A–76 study was the loyalty and willingness of the employees to participate. They contributed to the A–76 process from the start. Many employees had been working at the data processing center for over twenty years and no job description existed for the work being performed. It took a positive commitment from the employees to help precisely define the work to be done, in the performance work statement, and in the most efficient organization.

National Oceanographic and Atmospheric Administration's in-house win of a weather satellite data gathering facility in Wallops, Virginia in July of 1987 resulted in considerable dollar and FTE savings. The facility was able to maintain its very high standard of performance notwithstanding 21 percent in annual dollar savings and 24 percent in annual FTE savings. The A–76 process proved to be an effective management tool for NOAA for achieving increased productivity while maintaining the quality of the commercial service.

Contracting out its food services enabled the Marine Corps to free up 1,400 FTEs of its Fleet Marine Force. There was no in-house competition for this service. However, civilians were used as a basis for a cost comparison to determine a fair and reasonable price. The Marine Corps considers this to be a tremendous success because 1,400 Marines are now able to perform more essential military activities.

The Coast Guard finds A–76 to be an excellent way to define its mission and eliminate functions that are not necessary; for example, it no longer manicures lawns and plants flower gardens surrounding industrial buildings. The Coast Guard also uses the A–76 process to reduce organizational barriers within a command and consolidate shops, thereby eliminating duplication. For example, three carpenter shops were consolidated into one shop using one store room and one set of tools.

"The Air Force Commercial Activities Program (A–76) has proven to be one of the most successful productivity saving programs in the Air Force. The participating activities have reduced their manpower an average of 20% through management studies completed prior to competing with contractors. The Air Force alone has freed up over 16,000 manpower authorizations as a result of this program. This has helped to fund higher priority workloads or meet mandated reductions.

General Larry D. Welch
Air Force Chief of Staff
May, 1988

The Department of Transportation (DOT) review of the Library and Distribution Services Division resulted in the retention of both its library and distribution functions in-house. A–76 provided DOT a way to closely examine library operations and develop standardized and documented procedures. The process proved to be a learning experience for the library personnel as well as upper management. The Library and Distribution Services division has benefited from enhanced productivity ever since.

CONCLUSION

OMB's Office of Federal Procurement Policy is dedicated to a fair and workable OMB Circular No. A–76 program to ensure the most efficient use of the taxpayers' resources. We have made notable progress toward changing the "performance of commercial activities" into an effective productivity initiative during the last few years. The President's recent Executive Order No. 12615 has served to "facilitate ongoing efforts to ensure that the Federal government acquires needed goods and services in the most economical and efficient manner." Consequently, more studies are being conducted now with a greater potential for enhancing productivity and achieving savings than ever before in the history of the program.

In sum, OMB Circular No. A–76 is an extremely important program for strengthening our nation's economy and for making Government operations more efficient. While its past history of achieving savings is impressive, its future potential is even greater.

For additonal information on this program, contact the A–76 coordinator in the specific agency for which you have interest. If you have questions or comments concerning the governmentwide program, write to:

OFFICE OF MANAGEMENT AND BUDGET
OFFICE OF FEDERAL PROCUREMENT POLICY
ROOM 9013
725 17TH STREET, NW
WASHINGTON, D.C. 20503

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July 15, 1982
NUMBER 4151.1

ASD(MRA&L)

Department of Defense Directive

SUBJECT: Use of Contractor and DoD Resources for Maintenance of Materiel

References:
(a) DoD Directive 4151.1, "Use of Contractor and Government Resources for Maintenance of Materiel," June 20, 1970 (hereby canceled)
(b) DoD Directive 4151.16, "DoD Equipment Maintenance Program," August 30, 1972
(c) DoD Directive 1130.2, "Management and Control of Engineering and Technical Services," June 18, 1979
(d) DoD Directive 4100.15, "Commercial and Industrial-Type Activities," February 4, 1980
(e) DoD Directive 4000.19, "Interservice, Interdepartmental, and Interagency Support," October 14, 1980
(f) through (p), see enclosure 1

A. REISSUANCE AND PURPOSE

This Directive reissues reference (a) to update policies and responsibilities concerning the use of contractor and DoD resources for DoD materiel maintenance, consistent with references (b) through (e).

B. APPLICABILITY AND SCOPE

1. This Directive applies to the Office of the Secretary of Defense (OSD), the Military Departments, the Organization of the Joint Chiefs of Staff, the Unified and Specified Commands, and the Defense Agencies (hereafter referred to collectively as "DoD Components"). The term "Military Service," as used herein, refers to the Army, Navy, Air Force, and Marine Corps.

2. This Directive will not be applied when to do so would be contrary to law or would be inconsistent with the terms of any treaty or international agreement..

C. DEFINITIONS

Terms used in this Directive are defined in enclosure-2.

D. POLICY

It is DoD policy that maintenance support of DoD materiel is essential to the rapid and sustained application of military power. DoD Components shall provide an adequate program for maintenance of assigned materiel to:

1. Provide for mobilization and surge requirements as specified in the most current Defense Guidance.

2. Meet efficiently and effectively peacetime readiness and combat sustainability objectives.

E. PROCEDURES

1. DoD Component combat and direct combat support activities shall provide, to the maximum extent possible, direct (intermediate and organizational) maintenance support for assigned materiel. Engineering technical service activities shall comply with DoD Directive 1130.2 (reference (c)). During the introduction of new weapon systems, contract maintenance shall be used for those items for which a capability does not exist and cannot be developed at minimal costs. This contract maintenance shall be used until system design, reliability and maintainability characteristics, maintenance procedures, and maintenance training requirements are stabilized. Contractor personnel shall be used throughout system operating life if there are shortages in Military Service skilled maintenance personnel and if such contractor personnel shall provide wartime support in a combat zone. (See DoD Instruction 4151.11 and DoD Directive 5000.39 (references (f) and (g)).

2. The source (DoD military or civilian personnel, contractors, or host nation support) of direct maintenance support for other than combat and direct combat support activities shall be based on:

a. The need to maintain a training and rotational base for military technical personnel.

b. The security implications involved.

c. The timely availability of private, commercial sources or host nation support.

d. Cost and effectiveness.

3. Initial plans for contractor and organic support of new systems shall be established as part of the integrated logistic support planning process, prior to the item production decision. (See reference (g).)

4. When applicable, use of maintenance and repair contracts for common-use items, such as office machines, materiel handling equipment, and furniture, shall be in accordance with Section 5-205 of the Defense Acquisition Regulation (reference (h)). DoD Components shall prescribe instructions on the calculation and use of one-time repair limits and on replacement criteria for these items. The data and methods applied in determining repair limits and replacement criteria shall be reviewed periodically for currency.

5. To the extent possible, a competitive commercial depot maintenance industrial base shall be established and, as required, shall be capable of expanding during mobilization.

6. Indirect (depot) maintenance support of DoD materiel shall be planned and accomplished by contractual sources and organic capability. (See DoD Directive 4005.1 (reference (i)).)

7. Normally, each DoD Component shall provide for the indirect maintenance support of DoD mission-essential materiel. Interservice maintenance support arrangements shall be established and executed wherever such actions will prove more efficient. (See DoD Directive 4000.19 (reference (e)).)

8. Pursuant to DoD Directive 4100.15 (reference (d)), prime consideration shall be given to use of contractor support for indirect maintenance when such support would:

a. Improve the industrial base for maintenance or for equipment, spares, and parts manufacture.

b. Improve peacetime readiness and combat sustainability through planning for postproduction support of weapon systems and equipment.

c. Be cost-effective.

d. Enable program managers to implement contract incentives for reliability and maintainability (for example, reliability improvement warranty contracts and failure-free contracts).

9. Organic depot maintenance capabilities and physical capacities established or retained within the DoD Components for support of DoD materiel shall be kept to the minimum required to ensure a ready, controlled source of technical competence and resources necessary to meet military contingencies.

a. Peacetime and time-phased mobilization depot maintenance workload plans for DoD Components shall be quantified in terms of required resources consistent with DoD Directive 3005.6 (reference (j)) and projected annually as an integral part of the DoD Planning, Programing, and Budgeting (PPB) process. Mobilization workloads shall be based upon scenarios contained in the most current annual Defense Guidance. DoD Component depot maintenance workload plans shall address total requirements and shall be identified by work breakdown structure, customer, and fund sources supported by respective customers. Workloads shall be displayed according to monthly requirements for at least a 12-month period. Organic capabilities and physical capacities to be established and retained as a DoD Component's minimum organic peacetime base shall be determined by use of a "decision tree" for assigning source of repair responsibilities (organic, interservice, and contract) and for determining the minimum (organic) resources required in support of the mobilization scenario. The "decision tree" used shall consider mobilization depot maintenance materiel resources that must be available in the organic depot maintenance establishment at the outset of mobilization. The "decision tree" also, as a minimum, shall consider the required facilities, plant equipment, and labor (by skill) related to their planned application during the mobilization period. Each DoD Component's "decision tree" shall be approved by the Assistant Secretary of Defense (Manpower, Reserve Affairs, and Logistics) (ASD(MRA&L)).

b. The appropriate Secretary of a Military Department or Director of a Defense Agency, except as delegated in paragraph E.2.c of DoD Directive 4100.15 (reference (d)), annually shall approve the organic physical capacity and capability and the peacetime workload distribution plan. Major changes to the distribution of peacetime workloads during the program execution year also shall be approved by the appropriate Military Department Secretary or Defense Agency Director.

c. Unless otherwise justified under paragraphs E.9.a. and E.9.b., above, each DoD Component's organic depot maintenance peacetime physical capacity shall be planned to accomplish no more than 70 percent of its gross mission-essential depot maintenance workload requirements. At least 30 percent of the gross mission-essential and all of the nonmission essential workload requirements shall be decided on the basis of economy, the timely availability of private, commercial sources, and the need to maintain a commercial industrial mobilization base. The 70/30 ratio will not apply to each individual weapon system and subsystem workload. However, it shall apply to homogenous commodity groupings within the gross mission essential requirement. Furthermore, consideration shall be given to contracting for the depot maintenance of an entire weapon system or subsystem when the industrial base considerations stated herein can be achieved.

d. DoD Component facility utilization (by depot) in peacetime shall be planned to accomplish the equivalent of 100 percent of peacetime workload capacity on a 40-hour week, one-shift basis as defined in DoD Instruction 4151.15 (reference (k)) with the equivalent of an organic facility utilization of 185 percent physical capacity under mobilization. In sizing organic capability and physical capacity of shops susceptible to high surge, or cost intensive facilitization, consideration shall be given to limiting individual shop utilization to a maximum of 250 percent of physical capacity during mobilization. When 250 percent of physical capacity would be exceeded due to a mobilization surge, a lower shop utilization of peacetime physical capacity may be justified.

10. A Joint Support Plan, participated in by all users, shall be developed by the lead DoD Component whenever the same weapon system or equipment is being procured for use by two or more DoD Components. Joint Support Plans also may be required selectively for jointly used major end items and components when such plans are in the best overall interest of the Department of Defense. The Joint Support Plan shall include an assessment of existing depot maintenance capabilities of the DoD Components involved and shall address basic considerations; how the proposed assignment of depot maintenance responsibilities makes maximum use of existing DoD capabilities required to satisfy mobilization demands while reducing to a minimum new investment in additional resources; and the planned distribution of depot maintenance workloads between component organic and commercial sources over the weapon system's planned life in consideration of both peacetime and mobilization demands. Proposed plans shall be submitted to the ASD(MRA&L) for approval. (See DoD Directives 5124.1 and 5000.39 (references (l) and (g)).)

11. Supplemental procedural guidance is contained in DoD Directive 4100.15, DoD Instruction 4100.33, and DoD 4100.33-H (references (d), (m), and (n)), which implement Office of Management and Budget (OMB) Circular No. A-76 (reference (o)).

F. PARTICULAR CONSIDERATIONS CONCERNING OMB CIRCULAR NO. A-76

1. Approval by the appropriate Secretary of a Military Department or Director of a Defense Agency, except as delegated in paragraph E.2.c. of DoD Directive 4100.15 (reference (d)), of the peacetime workload distribution plan cited in paragraph E.9.b., above, shall, for in-house depot maintenance activities, be considered as approval for in-house performance of a DoD commercial activity (CA) needed for support of national defense. Also see subparagraph D.2.a.(4) of reference (d).

2. When new maintenance work, approved as part of the minimum organic peacetime base, is being introduced, every effort shall be made to retain current employees on this new work through the use of retraining. Contracts for maintenance-related services that are shown to be justified for in-house performance in accordance with DoD Instruction 4100.33 (reference (m)) shall be terminated as quickly as in-house capability can be established. When the additional manpower spaces required cannot be accommodated within the DoD Component's personnel authorized ceiling, a request for adjustment normally shall be submitted to the Secretary of Defense in conjunction with the annual budget review process.

3. If a particular DoD CA no longer is required as part of the minimum organic peacetime base, justification for in-house performance shall be in accordance with reference (d)--that is, no satisfactory private commercial source is available or in-house performance is more economical than contract.

G. RESPONSIBILITIES

1. The Assistant Secretary of Defense (Manpower, Reserve Affairs, and Logistics) shall monitor compliance with this Directive. In discharging this responsibility, the ASD(MRA&L) shall:

a. Concurrently review departmental depot maintenance programs and the annual Program Objectives Memoranda (POMs) and budgets.

b. Review DoD depot maintenance capabilities and physical capacities; assess alternative plans for depot maintenance support; and review and approve proposed plans for depot maintenance support of multiservice-use weapons and selected end items (See also DoD Directive 5124.1 (reference (l)).)

c. Review each major system Integrated Logistic Support plan to determine adequacy of the maintenance concept and related plans, and recommend changes to the acquisition executive when program planning is inadequate.

d. Make final determination on all requests for exceptions to this Directive.

2. The Head of each DoD Component shall:

a. Quantify in terms of appropriate resources (facilities, plant equipment, and personnel by skill), and annually submit to the OSD as a part of the PPB process, projections of peacetime and time-phased mobilization workloads for DoD weapon systems and equipment depot maintenance.

b. Annually determine minimum organic depot maintenance capabilities and physical capacities required to ensure a ready, controlled source of technical competence and resources necessary to meet military contingencies.

c. Annually develop a peacetime workload distribution plan consistent with the minimum determined in paragraph G.2.b., above.

d. Develop and present the annual depot maintenance program as a part of the PPB cycle. The program shall reflect the total Military Department or Defense Agency peacetime requirements for accomplishment by organic, contract, or interservice sources, as appropriate. (See DoD Instruction 7110.1 (reference (p)).)

e. Ensure that efficient utilization is being realized from that organic capability retained for the depot maintenance support of materiel.

f. Maintain the technical competence necessary to ensure efficient management of the total depot maintenance workload program.

g. Foster the establishment and retention of a competitive commercial depot maintenance industrial base.

h. Ensure that the same degree of management emphasis and attention is given to workloads accomplished by contract sources as that given to workloads performed by organic sources. (See DoD Instruction 4151.11 (reference (f)).)

i. Request that the ASD(MRA&L) approve exceptions to this Directive to accomodate peculiar circumstances or other overriding factors.

j. Determine, by the production decision milestone for each new weapon system or equipment, whether sufficient numbers of skilled Military Service personnel will be available for direct maintenance support (for all systems including combat and direct combat support). The Head of each DoD Component shall develop a plan to use contractors when an adequate number of Military Service skilled personnel are not available. (See DoD Directive 5000.39 (reference (g)).)

k. Develop cost-accounting systems that will provide total cost of organic maintenance support in order to:

(1) Make cost-effectiveness determinations.

(2) Assist in life cycle cost estimation and verification.

H. EFFECTIVE DATE AND IMPLEMENTATION

This Directive is effective immediately. Forward two copies of implementing documents to the Assistant Secretary of Defense (Manpower, Reserve Affairs, and Logistics) within 120 days.

Frank C. Carlucci
Deputy Secretary of Defense

Enclosures - 2
1. References
2. Definitions

REFERENCES (continued)

(f) DoD Instruction 4151.11, "Policy Governing Contracting for Equipment Maintenance Support," June 11, 1973
(g) DoD Directive 5000.39, "Acquisition and Management of Integrated Logistic Support for Systems and Equipment," January 17, 1980
(h) Defense Acquisition Regulation
(i) DoD Directive 4005.1, "DoD Industrial Preparedness Production Planning," July 28, 1972
(j) DoD Directive 3005.6, "Civilian Workforce Mobilization Planning and Management," May 8, 1981
(k) DoD Instruction 4151.15, "Depot Maintenance Programming Policies," November 22, 1976
(l) DoD Directive 5124.1 "Assistant Secretary of Defense (Manpower, Reserve Affairs, and Logistics) Charter," April 20, 1977
(m) DoD Instruction 4100.33, "Operation of Commercial and Industrial-Type Activities," February 25, 1980
(n) DoD 4100.33-H "DoD In-House vs Contract Commercial and Industrial Activities Cost Comparison Handbook," April 1980, authorized by DoD Instruction 4100.33, February 25, 1980
(o) OMB Circular No. A-76, "Policies for Acquiring Commercial or Industrial Products and Services Needed by the Government," March 29, 1979
(p) DoD Instruction 7110.1, "DoD Budget Guidance," October 30, 1980

DEFINITIONS

1. Commercial Activity Expansion. The modernization, replacement, upgrade, or enlargement of a DoD CA that involves adding a capital investment of $100,000 or more, or increasing the annual operating costs by $200,000 or more, provided the increase exceeds 20 percent of the total investment or annual operating cost. A consolidation of two or more activities is not an expansion unless the total capital investment or annual operating cost exceeds the total from the individual activities by the amount of the threshold.

2. "Decision Tree". A mobilization and combat support base decision methodology that is applied and used by the DoD Components as the basis for determining (a) the minimum resources (facilities, plant equipment, and skilled labor) required in support of the mobilization scenario and (b) the organic capabilities and physical capacities to be established and retained as a DoD Component's minimum organic peacetime base.

3. Depot Maintenance Activity. An industrial-type facility established to perform depot-level maintenance on weapon systems, equipment, and components. The term includes DoD installations and commercial contractors.

4. Direct Combat Support. Work that is essential to the direct support of combat operations, that is, work that if not performed could cause immediate impairment of combat capability.

5. Direct Maintenance Support. Maintenance performed to materiel while it remains under the custody of the using military command.

6. DoD Commercial Activity. An activity operated and managed by a DoD Component that provides a product or service obtainable from a private, commercial source. A DoD CA can be identified with an organization or type of work, but shall be separable from other functions so as to be suitable for performance either in-house or by contract, and shall be a regularly needed activity of an operational nature, not a one-time activity of short duration associated with support of a particular project.

7. Engineering and Technical Services. Advice, instruction, and training in the installation, operation, and maintenance of weapon systems, equipment, and components used by DoD Components. These services are provided by qualified DoD military and civilian personnel, or by employees of defense contractors.

8. Indirect Maintenance Support. Maintenance performed on materiel after its withdrawal from the custody of the using military command.

9. Interservice Maintenance Support. Maintenance either recurring or non-recurring, performed by the organic capability of one Military Service or element thereof in support of another Military Service or element thereof.

10. Maintenance Capability. Availability of resources, such as facilities, skills, tools, test equipment, drawings, technical publications, training, maintenance personnel, engineering support, and spare parts, that are required to perform maintenance.

11. Maintenance Support. Functions that are not a part of depot, intermediate, or organizational maintenance, but that facilitate and perpetuate any or all of those levels of maintenance. Categories include programing and planning support, maintenance technical and engineering support, technical and engineering data, and technical and administrative training.

12. Major End Item. A final combination of assemblies, components, parts, and materials that performs a major, complete operational function and is ready for its intended use.

13. Mission-essential Materiel. That Military Service-designated materiel authorized to combat, combat support, combat service support, and combat readiness training forces and activities, including reserve and National Guard activities, that is required to support approved emergency or war plans, and that is used to destroy the enemy or his capacity to continue war; provide battlefield protection of personnel; communicate under war conditions; detect, locate, or maintain surveillance over the enemy; provide combat transportation and support of men and materiel; and support training functions, but that is suitable for employment under emergency plans to meet purposes enumerated above.

14. Organic Maintenance. That maintenance performed by a Military Service under military control using government-owned or controlled facilities, tools, test equipment, spares, repair parts, and military or civilian personnel.

15. Physical Capacity. A quantitative measure of maintenance capability usually expressed as the amount of direct labor work hours that can be applied within a specific industrial shop, or other entity, during a 40-hour week (one shift - 5 days).

16. Weapon System. A final combination of subsystems, components, parts, and materials of an entity used in combat, either offensively or defensively, to destroy, injure, defeat, or threaten the enemy. Examples are the F-4 aircraft, FBM submarine, frigate, HAWK missile, and AH-1 Cobra helicopter.

17. Workload. Total direct actual labor hours represented by the product of quantity of items programed multiplied by the direct actual labor hours per unit.

Document Separator

MEMORANDUM to Mary Ann Hook, Deputy General Counsel
From: Jeff Patterson, Assistant Counsel JP
Date: June 22, 1993
Re: DLI Bullets

The following opinions and recommendations were made by Anthony H. Gamboa, Deputy General Counsel (Acquisition), in his memorandum of June 18, 1993, in response to questions contained in Mary Ann Hook's memorandum of June 2, 1993, to Mr. Gamboa:

- It is not legally objectionable for the Army to obtain base operations support (BASOPS) from the Naval Postgraduate School.

  REASONING: This simply creates a responsibility for the Department of Navy (DoN) to provide regional BASOPS support to all military departments in the Monterey area.

- Commercial activities (CA) statutes or regulations do not apply to the Army's obtaining BASOPS from the Naval Postgraduate School.

  REASONING: The Army employees providing BASOPS to the POM Annex would not be eliminated in order to provide BASOPS requirements to a contractor.

- It is recommended that any transfer of maintenance functions be coordinated with DoN.

  REASONING: This will ensure they do not have any reservations regarding such a proposal.

- The City of Monterey, or another supplier, cannot provide BASOPS to the Presidio and the POM Annex unless it results from a CA cost comparison.

  REASONING: 10 U.S.C. 2461 requires a CA cost study be performed for a function involving more than 45 employees before that function can be converted to contract.

- It is not legally objectional for the Army to obtain (BASOPS) from the Naval Postgraduate School or for the City of Monterey, or another supplier, to provide BASOPS (as a result of a CA cost comparison), in addition to retaining additional MWR facilities.

M E M O R A N D U M

TO: BRIAN DUFFY, SENIOR ANALYST, ARMY TEAM
FROM: MARY ANN HOOK, DEPUTY GENERAL COUNSEL
DT: MAY 28, 1993
RE: DLI ISSUES

The purpose of this memorandum is to provide information to the Army Team regarding the applicable statutes and regulations that may apply to various scenarios regarding the closing of the Presidio of Monterey Annex/Ft. Ord. Below are the relevant regulations and statutes, followed possible scenarios and the corresponding analyses.

II. STATUTORY AND REGULATIONS

There are statutory requirements and regulations that the Army must comply with if this recommendation is adopted.

10 U.S.C. section 2461. Commercial or industrial type functions: required studies and reports before conversion to contractor performance

Commercial or industrial type functions that on October 1, 1980 were being performed by a Department of Defense civilian employee may not be converted to performance by a private contractor unless the Secretary of Defense provides to Congress in a timely manner notification of the decision to study such performance for possible performance by a private contractor, cost comparisons, projected cost savings, a report of the projected economic impact and possible effect on the mission.

There is a waiver of these requirements if the function is being performed by 45 or fewer Department of Defense civilian employees. (2461(D)

48 C.F.R. subpart 7.3 - Contractor Versus Government Performance

This regulation prescribes policies for acquisition of commercial or industrial products and services subject to OMB Circular No. A-76. The subpart details how to conduct cost comparisons, determine availability of commercial sources etc.

10 U.S.C. 2463 Reports on savings or costs from increased use of DoD Civilian personnel

This statute mandates that when the performance of a commercial or industrial type activity of the Department of Defense that is being performed by 50 or more employees of private contractor is changed to performance by civilian employees of DOD that certain data and comparisons be made by DoD. (This requirement only applies in a fiscal year during

which there is no statutory limit on the number of civilians employees that may be employed by DoD as of the last day of that fiscal year.)

10 U.S.C. 2465 Prohibition on contracts for performance of firefighting or security-guard functions

This section prohibits the Department of Defense from entering into a contract for firefighting or security-guard functions at any military installation or facility unless that contract is outside the U.S., is on a GOCO-government owned but privately operated installation or a contract (or renewal of a Contract) for the performance of a function was under contract on September 24, 1983.

OMB Circular

President Reagan promulgated Executive Order 12615 to ensure that government obtains commercial services in a cost-effective manner. The Office of Management and Budget Circular A-76 sets forth this policy. A-76 is a review process that requires studies be conducted to see whether work should be performed by the government or industry.

Army Regulation 5-20

This regulation implements E.O 12615 and OMB circular A-76 requirements.

II. SCENARIOS

1) Close the Presidio of Monterey Annex/Ft. Ord. and maintain the Defense Language Institute (DLI). The Annex currently provides base operations for DLI with the exception of firefighting and security which ~~are~~ were contracted out prior to 1983. The base operations which the Annex provides would need to be replaced by either a private contract or another Department of Defense installation in the area.

ANALYSES

1) If the POM ANNEX was closed and the base operations that it supplies to DLI were terminated and were not able to relocate to DLI, the Army could either use another local military installation's base operations (the Navy Post Graduate school for example) or it could contract these functions to the private sector. If seeking to contract its commercial or industrial work to the private sector, the Army must comply with 10 U.S.C. 2461, Executive Order 12615 and corresponding Army regulations and the OMB A-76 circular studies. Multi-function service contract A-76 studies may, but are not required to, take up to four years for completion according to Army contract specialists.

The Presidio of Monterey currently has its firefighting and

security-guard services provided by a contract entered into (or renewed) on September 24, 1983 thus it falls under an exception of 10 U.S.C. 2463.

Army contract specialists stated that if POM ANNEX was closed and DLI was open, the maintenance services could be contracted to the private or city in that certain functions the city must provide for all land owners.

2) If DLI and the annex close and the Army relocate the language training to a public university near another Army installation, the Army would have to conduct an A-76 study in order to hire new instructors if they were to be private sector instructors. The DLI base operations would no longer be an issue since the base is to be closed. Any other support necessary could be done by DoD civilians at the receiving base.

3) If DLI closes and the Army moves to the Navy Post Graduate school, and DoD personnel assume the teaching positions, there would not need to be an A-76 study done for employment of instructors or maintenance hires as long as there are still DoD civilians but there may need to be additional union labor negotiations undertaken if the previously employed civilians at POM annex were fired.

* The problem with conducting an A-76 study, Army contract lawyers stated, is at best, the study may take approximately two years. When the study is for multi-function services, it may take anywhere from two to four years.

** In 1991, an arbitration case was filed by the National Federation of Federal Employees challenging the Department of Defense's decision to contract out for teaching a number of teaching positions without conducting a cost comparison pursuant to the procedures of OMB Circular A-76. The Federal Labor Relations Authority decided that DoD must conduct a commercial activity study (A-76) in order to determine whether to contract out to the private sector the teaching positions. 43 FLRA No. 64. December 26, 1991.

- It is not legally objectional for the Army to provide excess family housing to the Navy and Coast Guard for their purchase and maintenance.

- From a contractual viewpoint, it would be difficult for the City of Monterey, or another supplier, to propose assuming all BASOPS.

  REASONING: Due to CA requirements. In addition, there is a congressionally imposed one year moratorium against awarding any new CA contracts for the duration of this fiscal year. There is support in the House Armed Services Committee to make this moratorium permanent.

- It is not a reasonable option for the Commission to recommend the closure of the POM Annex (except for the housing) and leave the implementing decision to the Army's discretion.

  REASONING: The Naval Postgraduate School narrowly escaped a Navy recommendation for its closure or relocation, and the Army has recommended the closure of the DLI and its relocation to Fort Huachuca.

- It is recommended that no recommendations be made by the Commission regarding closure of the POM Annex unless it also makes a recommendation regarding the relocation of the DLI itself.

- No unusual contract issues would arise should the Navy assume maintenance responsibilities for all DoD installations in the Monterey region.

4/27/93

Mary Ann:

Can you please look into the legal restrictions [redacted] on contracting out maintenance services (fire, police, water, sewage, housing & bldg maintenance, grounds maintenance, ambulance, medical rescue, etc.) to the local community.

Thanks,
Sheila

OSD wide or Army Specific
(we want to know relative to
Ft Ord/ POM Army and DLI) DEP

Matt

100%
60-public
40-priv

Whether a fed ct could issue an injunct to stop a class would
Depend on the what issue was before

the court, ~~if could~~ issue

~~an~~ temp or perm injunction.

~~However, the~~ Currently ~~a~~

2 fed circuits (1, 3) are split

on whether the actions of

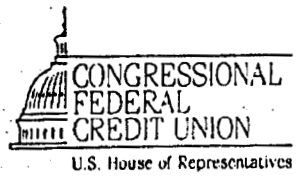
the Commissioner are even reviewable

under APA. (dissent rejected)

This would be controversial

(West Fach)

(703) 908 5129
Aretha -



65503
Account #

Mary A. Hook
Name

283-58-4319
Social Security #

(703) 684-5571
Phone #

Defense Base Closure & Realignment Commission
Employer

(703) 696-0504
Phone #

I wish my direct deposit credited to my Credit Union account(s) as follows:

Account	# 65503	Savings	$ 125
Account	#	Savings	$
Account	#	Savings	$
Account	#	IRA	$
Account	#	IRA	$
Account	# 65503 remaining	Checking	$ remaining
Account	#	Checking	$
Account	#	Loan	$
Account	#	Loan	$
Account	#	Loan	$
Account	#	Loan	$
Account	# 4094 2748 0002 6502	Visa	$ 100

Any change in payroll instructions must be reported on this signed form.

Member's Signature Mary Hook Date May 27, 1993

P.O. Box 23267
Washington, D.C. 20026-3267
(202) 226-3100 Fax (202) 226-3119

the 1 & 3 Ninth circuits have given two different peak appeal opinions on what BRAC actions are reviewable under APA. It is likely that one of these will go to the SCt.

Depending on the court issue an injunction

The U.S. Circuit Court of appeals are sp

of the court determines it has jurisdiction in the matter before it, to review a ~~BRAC decision~~ ~~BRAC recommendation~~ it ~~has authority~~ to ~~to close a~~ military installation, it is up to the Fed Dist Court whether or not to grant an temporary or permanent injunction.

Due to the unique process of BRAC, its rec go to Pres & adoption into law unless dis

DEFENSE BASE CLOSURE AND REALIGNMENT COMMISSION

Suite 1425
1700 North Moore Street
Arlington, Virginia 22209

FAX COVER SHEET

DATE: May 28

TO: Aretha

FAX #: 703 908 5129

FROM: MARY ANN HOOK

NUMBER OF PAGES (including cover): 2

CONTENTS: Direct deposit - I've had trouble with credit union re: my deposits - please help!

Thanks -

any questions -
703 684 5571 (h)
(703) 696 0504 (w)

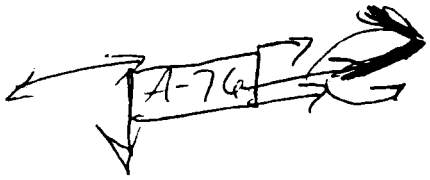
IF YOU HAVE TROUBLE RECEIVING THIS FAX PLEASE CALL 703-696-0504.

D.I -

→ litigators bench - if transfer to military K out -

→ could replace civilian labor with military - mil / unit do - bagging as teaches, Diane Nugent - G.C. labor lawyer -

→ a lot of functions - civilians —



approp act -
- fund a study - 2yrs -
- fund - multipurpose -

totally eliminate base ops -
if Huachuca - cost be absorbed

DLI - used unsolicited proposal -

costs go K out

if services typically provide services
→ trucking transportation & students -
→

WA CHOKEA - have to do a study A-76 work
should be done -

Navy picks up function - K's with NAFI
military service basis → entire picture →
- A-76 -
if lifted & replace w milit personnel - deal with
manning cost - demonstrate why civilian employees

→ Clare March (analyst)

to Commission →

- DLI - A-76 - made rec long is included
10 USC 1071 - he ni
report -

statute waives ↔ 2637
2662

no impediment
2 yr -
6 yr - complete - delay on A-76
would be supposed for ↔

problem is what is going to stay in area - hassy
in area - if don't have support - more difficult
for resolution -
getting Army →
K them out → 2c
A-76 → multi-function -
POM - Army
contracting multi-function →
A-76 ← 10 USC 2461 - K out - single function 2 yrs
4 years for multi function

DOJ -
letter to Ms - May - 11 never proper
service — CA17 case

get copy the 74-circular

June 18th - date for arbitration

→ Yes—

Depends on the issue before the court →

position of Comm that fed cts ~~[illegible]~~ do not have jurisd to issue injunction → ~~issue~~ before fed cts.

however fed cts currently split on the narrow circumstances ~~[illegible]~~ could occur — writ of appellate review.

We [illegible].

Please fax with
cover sheets that say
"Confidential"

Mike Donnelly - 3-6367
093-6367

Mr. Gamboa 7-5553

A-76 → an efficiency program

govt obtains commercial services in the most cost effective manner →

let public + private compete

goal: to increase quality, efficiency, productivity

process: use competition to select the most cost effective operation to perform the service

study: whether commercial work should be done by the govt or be K to the private sector.

saves the tax dollars - billions maybe

conversion to K out to the private sector would only take place when non-federal sources are more cost effective

Govt employees should pursue higher priority projects if the private sector can perform a job better + at less cost

almost 60% of comparative cost studies result in continued in-house (govt) performance

private Ks must beat the govt by atleast 10%

* THRESHOLD -

is it a govt function?

NO - commercial activity

how many FTEs? (FTE - full time equivalent = 1 emp)

< 10 - converted to K w/o conducting a study

> 10 - study, or waived

see chap. 2 (A)(1)

YES - not effected Circular 6-e

K to have languages taught at U of Arizona →
NFFE says this is a violation of OMB Circular A-76 + the Federal Acquisitions Regulations b/c a cost analysis study has not been done

Need to conduct a cost comparison study first

10 USC §246[redacted]

a) Required studies + reports before conversion to contractor performance

① notify Congress - to study possible performance by private K 'or

② cost comparison btwn function by DoD civilian employees + private K 'or

show private K will result in cost savings to the Govt

③ cost of DoD civilian employees - most efficient + effective

④ potential economic impact

b) DoD notifies Congress of decision to convert

Mtg w/ Monterey ⚬ 5/18/93

UArg model @ reg. cty.
Receiving end impacts – Army didnt fully consider.

80 Arg GW Statute – regs w/drawing gw; so as not to deplete (amt can w/draw depends on recharge abil).
UArg 11K acre'/yr depletion. ⇒ > 14K.
⇒ can PM get water w/out running afoul Arg gdwater statute.

[91 rec to move to PM multi sch. proceeding w/ no prob; EIS stmt didnt show a prob.]

BLM v. concerned; scard not consulted re 91.
San Pedro riparian mgr – Yancovik sp.?
Rosencrantz – in Phoenix – State mgr.

Trust resp all joint ajs. for duties.
Ile La basin – lit pending.
10 – 20 yrs litig before surface water rts determined,

Trial et – bench – ↑ def in surf water; some gw may incl too,
prelim indics from

Riparian admin'd by BLM – to preserve Sierra area.

Threatened/endangered species –

Decis has NEPA exemption; implem does not.

Whole water distrct – maxed out; Cobra; cost?

K/S out lang. teaching. A-76 process. Does BLAK auth to K out as part of reorgn.

Why will provide various services.

Privileged and Confidential
Attorney Work Product
Draft - May 1993

Presidio of Montery Annex - SCC Notes

I. 1988

A. Comm recommended closing Presidio??

II. 1991

A. Agree with SecDef rec and close Fort Ord; move 7th infantry div. to Fort Lewis, Wash.. Fort Hunter-Ligget left open.

a. MB says left open portion for reserves; in fact have kept open much larger portion with two golf courses.

III. 1993

A. Aspin March Rec

1. change 1988 rec to close presidio; instead, relocate hq 6th army from presidio to ames (instead of ft carson)

B. Adds

1. 3/29/93 - voted to add Presidio of Monterey to list. Did not explicitly include POM Annex/Fort Ord, though intended to include it. (Transcript refers only to POM and DLI; no mention Annex.)

a. fed reg -- gave notice of vote to add POM to list. Again, refers only to POM; no explicit mention of POM Annex.

2. 5/21/93 - to clarify record, passed motion saying intended to include and do include POM Annex/Fort Ord on potential adds list. (per GC rec)

a. base visit by commissioner already done -- after voted to add on 3/29

b. will be given time at hrg to discuss annex - not to go over dli and things already discussed at last calif regional (per GC rec)

DEPARTMENT OF THE ARMY
OFFICE OF THE CHIEF OF STAFF
WASHINGTON, DC 20310-0200

REPLY TO
ATTENTION OF

22 June 1993

Mr. Ed Brown
Army Team Leader
Defense Base Closure and
Realignment Commission
1700 North Moore Street, Suite 1425
Arlington, VA 22209

Dear Ed:

The enclosed memorandum responds to your follow up questions concerning A-76.

Point of contact for this action is Claire M. Marche, 697-6261.

Sincerely,

Joe N. Ballard
Brigadier General, GS
Director, Total Army Basing Study

Enclosure

DEPARTMENT OF THE ARMY
OFFICE OF THE JUDGE ADVOCATE GENERAL
WASHINGTON, DC 20310-2200

REPLY TO
ATTENTION OF
DAJA-AL 1993/1103 (27-1a)

22 JUN 1993

MEMORANDUM FOR DIRECTOR, TOTAL ARMY BASING STUDY,
ATTN: MS. CLAIRE MARCHE

SUBJECT: 1993 Commission Recommendations - Defense Language Institute

1. This responds to your request for comments to the questions posed by the 1993 Defense Base Closure and Realignment Commission.

a. How does the language in the National Defense Authorization Act for Fiscal year 1993 affect the Army's ability to proceed with the A-76 process, i.e., can a study be initiated?

(1) The language in the NDAA has no effect on the Army's ability to initiate a study in accordance with OMB Circular A-76. Section 312 provides that:

> the Secretary of Defense may not . . . enter into any contract for the performance of a commercial activity in any case in which the contract results from a cost comparison study conducted by the Department of Defense under Office of Management and Budget Circular A-76 . . . (Public Law 101-484, section 312) . (emphasis added)

(2) This provision ends 30 September 1993. As noted in our prior opinion to you (DAJA-AL 1993/0982, 27 May 1993), a similar provision, enacted at a later date, may impede implementation. If such a provision is enacted, this office would have to review any such provision in light of the Defense Base Closure and Realignment Act's statutory mandate to the Secretary of Defense to close and realign all military installations recommended by the Commission in its report.

b. What is the background and intent of this particular provision? What are the implications for the movement of the DLI? Does either the HASC or SASC Committee Report contain any discussion on this provision?

(1) The legislative history of this particular provision discloses no Congressional intent. H. R. Conf. Rep. No. 966, 102d Cong. 2d Sess. 681, 682 (1992) provides the following:

> The House bill contained a provision (sec. 313) that would prohibit the Department of Defense from entering into any contract for the performance of a commercial activity in any case in which the contract results from a cost comparison study conducted by the Department of Defense under OMB Circular A-76. This prohibition would not apply to a contract, or the renewal of a contract, for the performance of an activity under contract on September 30, 1992.
>
> The Senate amendment contained no similar provision.
>
> The Senate recedes with an amendment that would limit this prohibition to fiscal year 1993. (emphasis added)

→ 9/93

(2) Although this provision is mentioned H. R. Rep. No. 527, 102d Cong., 2d Sess. 229, 381 (1992), the report fails to disclose any Congressional intent. A letter from the Chairman, House of Representatives Committee on Government Operations to the Chairman, House of Representatives Committee on Armed Services, dated May 18, 1992 (contained in the report), states that:

> The National Defense Authorization Act for Fiscal Year 1993, H.R. 5006, recently reported by the Armed Services Committee, includes a provision (section 313) that would suspend most contracting-out by the Department of Defense, in view of the current defense down-sizing.

(3) Again, the information contained in this letter is insufficient to determine any Congressional intent.

c. Does the Army believe that the DLI contracting out recommendation would qualify for any of the waivers under OMB Circular A-76, precluding the need to conduct an A-76 study?

(1) The exemptions do not waive requirements to perform studies in accordance with OMB Circular A-76. (*See* AR 5-20, Commercial Activities Program, paragraph 2-3). The exemptions permit the Army, under certain circumstances,

to retain performance of a function in-house, rather than contracting-out the function.

(2) Accordingly, if the Commission recommends that language training be contracted-out, these exemptions would not apply.

2. Point of contact for this opinion is MAJ Stockel, extension 44316.

FOR THE JUDGE ADVOCATE GENERAL:

RONALD J. BUCHHOLZ
LTC, JA
Chief, General Law Branch
Administrative Law Division

Document Separator

DEPARTMENT OF THE AIR FORCE
WASHINGTON DC

OFFICE OF THE ASSISTANT SECRETARY

14 JUN 1993

SAF/MII
1660 Air Force Pentagon
Washington DC 20330-1660

Mr. Matthew P. Behrmann
Executive Director
Defense Base Closure
and Realignment Commission
1700 North Moore Street, Suite 1425
Arlington, Virginia 22209

Dear Mr. Behrmann

The Air Force has been performing site surveys and cost validation of our recommendations. Our analysis will result in COBRA cost updates that are near budget quality. These updates will be provided to the Commission as soon as they are available.

During our process one item has come to our attention that we would like you to consider. The current DoD recommendation concerning Bergstrom Air Force Base reads in part, "The Regional Corrosion Control Facility at Bergstrom will be closed by September 30, 1994, unless a civilian airport authority elects to assume responsibility for operating and maintaining the facility before that date". After further analysis, we determined that modification of this statement is needed to clarify the DoD's position for the dispensation of the Regional Corrosion Control Facility (RCCF). A more appropriate recommendation would read, "The Regional Corrosion Control Facility at Bergstrom will be closed or relocated by September 30, 1994, unless a civilian airport authority elects to assume responsibility for operating and maintaining the facility before that date."

A statement similar to this would allow us the flexibility to close, relocate, or partially relocate the facility if the local civilian airport authority does not step up to its operation.

I would appreciate your consideration of this minor adjustment.

Sincerely

JAMES F. BOATRIGHT
Deputy Assistant Secretary of the Air Force
(Installations)

DAVE
Show to Counsel
I feel we can show revision in the Commission Rendition But have to explain reason in "Finding" But counsel needs to OK it

DEPARTMENT OF THE NAVY
OFFICE OF THE SECRETARY
WASHINGTON, D.C. 20350-1000

LT-B67-F25
BSAT/AR
1 June 1993

Honorable James Courter
Chairman, Defense Base Closure
and Realignment Commission
1700 North Moore Street
Suite 1425
Arlington, VA 22209

Attn: Matthew P. Behrman
Director of Staff

Re: Technical Corrections to DON Portion of DoD Base Closure and Realignment Report

Dear Chairman Courter:

Continuing review of Department of the Navy recommendations for closure or realignment of Navy and Marine Corps installations has revealed minor inconsistencies between certain "Recommendation" sections and the corresponding Base Structure Evaluation Committee (BSEC) decisions as they are recorded in the official minutes and deliberative reports, as well as a failure of certain "Recommendation" sections to include all aspects of a proposed closure or realignment. The following recommended corrections, approved by the Base Structure Evaluation Committee during a policy meeting on April 22, 1993, identify these inconsistencies and omissions and are intended to minimize questions that might arise during implementation of any Department of the Navy recommended closures or realignments that are adopted by the Base Closure and Realignment Commission. These corrections have been coordinated with the Office of the Assistant Secretary of Defense for Production and Logistics.

In accordance with Section 2903(c)(5) of the Defense Base Closure and Realignment Act of 1990, I certify the information in these technical corrections is accurate and complete to the best of my knowledge and belief.

Sincerely,

Frank B. Kelso II

Frank B. Kelso II
Admiral, U.S. Navy
Acting Secretary of the Navy

Attachment

TECHNICAL CORRECTIONS

Continuing review of Department of the Navy recommendations for closure or realignment of Navy and Marine Corps installations has revealed minor inconsistencies between certain "Recommendation" sections and the corresponding Base Structure Evaluation Committee (BSEC) decisions as they are recorded in the official minutes and deliberative reports, as well as a failure of certain "Recommendation" sections to include all aspects of a proposed closure or realignment. The Department of the Navy considers that the "Recommendation" paragraph controls over any inconsistency between that section and other sections relating to an individual activity. The following recommended corrections identify these inconsistencies and omissions and are intended to minimize questions that might arise during implementation of any Department of the Navy recommended closures or realignments that are adopted by the Base Closure and Realignment Commission. These corrections are shown in line-in/line-out format.

1. Recommended Change: Recommend the OSD Report, page 54 (DON Report, page D-9) be amended as follows:

Mare Island Naval Shipyard, Vallejo, California

Recommendation: Close the Mare Island Naval Shipyard (NSY). Relocate the Combat Systems Technical Schools Command activity to Dam Neck, Virginia. Relocate one submarine to the Naval Submarine Base, Bangor, Washington. The Naval Reserve Center disestablishes. Family housing located at Mare Island NSY will be retained as necessary to support Naval Weapons Station Concord.

Rationale: Consistent with OSD policy to account for all Reserve component actions at closing installations, the BSEC directed the closure or realignment of all reserve centers at such installations. The Naval Reserve Center, Vallejo disestablishment was included in the COBRA analysis, but was inadvertently omitted from the recommendation. The Selected Reservists who presently drill at NRC Vallejo will go to NRC Sacramento to drill. This change has no effect on return on investment or economic impact calculations or environmental impact assessments.

2. Recommended Change: Recommend the OSD Report, page 55 (DON Report, page I-31) be amended as follows:

Marine Corps Air Station El Toro, California

Recommendation: Close Marine Corps Air Station (MCAS) El Toro, California. Relocate its aircraft along with their dedicated personnel, equipment and support to other naval air stations, primarily Naval Air Station (NAS), Miramar, California and MCAS Camp Pendleton, California. To

support this relocation, relocate aviation assets from NAS Miramar, as necessary, to other naval air stations, including NAS Lemoore and NAS Fallon. The Marine Corps Reserve Center relocates to NAS Miramar.

Rationale: The recommended closures of NAS Barbers Point and MCAS El Toro, and the decision not to construct MCAS Twentynine Palms, involve relocation of Navy and Marine aviation assets to other naval air stations. This relocation was not clear in the recommendation as written, which could impede implementation. Accordingly, in order to ensure complete clarity, the additional language fully explains the entire range of actions. Consistent with OSD policy to account for all Reserve component actions at closing installations, the BSEC directed the closure or realignment of all reserve centers at such installations. The Marine Corps Reserve Center, El Toro movement was included in the COBRA analysis, but was inadvertently omitted from the recommendation. These changes have no effect on return on investment or economic impact calculations or environmental impact assessments.

3. Recommended Change: Recommend the OSD Report, page 56 (DON Report, page I-41) be amended as follows:

Naval Air Station Alameda, California

Recommendation: Close Naval Air Station (NAS), Alameda, California and relocate its aircraft along with the dedicated personnel, equipment and support to ~~NASA Ames/Moffett Field, California and~~ NAS North Island. In addition, those ships currently berthed at NAS Alameda will be relocated to the Fleet concentrations at San Diego and Bangor/Puget Sound/Everett. Disposition of major tenants is as follows: reserve aviation assets relocate to NASA Ames/Moffett Field, California, NAS Whidbey Island, and NAS Willow Grove; Navy Regional Data Automation Center, San Francisco realigns to NAS North Island; Ship Intermediate Maintenance Department disestablishes; the Naval Air Reserve Center and the Marine Corps Reserve Center relocate to leased space at NASA/Ames.

Rationale: The recommendation as written did not distinguish between active duty aviation assets and tenant reserve aviation assets. Part of the COBRA analysis for this scenario involved movement of reserve aircraft to NAS Whidbey Island and NAS Willow Grove, in addition to NASA/Ames. Mention of these movements was inadvertently omitted from the recommendation, and its absence could impede implementation. This change has no effect on return on investment or economic impact calculations or environmental impact assessments.

4. Recommended Change: Recommend the OSD Report, page 60 (DON Report, page H-5) be amended as follows:

Naval Training Center, San Diego, California

Recommendation: Close the Naval Training Center (NTC), San Diego and relocate certain personnel, equipment and support to NTC Great Lakes, and other locations, consistent with training requirements. Disposition of major tenants is as follows: Recruit Training Command relocates to NTC, Great Lakes; Branch Medical Clinic relocates to Submarine Base, San Diego; Naval Recruiting District relocates to Naval Air Station North Island; Service School Command (Electronic Warfare) relocates to Naval Training Center, Great Lakes; Service School Command (Surface) relocates to NTC Great Lakes; the remainder of the Service School Command relocates to NTC Great Lakes, Naval Air Station Pensacola, and Fleet Training Center, San Diego. The bachelor quarters and adjacent non-appropriated fund activities (marinas) located aboard NTC San Diego property will be retained by the Navy to support other naval activities in the San Diego area.

Rationale: Information brought to the attention of the Department of the Navy reveals that the bachelor officer quarters (BOQs) and bachelor enlisted quarters (BEQs) presently on the plant account of NTC San Diego support all of the naval activities in the San Diego area, and there is a continuing requirement for that support, notwithstanding the recommended NTC San Diego closure. The language regarding the non-appropriated fund activities is specific to the marinas located next to the BOQs/BEQs, and is included only because the geography of that particular area might call into question whether the property is to be disposed of. These changes have no effect on return on investment or economic impact calculations or environmental impact assessments.

5. Recommended Change: Recommend the OSD Report, page 61 (DON Report, page I-7) be amended as follows:

Naval Air Station Cecil Field, Jacksonville, Florida

Recommendation: Close Naval Air Station, Cecil Field and relocate its aircraft along with dedicated personnel, equipment and support to Marine Corps Air Station, Cherry Point, North Carolina; Naval Air Station, Oceana, Virginia, and Marine Corps Air Station, Beaufort, South Carolina. To support this relocation, relocate aviation assets from MCAS Cherry Point, as necessary, to NAS Norfolk. Disposition of major tenants is as follows: Marine Corps Security Force Company relocates to MCAS

Cherry Point; Aviation Intermediate Maintenance Department relocates to MCAS Cherry Point; Air Maintenance Training Group Detachment, Fleet Aviation Support Office Training Group Atlantic, and Sea Operations Detachment relocate to MCAS Cherry Point and NAS Oceana.

Rationale: Part of the COBRA analysis for this scenario involved movement of Marine Corps aviation assets from MCAS Cherry Point to NAS Norfolk. Mention of this movement was inadvertently omitted from the recommendation, and its absence could impede implementation. Accordingly, in order to ensure complete clarity, the additional language fully explains the entire range of actions. This change has no effect on return on investment or economic impact calculations or environmental impact assessments.

6. Recommended Change: Recommend the OSD Report, page 64 (DON Report, page I-19) be amended as follows:

Naval Air Station Barbers Point, Hawaii

Recommendation: Close the Naval Air Station (NAS) Barbers Point and relocate its aircraft along with their dedicated personnel, ~~and~~ equipment, and support to other naval air stations, primarily Marine Corps Air Station (MCAS), Kaneohe Bay, Hawaii and NAS Whidbey Island, Washington. To support this relocation, relocate aviation assets from MCAS Kaneohe Bay, as necessary, to other naval air stations, including MCAS Miramar and MCAS Camp Pendleton. Disestablish the Naval Air Reserve Center. Retain the family housing as needed for multi-service use.

Rationale: The recommended closures of NAS Barbers Point and MCAS El Toro, and the decision not to construct MCAS Twentynine Palms, involve relocation of Navy and Marine aviation assets to other naval air stations. This relocation was not clear from the recommendation as written, which could impede implementation. Accordingly, in order to ensure complete clarity, the additional language fully explains the entire range of actions. Consistent with OSD policy to account for all Reserve component actions at closing installations, the BSEC directed the closure or realignment of all reserve centers at such installations. The Naval Air Reserve Center, Barbers Point disestablishment was included in the COBRA analysis, but was inadvertently omitted from the recommendation. The squadrons supported by that NARCEN will be based at MCAS Kaneohe Bay. These changes have no effect on return on investment or economic impact calculations or environmental impact assessments.

7. Recommended Change: Recommend the OSD Report, page 66 (DON Report, page K-11) be amended as follows:

~~Naval Electronic Centers~~
Naval Command, Control and Ocean Surveillance Center
East Coast Naval In-Service Engineering Directorate

Recommendation: Close Naval Electronics Systems Engineering ~~Center (NESEC)~~ Activity (NESEA) St. Inigoes, Maryland, disestablish Naval Electronics Systems Engineering Center (NESEC) Charleston, South Carolina, NESEC Portsmouth, Virginia, and Naval Electronics Security Systems Engineering Center (NESSEC), Washington, DC. Consolidate the Centers into an East Coast ~~NESEC~~ Naval In-Service Engineering Directorate (NISE) ~~at~~ in the Portsmouth, Virginia area. The ATC/ACLS facility at St. Inigoes and the Aegis Radio Room Laboratory will remain in place and will be transferred to Naval Air Systems Command.

Rationale: During deliberations on technical centers, the BSEC intended the movement of NESEC activities to Portsmouth, Virginia, to be a consolidation of the East Coast NESECs, and formation of an East Coast NISE, similar to the one that resulted from the 1991 recommendations for closure/consolidation on the West Coast. Inclusion of NESEC Portsmouth to make this intent clear was inadvertently omitted from the original recommendation language; the title of the recommendation is likewise changed for clarity. Additionally, the COBRA analysis revealed that some of the NESEC Portsmouth functions are currently in various locations in the Hampton Roads area, which will continue to be available for the consolidation. Omission of these changes could impede implementation. These changes have no effect on return on investment or economic impact calculations or environmental impact assessments.

8. Recommended Change: Recommend the OSD Report, page 70 (DON Report, page A-17), be amended as follows:

Naval Station, Staten Island, New York

Recommendation: Close Naval Station Staten Island. Relocate its ships along with their dedicated personnel, equipment and support to Naval Stations, Norfolk, Virginia and Mayport, Florida. Disposition of minor tenants is as follows: Ship intermediate Maintenance Activity, New York relocates to Earle, New Jersey and Norfolk, Virginia; ~~Recruiting District, New York disestablishes;~~ Supervisor of Shipbuilding, Conversion and Repair (SUPSHIP), Brooklyn Detachment disestablishes. Family housing located at Naval Station, Staten Island, will be retained as necessary to support Naval Weapons Station, Earle, New Jersey.

Rationale: Information brought to the attention of the Department of the Navy reveals that Naval Recruiting District (NRD), New York, is not a tenant of NAVSTA Staten Island, and was inadvertently included in the list of tenants to be eliminated only because it is in the same geographic area. NRD New York's area of responsibility covers New York, New Jersey, and some of Eastern Pennsylvania, and there is a continuing need for its existence. The BSEC had agreed during its deliberations to recommend to OSD that the 801 housing project associated with Naval Staten, Staten Island be retained to support WPNSTA Earle. While the majority of similar family housing recommendations were incorporated by OSD, this one was erroneously omitted. These changes have no appreciable effect on return on investment or economic impact calculations or environmental impact assessments.

9. Recommended Change: Recommend the OSD Report, page 77 (DON Report, page K-23) be amended as follows:

Naval Surface Warfare Center Detachment
White Oak, Maryland

Recommendation: Disestablish the White Oak Detachment of the Naval Surface Warfare Center (NSWC) (Dahlgren), located at White Oak, Maryland. Relocate its functions, personnel, equipment and support to NSWC-Dahlgren, Virginia, NSWC-Indian Head, Indian Head, Maryland, and NSWC-Dahlgren, Coastal Systems Station, Panama City, Florida. The property and facilities at White Oak will be retained for use by the Navy so that it may, among other things, relocate the Naval Sea Systems (NAVSEA) Command from leased space in Arlington, Virginia.

Rationale: Part of the COBRA analysis for this scenario involved movement of functions and personnel to Dahlgren, Indian Head, and Panama City. Mention of these movements was inadvertently omitted from the recommendation, and their absence could impede implementation. This change has no effect on return on investment or economic impact calculations or environmental impact assessments.

10. Recommended Change: Recommend the OSD Report, page 78 (DON Report, page N-7) be amended as follows:

1st Marine Corps District
Garden City, New York

Recommendation: Close the 1st Marine District, Garden City, New York and relocate necessary personnel, equipment and support to the Defense Distribution Region East, New Cumberland, Pennsylvania. ~~The Defense Contract Management Area Office, a present tenant in the facility occupied by this activity as its host, will remain in~~

~~place and assume responsibility for this facility.~~ The Marine Corps Reserve Center, Garden City will relocate to Fort Hamilton, New York.

Rationale: Information brought to the attention of the Department of the Navy reveals that DLA may not wish to retain the Garden City facility. The recommended change allows disposal of the facility consistent with DoD policy, to include transferral of ownership to DLA. This change has no effect on return on investment or economic impact calculations or environmental impact assessments.

11. Recommended Change: Recommend the OSD Report, page 79 (DON Report, page S-5) be amended as follows:

Naval Air Station Memphis, Tennessee

Recommendation: Realign Naval Air Station (NAS) Memphis by terminating the flying mission and relocating its reserve squadrons to Carswell AFB, Texas. Relocate the Naval Air Technical Training Center to NAS Pensacola, Florida. Disestablish the Naval Air Reserve Center, and relocate the Marine Corps (Wing) Reserve Center Millington to Carswell AFB. The Bureau of Naval Personnel, currently in Washington DC, will be relocated to NAS Memphis as part of a separate recommendation.

Rationale: Consistent with OSD policy to account for all Reserve component actions at closing installations, the BSEC directed the closure or realignment of all reserve centers at such installations. The Naval Air Reserve Center disestablishment and the Marine Corps (Wing) Reserve Center movement were included in the COBRA analysis, but inadvertently omitted from the recommendation. These changes have no effect on return on investment or economic impact calculations or environmental impact assessments.

12. Recommended Change: Recommend the OSD Report, page 82 (DON Report, page K-43) be amended as follows:

Planning, ~~Estimating,~~ Engineering for Repair and Alteration Centers (PERA)

Recommendation: Disestablish the following four technical centers and relocate necessary functions, personnel, equipment, and support at the Supervisor of Shipbuilding, Conversion and Repair, San Diego, California, Portsmouth, Virginia and Newport News, Virginia:

(PERA)-(CV), Bremerton, Washington,
(PERA)-(Surface) Atlantic, Norfolk, Virginia,

(PERA)-(Surface) Pacific, San Francisco, California,
(PERA)-(Surface) (HQ), Philadelphia, Pennsylvania.

Rationale: This change is merely to correct the name of these activities, and has no effect on return on investment or economic impact calculations or environmental impact assessments.

13. Recommended Change: Recommend the OSD Report, page 85 (DON Report, page K-55) be amended as follows:

Naval Surface Warfare Center Detachment
Annapolis, Maryland

Recommendation: Disestablish the Naval Surface Warfare Center (NSWC)-Carderock, Annapolis Detachment, Annapolis, Maryland, and relocate the necessary functions, personnel, equipment and support to the Naval Surface Warfare Center (NSWC)-Carderock, Philadelphia Detachment, Philadelphia, Pennsylvania, and NSWC-Carderock, Bethesda, Maryland. The ship survivability and propulsion/ auxiliary/electrical distribution systems research and design facilities will remain in place. The tenant Electromagnetic Compatibility Analysis Center will remain in place.

Rationale: The COBRA analysis for this recommendation called for leaving in a caretaker status all of the unique equipment and facilities that would be costly to move or replicate. The BSEC intention, based upon the certified COBRA data call response from the activity, was to transfer personnel to Philadelphia and Bethesda, who could then make trips to Annapolis to use the facilities when required. Once the decision was made to retain the Annapolis facilities, the major tenant likewise remained in place. This language was inadvertently omitted from the recommendation, and could impede implementation. These changes have no effect on return on investment or economic impact calculations or environmental impact assessments.

14. Recommended Change: Recommend the OSD Report, page 89 (DON Report, page K-51) be amended as follows:

Submarine Maintenance, Engineering, Planning, and Procurement (SUBMEPP), Portsmouth, New Hampshire

Recommendation: Disestablish the Submarine Maintenance, Engineering, Planning and Procurement (SUBMEPP), New Hampshire and relocate the necessary functions, personnel, equipment, and support at ~~Supervisor of Shipbuilding, Conversion and Repair,~~ Portsmouth Naval Shipyard, Kittery, Maine.

Rationale: There is no SUPSHIP at Portsmouth Naval Shipyard; mention of it was mere error. The COBRA analysis called for relocation of this activity to Portsmouth Naval Shipyard. This change has no effect on return on investment or economic impact calculations or environmental impact assessments.

15. Recommended Change: Recommend the OSD Report, pages 96 and 97 (DON Report, pages L-1 and L-2) be amended as follows:

National Capital Region (NCR) Activities

Recommendation: Realign Navy National Capital Region activities and relocate them as follows:

Naval Air Systems Command, to
Naval Air Station
Patuxent River, Maryland

Naval Supply Systems Command,
(including Food Service System Office, and
Defense Printing Management Systems Office) to
Ship Parts Control Center
Mechanicsburg, Pennsylvania

Bureau of Naval Personnel
(including Office of Military Manpower Management) to
Naval Air Station
Memphis, Tennessee

Naval Recruiting Command to
Naval Training Center
Great Lakes, Illinois

Naval Security Group Command,
(including Security Group Station, and
Security Group Detachment, Potomac) to
National Security Agency
Ft. Meade, Maryland

Tactical Support Office Activity to
Commander-in-Chief
Atlantic Fleet
Norfolk, Virginia

Relocate the following National Capital Region activities from leased space to Government-owned space ~~in one of these locations:~~ within the NCR, to include the Navy Annex, Arlington, Virginia; Washington Navy Yard, Washington, D.C.; 3801 Nebraska Avenue, Washington, D.C.; Marine Corps Combat Development Command, Quantico, Virginia; ~~or~~ and the White Oak facility, Silver Spring, Maryland:

Naval Sea Systems Command
Naval Facilities Engineering Command
Space and Naval Warfare Systems Command
Office of the General Counsel
Office of the Judge Advocate General
Navy Field Support Activity
Office of the Secretary of the Navy
* Legislative Affairs
* Program Appraisal
* Comptroller
* Inspector General
* Information
Office of the Chief of Naval Operations
Office of Civilian Manpower Management
International Programs Office
Combined Civilian Personnel Office
Navy Regional Contracting Center
Naval Criminal Investigative Service
Naval Audit Service
Strategic Systems Programs Office
Office of Naval Research
Office of the Deputy Chief of Staff (Installations & Logistics), U.S. Marine Corps
Office of the Deputy Chief of Staff (Manpower & Reserve Affairs), U.S. Marine Corps
Marine Corps Systems Command (Clarendon Office)

Rationale: The BSEC decision during their deliberations was to move activities out of leased space and into any available government-owned space. The list of possible government-owned space was not intended to be all-inclusive, and so should be changed for clarity. Additionally, the Office of Naval Research was inadvertently omitted from the list of activities currently in leased space. These changes have no effect on return on investment or economic impact calculations or environmental impact assessments.

16. Recommended Change: The following recommendation was omitted from the OSD Report (DON Report, page T-19) and should be added:

Marine Corps Air Station Tustin, California

Recommendation: Recommend that the Tustin assets be relocated to other naval air stations, primarily NAS Miramar and MCAS Camp Pendleton, as a companion to the closure of MCAS El Toro and relocation of its assets to NAS Miramar.

Justification: In the 1991 Commission Report, the Commission recommended the closure of Marine Corps Air Station, Tustin California, with proposed realignment of this station's assets either to the Marine Air-Ground

Combat Center, Twentynine Palms, California, or Marine Corps Air Station, Camp Pendleton, California. Because of the approved 1999 force structure plan, and as detailed in Attachment I to this report, the Department of the Navy is recommending a number of closures and relocations regarding those operational air stations that support the Pacific Fleet. Because of the declining force structure and the thus-created additional excess capacity to that which existed in the BRAC-91 time frame, the Department was able to configure these air stations so as to avoid the need for the substantial expenditure of building a new station at Twentynine Palms and still have adequate capacity for the assets from MCAS Tustin, which is being closed in accordance with the BRAC-91 decision.

Return on Investment: Costs and savings related to the closure of MCAS Tustin were addressed in BRAC-91. Cost avoidances associated with this recommendation to change the receiving sites are included in the return on investment calculations affecting operational air stations on the West Coast and Hawaii.

Impacts: All environmental clean-ups will continue until complete. Economic and community infrastructure impacts have been incorporated into the discussion relating to operational air stations on the West Coast and Hawaii.

Rationale: Although the OSD report mentions the Tustin recommendation change in three places (page 25, page 33, and page 235), the actual recommendation was omitted from the Department of the Navy portion of the report.

[illegible] Department of Defense [illegible] level positions authorized [illegible] and III compensation.

[illegible] financial officer of the larg[illegible]ent in the Federal Government, [illegible]rtment of Defense Comptroller is [illegible]ble for all aspects of budget formu[illegible] and execution, financial management [illegible] information management systems. [illegible]hile the conferees have not adopted the [illegible] bill language at this time, they are concerned that the position of the Department of Defense Comptroller be in no way diminished by implementation of the Defense Reorganization Act of 1986.

Amendment No. 73: Section 9—Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment, as follows:

In lieu of "Sec. 12" named in said amendment, insert the following: Sec. 9.

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

This provision provides that payments received as compensation for damages to the USS Stark be credited to the Department of Defense.

Amendment No. 74: Deletes the administrative provision proposed by the House which would have prohibited the use of fiscal year 1987 Department of Defense funds to deactivate or convert either the 815th Air Force Reserve Weather Reconnaissance Squadron at Keesler Air Force Base, Mississippi, or the 36th Tactical Airlift Squadron at McChord Air Force Base, Washington.

The House included an administrative provision that prohibited the Air Force from deactivating or implementing procedures for conversion or deactivation of the 815th Air Force Reserve Weather Reconnaissance Squadron, Keesler Air Force Base, or for the deactivation of the 36th Tactical Airlift Squadron, McChord Air Force Base. The Senate deleted the provision and included report language specifying conditions under which conversion of the 815th Weather Reconnaissance Squadron would be acceptable.

Keesler. The conferees agree to allow the conversion of the 815th squadron to proceed, provided that actions are taken to guarantee that sufficient hurricane reconnaissance is maintained. The Air Force is directed to augment the 815the Air Force Reserve squadron with four additional WC-130 or C-130 aircraft to create a twelve-aircraft squadron; to program an additional 960 flying hours, 600 of which will be for hurricane reconnaissance; and to utilize reserve pilots, technicians, and maintenance personnel to operate the four additional aircraft. This action will result in a combined active and reserve Air Force hurricane reconnaissance flying hour program of 1,600 hours and will provide sufficient hurricane coverage for Defense installations and the population living in the Southeast, Hawaii and on the Gulf Coast. It also will result in the 815th Reserve squadron retaining its trained weather reconnaissance personnel and providing such needed tactical airlift in support of Air Force requirements.

McChord. The conferees agree that the Air Force proposal to deactivate the 36th Tactical Airlift Squadron at McChord Air Force Base, Washington requires more detailed justification. The conferees direct the Secretary of the Air Force to submit the report required by the House in its report accompanying the fiscal year 1987 Supplemental appropriation bill to the Appropriations Committees by August 15, 1987. The Air Force should not implement the proposed deactivation until the Appropriations Committees have had time to evaluate the Air Force's report to Congress and to respond in their reports on the fiscal year 1988 DOD Appropriations Bill.

Memphis Naval Facilities, Millington, Tennessee. The Memphis Naval Air Station at Millington, Tennessee is, and has been for years an important United States Naval facility that cannot be duplicated. The facility has provided and continues to provide flight operations, medical facilities, important training programs, and many other vital support functions that are needed to perform the overall defense mission.

Therefore, it is of concern to the conferees that efforts are being taken to transfer some of the functions which have been performed at the Memphis Naval Air Station to other locations, thus weakening this vital defense mission. Over the years, similar efforts have been made to transfer functions from the Memphis Naval Air Station for questionable reasons. This issue was considered in 1984, at which time it was settled that the Station would continue its activities in place then.

The conferees find any effort to reduce civilian and military personnel levels, to reduce, transfer, downgrade or downsize current activities or facilities at the Memphis Naval Complex totally unacceptable. Therefore, the conferees direct the Department of the Navy to maintain civilian and military personnel levels and facilities at the 1984 levels.

Amendment No. 75: Changes section number to "10" instead of "13" as proposed by the Senate and "4" as proposed by the House.

Amendment No. 76: Deletes the administrative provision proposed by the House which would have limited United States strategic nuclear forces to the numerical sublimits allowed for in the SALT II agreement unless the President certified that the Soviet Union exceeded any of these limitations.

Amendment No. 77: Deletes the administrative provision proposed by the House which would have limited the carrying out of nuclear explosions with a yield exceeding one kiloton unless the President made certain certifications.

Amendment No. 78: Section 11—Restores language proposed by the House amended to provide for the authorization of certain intelligence activities which were provided appropriations in fiscal year 1987.

The conferees agree to: include subsection (a) as proposed by the House; include subsection (b) as proposed by the House, amended only to delete any reference to subsection (c); and delete subsection (c) in its entirety as proposed by the Senate. The conferees further agree that nothing in subsections (a) or (b) shall bind any of the Appropriations or Authorization Committees with regard to approving or disapproving any specific intelligence or intelligence related activity.

CHAPTER III—ENERGY AND WATER DEVELOPMENT

The conferees agree with the language contained in the House Report.

DEPARTMENT OF DEFENSE—CIVIL

DEPARTMENT OF THE ARMY

CORPS OF ENGINEERS—CIVIL

GENERAL INVESTIGATIONS

Amendment No. 79: Restores the language proposed by the House and stricken by the Senate providing for the use of previously appropriated funds for the Ohio River Water Development Study, between Rivermile 40-491, Ohio; Maumee Bay State Park, Ohio; St. Johns County, Florida; Jacksonville Harbor, St. John's River and Intracoastal Waterway Study, Florida; St. John's River Study, Florida; Water Resources Based Economic Development Computer Model; and the San Jacinto site on Galveston Island, Texas, study.

Within available funds, the Secretary of the Army is directed to use $135,000 to initiate engineering and design for replacement of the Core Creek Bridge as part of the AIWW-Replacement of Federal Highway Bridges, North Carolina, project.

CONSTRUCTION, GENERAL

Amendment No. 80: Restores language proposed by the House and stricken by the Senate directing the Corps of Engineers to proceed with the Fairfield Vicinity Streams, California, project under the provisions of section 117 of Public Law 99-190; providing for the use of previously appropriated funds for the Port Austin Harbor, Michigan; Sand Island Beach, Hawaii; Wellsburg, Sistersville, and Glen Dale, West Virginia, projects; and land acquisition activities described in section 1114 of Public Law 99-662.

OPERATION AND MAINTENANCE, GENERAL

(INCLUDING TRANSFER OF FUNDS)

Amendment No. 81: Restores heading proposed by the House and stricken by the Senate:

Amendment No. 82: Deletes language proposed by the House and stricken by the Senate providing funds for "Operation and Maintenance, General" from sums available in the Harbor Maintenance Trust Fund.

Amendment No. 83: Restores language proposed by the House and stricken by the Senate transferring funds from "General Investigations" to "Operation and Maintenance, General" to perform a cumulative environmental analysis.

Amendment No. 84: Reported in technical disagreement. Inserts language proposed by the Senate providing for "Operation and Maintenance, General" from sums available in the Harbor Maintenance Trust Fund.

GENERAL PROVISIONS

Amendment No. 85: Restores heading proposed by the House and stricken by the Senate.

Amendment No. 86: Restores language proposed by the House and stricken by the Senate requiring the Secretary of the Army to file (1) a report with the appropriate committees of Congress after a written request is made pursuant to subsection (m) of section 103 of Public Law 99-662 and (2) a report with the appropriate committees of Congress listing any project or study falling under the provisions of subsection (e)(1) of section 103 of Public Law 99-662.

Amendment No. 87: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the matter stricken by said amendment, insert the following:

Pursuant to the Federal Advisory Committee Act (Public Law 92-463), the Secretary of the Army is directed to establish an advisory committee for the Denison Dam (Lake Texoma), Red River, Texas and Oklahoma project authorized by the Flood Control Act approved June 28, 1938 (52 Stat. 1219). The purpose of the Committee shall be advisory only and it shall provide information and recommendations to the Corps of Engineers regarding the operations of Lake Texoma for its congressionally authorized purposes. The Committee shall be composed of representatives equally divided among the project purposes and between the states of Texas and Oklahoma.

The Corps of Engineers, taking into consideration recommendations of the South-

(b) Conference Report 100-195 Supplemental Appropriations for FY 87 of 27 JUN 87

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GENERAL PROVISIONS

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Amendment No. 86: Restores language proposed by the House and stricken by the Senate requiring the Secretary of the Army to file (1) a report with the appropriate committees of Congress after a written request is made pursuant to subsection (m) of section 103 of Public Law 99-662 and (2) a report with the appropriate committees of Congress listing any project or study falling under the provisions of subsection (e)(1) of section 103 of Public Law 99-662.

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The Corps of Engineers, taking into consideration recommendations of the South-

(b) Conference Report 100-195 Supp[illegible]ental Appropriations for FY 87 of 27 JUN 87

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Document Separator

OFFICE OF THE SECRETARY OF DEFENSE

June 22, 1993

MEMO FOR Matt Behrmann

Here are the "technical corrections we spoke about.

Also, two new memos on other subjects.

Doug

DEPARTMENT OF THE AIR FORCE
WASHINGTON DC

SAF/MII
1660 Air Force Pentagon
Washington, DC 20330-1660

Honorable Jim Courter
Chairman, Defense Base Closure and Realignment Commission
1700 North Moore Street, Suite 1425
Arlington, Virginia 22209

Dear Chairman Courter:

The responds to your June 11, 1993 (930611-16) request that asked for a breakdown of cost for the following option: "Leave the 924th at Bergstrom and move the Navy units from Detroit, Dallas and Memphis to Carswell's cantonment area with the 301st Fighter Wing." The Air Force is not aware of all the Navy requirements; therefore, we can not provide you the exact cost you requested. However, we can provide a professional analysis of projected Carswell DoD cost and how they may be affected by your request.

As you might recall, the total estimated cost for DoD's recommendation as related to Carswell was $126 million in MILCON. Of this total, $82 million was earmarked for the Navy/Marine/Air Force Reserve beddown (Air Force portion of this was less than $6 million). A key point that affects the solution of your request is the fact that, the 924th relocation from Bergstrom to Carswell would collocate into the 301st area and facilities with only minor add/alters. Therefore, the Air Force does not believe that the overall Carswell MILCON requirement would be reduced for the Navy- the Navy will not be able to take advantage of any 301st facilities to offset MILCON requirements, because the 301st will still be there.

Hopefully this information is helpful. I suggest you contact the Navy for specific information on Navy MILCON requirements at Carswell.

Sincerely,

JAMES F. BOATRIGHT
Deputy Assistant Secretary of the Air Force
(Installations)

DEPARTMENT OF THE NAVY
OFFICE OF THE SECRETARY
WASHINGTON D.C. 20350-1000

LT-B67-F25
BSAT/AR
1 June 1993

Honorable James Courter
Chairman, Defense Base Closure
and Realignment Commission
1700 North Moore Street
Suite 1425
Arlington, VA 22209

Attn: Matthew P. Behrman
Director of Staff

Re: Technical Corrections to DON Portion of DoD Base Closure and Realignment Report

Dear Chairman Courter:

Continuing review of Department of the Navy recommendations for closure or realignment of Navy and Marine Corps installations has revealed minor inconsistencies between certain "Recommendation" sections and the corresponding Base Structure Evaluation Committee (BSEC) decisions as they are recorded in the official minutes and deliberative reports, as well as a failure of certain "Recommendation" sections to include all aspects of a proposed closure or realignment. The following recommended corrections, approved by the Base Structure Evaluation Committee during a policy meeting on April 22, 1993, identify these inconsistencies and omissions and are intended to minimize questions that might arise during implementation of any Department of the Navy recommended closures or realignments that are adopted by the Base Closure and Realignment Commission. These corrections have been coordinated with the Office of the Assistant Secretary of Defense for Production and Logistics.

In accordance with Section 2903(c)(5) of the Defense Base Closure and Realignment Act of 1990, I certify the information in these technical corrections is accurate and complete to the best of my knowledge and belief.

Sincerely,

Frank B. Kelso II

Frank B. Kelso II
Admiral, U.S. Navy
Acting Secretary of the Navy

Attachment

TECHNICAL CORRECTIONS

Continuing review of Department of the Navy recommendations for closure or realignment of Navy and Marine Corps installations has revealed minor inconsistencies between certain "Recommendation" sections and the corresponding Base Structure Evaluation Committee (BSEC) decisions as they are recorded in the official minutes and deliberative reports, as well as a failure of certain "Recommendation" sections to include all aspects of a proposed closure or realignment. The Department of the Navy considers that the "Recommendation" paragraph controls over any inconsistency between that section and other sections relating to an individual activity. The following recommended corrections identify these inconsistencies and omissions and are intended to minimize questions that might arise during implementation of any Department of the Navy recommended closures or realignments that are adopted by the Base Closure and Realignment Commission. These corrections are shown in line-in/line-out format.

1. Recommended Change: Recommend the OSD Report, page 54 (DON Report, page D-9) be amended as follows:

Mare Island Naval Shipyard, Vallejo, California

Recommendation: Close the Mare Island Naval Shipyard (NSY). Relocate the Combat Systems Technical Schools Command activity to Dam Neck, Virginia. Relocate one submarine to the Naval Submarine Base, Bangor, Washington. The Naval Reserve Center disestablishes. Family housing located at Mare Island NSY will be retained as necessary to support Naval Weapons Station Concord.

Rationale: Consistent with OSD policy to account for all Reserve component actions at closing installations, the BSEC directed the closure or realignment of all reserve centers at such installations. The Naval Reserve Center, Vallejo disestablishment was included in the COBRA analysis, but was inadvertantly omitted from the recommendation. The Selected Reservists who presently drill at NRC Vallejo will go to NRC Sacramento to drill. This change has no effect on return on investment or economic impact calculations or environmental impact assessments.

2. Recommended Change: Recommend the OSD Report, page 55 (DON Report, page I-31) be amended as follows:

Marine Corps Air Station El Toro, California

Recommendation: Close Marine Corps Air Station (MCAS) El Toro, California. Relocate its aircraft along with their dedicated personnel, equipment and support to other naval air stations, primarily Naval Air Station (NAS), Miramar, California and MCAS Camp Pendleton, California. To

support this relocation, relocate aviation assets from NAS Miramar, as necessary, to other naval air stations, including NAS Lemoore and NAS Fallon. The Marine Corps Reserve Center relocates to NAS Miramar.

Rationale: The recommended closures of NAS Barbers Point and MCAS El Toro, and the decision not to construct MCAS Twentynine Palms, involve relocation of Navy and Marine aviation assets to other naval air stations. This relocation was not clear in the recommendation as written, which could impede implementation. Accordingly, in order to ensure complete clarity, the additional language fully explains the entire range of actions. Consistent with OSD policy to account for all Reserve component actions at closing installations, the BSEC directed the closure or realignment of all reserve centers at such installations. The Marine Corps Reserve Center, El Toro movement was included in the COBRA analysis, but was inadvertently omitted from the recommendation. These changes have no effect on return on investment or economic impact calculations or environmental impact assessments.

3. Recommended Change: Recommend the OSD Report, page 56 (DON Report, page I-41) be amended as follows:

Naval Air Station Alameda, California

Recommendation: Close Naval Air Station (NAS), Alameda, California and relocate its aircraft along with the dedicated personnel, equipment and support to ~~NASA Ames/Moffett Field, California and~~ NAS North Island. In addition, those ships currently berthed at NAS Alameda will be relocated to the Fleet concentrations at San Diego and Bangor/Puget Sound/Everett. Disposition of major tenants is as follows: reserve aviation assets relocate to NASA Ames/Moffett Field, California, NAS Whidbey Island, and NAS Willow Grove; Navy Regional Data Automation Center, San Francisco realigns to NAS North Island; Ship Intermediate Maintenance Department disestablishes; the Naval Air Reserve Center and the Marine Corps Reserve Center relocate to leased space at NASA/Ames.

Rationale: The recommendation as written did not distinguish between active duty aviation assets and tenant reserve aviation assets. Part of the COBRA analysis for this scenario involved movement of reserve aircraft to NAS Whidbey Island and NAS Willow Grove, in addition to NASA/Ames. Mention of these movements was inadvertently omitted from the recommendation, and its absence could impede implementation. This change has no effect on return on investment or economic impact calculations or environmental impact assessments.

4. Recommended Change: Recommend the OSD Report, page 60 (DON Report, page H-5) be amended as follows:

Naval Training Center, San Diego, California

Recommendation: Close the Naval Training Center (NTC), San Diego and relocate certain personnel, equipment and support to NTC Great Lakes, and other locations, consistent with training requirements. Disposition of major tenants is as follows: Recruit Training Command relocates to NTC, Great Lakes; Branch Medical Clinic relocates to Submarine Base, San Diego; Naval Recruiting District relocates to Naval Air Station North Island; Service School Command (Electronic Warfare) relocates to Naval Training Center, Great Lakes; Service School Command (Surface) relocates to NTC Great Lakes; the remainder of the Service School Command relocates to NTC Great Lakes, Naval Air Station Pensacola, and Fleet Training Center, San Diego. The bachelor quarters and adjacent non-appropriated fund activities (marinas) located aboard NTC San Diego property will be retained by the Navy to support other naval activities in the San Diego area.

Rationale: Information brought to the attention of the Department of the Navy reveals that the bachelor officer quarters (BOQs) and bachelor enlisted quarters (BEQs) presently on the plant account of NTC San Diego support all of the naval activities in the San Diego area, and there is a continuing requirement for that support, notwithstanding the recommended NTC San Diego closure. The language regarding the non-appropriated fund activities is specific to the marinas located next to the BOQs/BEQs, and is included only because the geography of that particular area might call into question whether the property is to be disposed of. These changes have no effect on return on investment or economic impact calculations or environmental impact assessments.

5. Recommended Change: Recommend the OSD Report, page 61 (DON Report, page I-7) be amended as follows:

Naval Air Station Cecil Field, Jacksonville, Florida

Recommendation: Close Naval Air Station, Cecil Field and relocate its aircraft along with dedicated personnel, equipment and support to Marine Corps Air Station, Cherry Point, North Carolina; Naval Air Station, Oceana, Virginia, and Marine Corps Air Station, Beaufort, South Carolina. To support this relocation, relocate aviation assets from MCAS Cherry Point, as necessary, to NAS Norfolk. Disposition of major tenants is as follows: Marine Corps Security Force Company relocates to MCAS

Cherry Point; Aviation Intermediate Maintenance Department relocates to MCAS Cherry Point; Air Maintenance Training Group Detachment, Fleet Aviation Support Office Training Group Atlantic, and Sea Operations Detachment relocate to MCAS Cherry Point and NAS Oceana.

Rationale: Part of the COBRA analysis for this scenario involved movement of Marine Corps aviation assets from MCAS Cherry Point to NAS Norfolk. Mention of this movement was inadvertently omitted from the recommendation, and its absence could impede implementation. Accordingly, in order to ensure complete clarity, the additional language fully explains the entire range of actions. This change has no effect on return on investment or economic impact calculations or environmental impact assessments.

6. Recommended Change: Recommend the OSD Report, page 64 (DON Report, page I-19) be amended as follows:

Naval Air Station Barbers Point, Hawaii

Recommendation: Close the Naval Air Station (NAS) Barbers Point and relocate its aircraft along with their dedicated personnel, ~~and~~ equipment, and support to other naval air stations, primarily Marine Corps Air Station (MCAS), Kaneohe Bay, Hawaii and NAS Whidbey Island, Washington. To support this relocation, relocate aviation assets from MCAS Kaneohe Bay, as necessary, to other naval air stations, including MCAS Miramar and MCAS Camp Pendleton. Disestablish the Naval Air Reserve Center. Retain the family housing as needed for multi-service use.

Rationale: The recommended closures of NAS Barbers Point and MCAS El Toro, and the decision not to construct MCAS Twentynine Palms, involve relocation of Navy and Marine aviation assets to other naval air stations. This relocation was not clear from the recommendation as written, which could impede implementation. Accordingly, in order to ensure complete clarity, the additional language fully explains the entire range of actions. Consistent with OSD policy to account for all Reserve component actions at closing installations, the BSEC directed the closure or realignment of all reserve centers at such installations. The Naval Air Reserve Center, Barbers Point disestablishment was included in the COBRA analysis, but was inadvertently omitted from the recommendation. The squadrons supported by that NARCEN will be based at MCAS Kaneohe Bay. These changes have no effect on return on investment or economic impact calculations or environmental impact assessments.

7. Recommended Change: Recommend the OSD Report, page 66 (DON Report, page K-11) be amended as follows:

~~Naval Electronic Centers~~
Naval Command, Control and Ocean Surveillance Center
East Coast Naval In-Service Engineering Directorate

Recommendation: Close Naval Electronics Systems Engineering ~~Center (NESEC)~~ Activity (NESEA) St. Inigoes, Maryland, disestablish Naval Electronics Systems Engineering Center (NESEC) Charleston, South Carolina, NESEC Portsmouth, Virginia, and Naval Electronics Security Systems Engineering Center (NESSEC), Washington, DC. Consolidate the Centers into an East Coast ~~NESEC~~ Naval In-Service Engineering Directorate (NISE) ~~at~~ in the Portsmouth, Virginia area. The ATC/ACLS facility at St. Inigoes and the Aegis Radio Room Laboratory will remain in place and will be transferred to Naval Air Systems Command.

Rationale: During deliberations on technical centers, the BSEC intended the movement of NESEC activities to Portsmouth, Virginia, to be a consolidation of the East Coast NESECs, and formation of an East Coast NISE, similar to the one that resulted from the 1991 recommendations for closure/consolidation on the West Coast. Inclusion of NESEC Portsmouth to make this intent clear was inadvertently omitted from the original recommendation language; the title of the recommendation is likewise changed for clarity. Additionally, the COBRA analysis revealed that some of the NESEC Portsmouth functions are currently in various locations in the Hampton Roads area, which will continue to be available for the consolidation. Omission of these changes could impede implementation. These changes have no effect on return on investment or economic impact calculations or environmental impact assessments.

8. Recommended Change: Recommend the OSD Report, page 70 (DON Report, page A-17), be amended as follows:

Naval Station, Staten Island, New York

Recommendation: Close Naval Station Staten Island. Relocate its ships along with their dedicated personnel, equipment and support to Naval Stations, Norfolk, Virginia and Mayport, Florida. Disposition of minor tenants is as follows: Ship Intermediate Maintenance Activity, New York relocates to Earle, New Jersey and Norfolk, Virginia; ~~Recruiting District, New York disestablishes;~~ Supervisor of Shipbuilding, Conversion and Repair (SUPSHIP), Brooklyn Detachment disestablishes. Family housing located at Naval Station, Staten Island, will be retained as necessary to support Naval Weapons Station, Earle, New Jersey.

Rationale: Information brought to the attention of the Department of the Navy reveals that Naval Recruiting District (NRD), New York, is not a tenant of NAVSTA Staten Island, and was inadvertently included in the list of tenants to be eliminated only because it is in the same geographic area. NRD New York's area of responsibility covers New York, New Jersey, and some of Eastern Pennsylvania, and there is a continuing need for its existence. The BSEC had agreed during its deliberations to recommend to OSD that the 801 housing project associated with Naval Staten, Staten Island be retained to support WPNSTA Earle. While the majority of similar family housing recommendations were incorporated by OSD, this one was erroneously omitted. These changes have no appreciable effect on return on investment or economic impact calculations or environmental impact assessments.

9. Recommended Change: Recommend the OSD Report, page 77 (DON Report, page K-23) be amended as follows:

Naval Surface Warfare Center Detachment
White Oak, Maryland

Recommendation: Disestablish the White Oak Detachment of the Naval Surface Warfare Center (NSWC) (Dahlgren), located at White Oak, Maryland. Relocate its functions, personnel, equipment and support to NSWC-Dahlgren, Virginia, NSWC-Indian Head, Indian Head, Maryland, and NSWC-Dahlgren, Coastal Systems Station, Panama City, Florida. The property and facilities at White Oak will be retained for use by the Navy so that it may, among other things, relocate the Naval Sea Systems (NAVSEA) Command from leased space in Arlington, Virginia.

Rationale: Part of the COBRA analysis for this scenario involved movement of functions and personnel to Dahlgren, Indian Head, and Panama City. Mention of these movements was inadvertently omitted from the recommendation, and their absence could impede implementation. This change has no effect on return on investment or economic impact calculations or environmental impact assessments.

10. Recommended Change: Recommend the OSD Report, page 78 (DON Report, page N-7) be amended as follows:

1st Marine Corps District
Garden City, New York

Recommendation: Close the 1st Marine District, Garden City, New York and relocate necessary personnel, equipment and support to the Defense Distribution Region East, New Cumberland, Pennsylvania. ~~The Defense Contract Management Area Office, a present tenant in the facility occupied by this activity as its host, will remain in~~

~~place and assume responsibility for this facility.~~ The Marine Corps Reserve Center, Garden City will relocate to Fort Hamilton, New York.

Rationale: Information brought to the attention of the Department of the Navy reveals that DLA may not wish to retain the Garden City facility. The recommended change allows disposal of the facility consistent with DoD policy, to include transferral of ownership to DLA. This change has no effect on return on investment or economic impact calculations or environmental impact assessments.

11. Recommended Change: Recommend the OSD Report, page 79 (DON Report, page S-5) be amended as follows:

Naval Air Station Memphis, Tennessee

Recommendation: Realign Naval Air Station (NAS) Memphis by terminating the flying mission and relocating its reserve squadrons to Carswell AFB, Texas. Relocate the Naval Air Technical Training Center to NAS Pensacola, Florida. Disestablish the Naval Air Reserve Center, and relocate the Marine Corps (Wing) Reserve Center Millington to Carswell AFB. The Bureau of Naval Personnel, currently in Washington DC, will be relocated to NAS Memphis as part of a separate recommendation.

Rationale: Consistent with OSD policy to account for all Reserve component actions at closing installations, the BSEC directed the closure or realignment of all reserve centers at such installations. The Naval Air Reserve Center disestablishment and the Marine Corps (Wing) Reserve Center movement were included in the COBRA analysis, but inadvertently omitted from the recommendation. These changes have no effect on return on investment or economic impact calculations or environmental impact assessments.

12. Recommended Change: Recommend the OSD Report, page 82 (DON Report, page K-43) be amended as follows:

Planning, ~~Estimating,~~ Engineering for Repair and Alteration Centers (PERA)

Recommendation: Disestablish the following four technical centers and relocate necessary functions, personnel, equipment, and support at the Supervisor of Shipbuilding, Conversion and Repair, San Diego, California, Portsmouth, Virginia and Newport News, Virginia:

(PERA)-(CV), Bremerton, Washington,
(PERA)-(Surface) Atlantic, Norfolk, Virginia,

(PERA)-(Surface) Pacific, San Francisco, California,
(PERA)-(Surface) (HQ), Philadelphia, Pennsylvania.

Rationale: This change is merely to correct the name of these activities, and has no effect on return on investment or economic impact calculations or environmental impact assessments.

13. Recommended Change: Recommend the OSD Report, page 65 (DON Report, page K-55) be amended as follows:

Naval Surface Warfare Center Detachment
Annapolis, Maryland

Recommendation: Disestablish the Naval Surface Warfare Center (NSWC)-Carderock, Annapolis Detachment, Annapolis, Maryland, and relocate the necessary functions, personnel, equipment and support to the Naval Surface Warfare Center (NSWC)-Carderock, Philadelphia Detachment, Philadelphia, Pennsylvania, and NSWC-Carderock, Bethesda, Maryland. The ship survivability and propulsion/auxiliary/electrical distribution systems research and design facilities will remain in place. The tenant Electromagnetic Compatibility Analysis Center will remain in place.

Rationale: The COBRA analysis for this recommendation called for leaving in a caretaker status all of the unique equipment and facilities that would be costly to move or replicate. The BSEC intention, based upon the certified COBRA data call response from the activity, was to transfer personnel to Philadelphia and Bethesda, who could then make trips to Annapolis to use the facilities when required. Once the decision was made to retain the Annapolis facilities, the major tenant likewise remained in place. This language was inadvertently omitted from the recommendation, and could impede implementation. These changes have no effect on return on investment or economic impact calculations or environmental impact assessments.

14. Recommended Change: Recommend the OSD Report, page 89 (DON Report, page K-51) be amended as follows:

Submarine Maintenance, Engineering, Planning,
and Procurement (SUBMEPP), Portsmouth, New Hampshire

Recommendation: Disestablish the Submarine Maintenance, Engineering, Planning and Procurement (SUBMEPP), New Hampshire and relocate the necessary functions, personnel, equipment, and support at ~~Supervisor of Shipbuilding, Conversion and Repair,~~ Portsmouth Naval Shipyard, Kittery, Maine.

Rationale: There is no SUPSHIP at Portsmouth Naval Shipyard; mention of it was mere error. The COBRA analysis called for relocation of this activity to Portsmouth Naval Shipyard. This change has no effect on return on investment or economic impact calculations or environmental impact assessments.

15. Recommended Change: Recommend the OSD Report, pages 96 and 97 (DON Report, pages L-1 and L-2) be amended as follows:

National Capital Region (NCR) Activities

Recommendation: Realign Navy National Capital Region activities and relocate them as follows:

Naval Air Systems Command, to
Naval Air Station
Patuxent River, Maryland

Naval Supply Systems Command,
(including Food Service System Office, and
Defense Printing Management Systems Office) to
Ship Parts Control Center
Mechanicsburg, Pennsylvania

Bureau of Naval Personnel
(including Office of Military Manpower Management) to
Naval Air Station
Memphis, Tennessee

Naval Recruiting Command to
Naval Training Center
Great Lakes, Illinois

Naval Security Group Command,
(including Security Group Station, and
Security Group Detachment, Potomac) to
National Security Agency
Ft. Meade, Maryland

Tactical Support Office Activity to
Commander-in-Chief
Atlantic Fleet
Norfolk, Virginia

Relocate the following National Capital Region activities from leased space to Government-owned space ~~in one of these locations:~~ within the NCR, to include the Navy Annex, Arlington, Virginia; Washington Navy Yard, Washington, D.C.; 3801 Nebraska Avenue, Washington, D.C.; Marine Corps Combat Development Command, Quantico, Virginia; ~~or~~ and the White Oak facility, Silver Spring, Maryland:

Combat Center, Twentynine Palms, California, or Marine Corps Air Station, Camp Pendleton, California. Because of the approved 1999 force structure plan, and as detailed in Attachment I to this report, the Department of the Navy is recommending a number of closures and relocations regarding those operational air stations that support the Pacific Fleet. Because of the declining force structure and the thus-created additional excess capacity to that which existed in the BRAC-91 time frame, the Department was able to configure these air stations so as to avoid the need for the substantial expenditure of building a new station at Twentynine Palms and still have adequate capacity for the assets from MCAS Tustin, which is being closed in accordance with the BRAC-91 decision.

Return on Investment: Costs and savings related to the closure of MCAS Tustin were addressed in BRAC-91. Cost avoidances associated with this recommendation to change the receiving sites are included in the return on investment calculations affecting operational air stations on the West Coast and Hawaii.

Impacts: All environmental clean-ups will continue until complete. Economic and community infrastructure impacts have been incorporated into the discussion relating to operational air stations on the West Coast and Hawaii.

Rationale: Although the OSD report mentions the Tustin recommendation change in three places (page 25, page 33, and page 235), the actual recommendation was omitted from the Department of the Navy portion of the report.

Naval Sea Systems Command
Naval Facilities Engineering Command
Space and Naval Warfare Systems Command
Office of the General Counsel
Office of the Judge Advocate General
Navy Field Support Activity
Office of the Secretary of the Navy
* Legislative Affairs
* Program Appraisal
* Comptroller
* Inspector General
* Information
Office of the Chief of Naval Operations
Office of Civilian Manpower Management
International Programs Office
Combined Civilian Personnel Office
Navy Regional Contracting Center
Naval Criminal Investigative Service
Naval Audit Service
Strategic Systems Programs Office
Office of Naval Research
Office of the Deputy Chief of Staff (Installations & Logistics), U.S. Marine Corps
Office of the Deputy Chief of Staff (Manpower & Reserve Affairs), U.S. Marine Corps
Marine Corps Systems Command (Clarendon Office)

Rationale: The BSEC decision during their deliberations was to move activities out of leased space and into any available government-owned space. The list of possible government-owned space was not intended to be all-inclusive, and so should be changed for clarity. Additionally, the Office of Naval Research was inadvertently omitted from the list of activities currently in leased space. These changes have no effect on return on investment or economic impact calculations or environmental impact assessments.

16. Recommended Change: The following recommendation was omitted from the OSD Report (DON Report, page T-19) and should be added:

Marine Corps Air Station Tustin, California

Recommendation: Recommend that the Tustin assets be relocated to other naval air stations, primarily NAS Miramar and MCAS Camp Pendleton, as a companion to the closure of MCAS El Toro and relocation of its assets to NAS Miramar.

Justification: In the 1991 Commission Report, the Commission recommended the closure of Marine Corps Air Station, Tustin California, with proposed realignment of this station's assets either to the Marine Air-Ground

ASSISTANT SECRETARY OF DEFENSE
WASHINGTON, D.C. 20301-8000

PRODUCTION AND
LOGISTICS

JUN 22 1993

Honorable Jim Courter
Chairman, Defense Base Closure
and Realignment Commission
1700 North Moore Street, Suite 1425
Arlington, VA 22209

Dear Mr. Chairman:

This responds to your letter of May 27, 1993, regarding the Department's position on converting Andersen Air Force Base to a Naval Air Station.

I've enclosed the Navy and Air Force positions on this matter. While I understand that your staff is considering numerous options for closing Agana NAS, all should assume that the Air Force remain the host of Anderson AFB.

Sincerely,

David J. Berteau

David J. Berteau
Principal Deputy

Enclosures

DEPARTMENT OF THE NAVY
OFFICE OF THE SECRETARY
WASHINGTON, D.C. 20350-1000

MM-D18-F28
BSAT/CR
June 2, 1993

MEMORANDUM FOR THE PRINCIPAL DEPUTY ASSISTANT SECRETARY OF DEFENSE (PRODUCTION AND LOGISTICS)

As discussed with your staff, regarding the Defense Base Closure and Realignment Commission letter 930527-3 of May 27, 1993, the Department of Navy (DON) is neutral on what service is the host at Andersen AFB. If the Air Force presence at Andersen AFB continues at current levels, the one time costs for moving all of NAS Agana to Andersen AFB is $387 Million and the steady state savings would be $11.3 Million after NAS Agana closed.

Charles P. Nemfakos
Acting Chairman
Base Structure Evaluation Committee

SECRETARY OF THE AIR FORCE
WASHINGTON

JUN 18 1993

The Honorable Jim Courter
Chairman, 1993 Defense Base Closure and Realignment Commission
1700 North Moore Street Suite 1425
Arlington, VA 22209

Dear Mr. Courter:

I understand the 1993 Defense Base Closure and Realignment Commission is considering the conversion of Andersen Air Force Base (AFB) to a Naval Air Station, with the Air Force becoming the tenant. The Air Force does not support this proposal.

We would be delighted to host a Navy operation of any size following the proposed closure of Naval Air Station (NAS) Agana. However, Andersen is the only AFB in the Pacific capable of supporting bomber and logistics operations, and is available for unrestricted combat use without host nation approval. Also, Andersen AFB provides the AF with excellent capability as a mid-Pacific throughput base.

In our view, Andersen AFB must be retained by the Air Force to ensure we can meet our contingency/wartime requirements. In contingency/wartime, the Air Force would require an extensive, in-place base operating support (BOS) package (approximately 2000 USAF personnel) to effectively employ our bomber, tanker, and airlift aircraft. Our in-place BOS organization and personnel are best suited to support large-scale, sustained, land-based combat and mobility operations; whereas, Navy BOS is tailored to manage its shore installations in support of the fleet. Therefore, transferring Andersen AFB to the Navy based upon a peacetime posture would obligate the Navy to devote substantial BOS to support AF unique missions/requirements.

In summary, the Air Force will support any consolidation of NAS Agana missions requested by the Navy. Should the Base Closure and Realignment Commission reach a decision on consolidation of missions at Andersen AFB, the Air Force should continue to operate Andersen AFB as the most effective use of each Service's resources.

Sincerely,

Michael B. Donley

Michael B. Donley
Acting Secretary of the Air Force

ASSISTANT SECRETARY OF DEFENSE
WASHINGTON, D.C. 20301-8000

PRODUCTION AND
LOGISTICS

JUN 22 1993

Mr. Jim Courter
Chairman
Defense Base Closure and
Realignment Commission
1700 N. Moore Street, Suite 1425
Arlington, Virginia 22209

Dear Mr. Courter:

Senator Paul J. Sarbanes sent a letter to you on May 6, 1993, requesting your Commission's review of the planned disposal of Tipton Army Airfield at Fort Meade, Maryland.

The Deputy Secretary of Defense determined, in a June 4, 1993, memorandum, that he cannot support a request from National Security Agency (NSA) to remove 440 acres at Fort Meade from planned closures resulting from the 1988 Base Closure and Realignment Report. He cited the importance of maximizing the decrease in DoD facilities infrastructure to match the overall DoD downsizing, and that operational security arguments provided by NSA do not support increasing the security envelope within the existing threat possibilities already surrounding NSA.

If we can be of further assistance in this matter, please let us know.

Sincerely,

David J. Berteau

David J. Berteau
Principal Deputy

< CONFIRMATION REPORT >

06-22-1993(TUE) 19:10

[RECEIVE]

NO.	DATE	TIME	DESTINATION	PG.	DURATION	MODE	RESULT
5600	6-22	19:00	7036951493	18	0°09'24"	NORM.E	OK
				18	0°09'24"		

1) Mare Isl NSY
- rec failed to include NRC,
An errata, rec'd closed tab.
Not included in accepted DoD rec
motion. DoD can do on own?

2) NTC San Diego — failed to say
retain certain hsg. (MRN)
- do subst dev version that incls
~~the~~ DoD rec + this.

3) MCAS El Toro — diff.

4) Cecil Field — (SC)
Cherry Pt. —

DoD TECHNICAL CORRECTIONS OF JUNE

✓(1) Mare Island Naval Shipyard (Vallejo, California)
DoD omission of NRC. Not included by Commission.
✓(2) Marine Corps Air Station (El Toro, California)
DoD omission of relocation of NAVY, Marine aviation assets to other naval stations. NOT INC. COMM.
✓(3) Naval Air Station (Alameda, California)
DoD omission of reserve aircraft ~~missions~~ movements. Not included.
✓(4) Naval Training Center (San Diego, California)

✓(5) Naval Air Station Cecil Field (Jacksonville, Florida)

✓(6) Naval Air Station Barbers Point (Hawaii)
~~DoD~~ omission of relocation of aviation assets to other NAS. NOT
some but not all ✓(7) Naval Electronic Centers
Title NEC is changed for clarity - included. Other omissions not included.
✓(8) Naval Station (Staten Island, New York)
Tenant change included. Housing (?)
✓(9) Naval Surface Warfare Center Detachment (White Oak, Maryland)
?
✓(10) 1st Marine Corps District (Garden City, New York)
Complete reversal. Not included
✓(11) Naval Air Station (Memphis, Tennessee)
?
✓(12) Planning, Estimating, Repair and Alteration Centers (PERA)
name correction included
✓(13) Naval Surface Warfare Center Detachment (Annapolis, Maryland)
?
✓(14) Submarine Maintenance, Engineering, Planning, and Procurement (SUBMEPP) (Portsmouth, New Hampshire)
error - Command doesn't exist at installation | included by Commission.
✓(15) National Capital Region (NCR) Activities
error in region -
(16) Marine Corps Air Station (Tustin, California) →
no - (already covered because its an ADD)

Army - Polygraph - substantive - not included by Commission.
change in receiver,

AF - Boyston -

Army → name change - included

(?) Army ✓ ~~[illegible]~~ in justification

Sp Problems

Carswell - prob

TECHNICAL CORRECTIONS

Continuing review of Department of the Navy recommendations for closure or realignment of Navy and Marine Corps installations has revealed minor inconsistencies between certain "Recommendation" sections and the corresponding Base Structure Evaluation Committee (BSEC) decisions as they are recorded in the official minutes and deliberative reports, as well as a failure of certain "Recommendation" sections to include all aspects of a proposed closure or realignment. The Department of the Navy considers that the "Recommendation" paragraph controls over any inconsistency between that section and other sections relating to an individual activity. The following recommended corrections identify these inconsistencies and omissions and are intended to minimize questions that might arise during implementation of any Department of the Navy recommended closures or realignments that are adopted by the Base Closure and Realignment Commission. These corrections are shown in line-in/line-out format.

1. Recommended Change: Recommend the OSD Report, page 54 (DON Report, page D-9) be amended as follows:

Mare Island Naval Shipyard, Vallejo, California

Recommendation: Close the Mare Island Naval Shipyard (NSY). Relocate the Combat Systems Technical Schools Command activity to Dam Neck, Virginia. Relocate one submarine to the Naval Submarine Base, Bangor, Washington. The Naval Reserve Center disestablishes. Family housing located at Mare Island NSY will be retained as necessary to support Naval Weapons Station Concord.

Rationale: Consistent with OSD policy to account for all Reserve component actions at closing installations, the BSEC directed the closure or realignment of all reserve centers at such installations. The Naval Reserve Center, Vallejo disestablishment was included in the COBRA analysis, but was inadvertently omitted from the recommendation. The Selected Reservists who presently drill at NRC Vallejo will go to NRC Sacramento to drill. This change has no effect on return on investment or economic impact calculations or environmental impact assessments.

2. Recommended Change: Recommend the OSD Report, page 55 (DON Report, page I-31) be amended as follows:

Marine Corps Air Station El Toro, California

Recommendation: Close Marine Corps Air Station (MCAS) El Toro, California. Relocate its aircraft along with their dedicated personnel, equipment and support to other naval air stations, primarily Naval Air Station (NAS), Miramar, California and MCAS Camp Pendleton, California. To

support this relocation, relocate aviation assets from NAS Miramar, as necessary, to other naval air stations, including NAS Lemoore and NAS Fallon. The Marine Corps Reserve Center relocates to NAS Miramar. NO

Rationale: The recommended closures of NAS Barbers Point and MCAS El Toro, and the decision not to construct MCAS Twentynine Palms, involve relocation of Navy and Marine aviation assets to other naval air stations. This relocation was not clear in the recommendation as written, which could impede implementation. Accordingly, in order to ensure complete clarity, the additional language fully explains the entire range of actions. Consistent with OSD policy to account for all Reserve component actions at closing installations, the BSEC directed the closure or realignment of all reserve centers at such installations. The Marine Corps Reserve Center, El Toro movement was included in the COBRA analysis, but was inadvertently omitted from the recommendation. These changes have no effect on return on investment or economic impact calculations or environmental impact assessments.

3. Recommended Change: Recommend the OSD Report, page 56 (DON Report, page I-41) be amended as follows:

Naval Air Station Alameda, California

Recommendation: Close Naval Air Station (NAS), Alameda, California and relocate its aircraft along with the dedicated personnel, equipment and support to ~~NASA Ames/Moffett Field, California and~~ NAS North Island. In addition, those ships currently berthed at NAS Alameda will be relocated to the Fleet concentrations at San Diego and Bangor/Puget Sound/Everett. Disposition of major tenants is as follows: reserve aviation assets relocate to NASA Ames/Moffett Field, California, NAS Whidbey Island, and NAS Willow Grove; Navy Regional Data Automation Center, San Francisco realigns to NAS North Island; Ship Intermediate Maintenance Department disestablishes; the Naval Air Reserve Center and the Marine Corps Reserve Center relocate to leased space at NASA/Ames.

Chuck OK

NO Clarity

Rationale: The recommendation as written did not distinguish between active duty aviation assets and tenant reserve aviation assets. Part of the COBRA analysis for this scenario involved movement of reserve aircraft to NAS Whidbey Island and NAS Willow Grove, in addition to NASA/Ames. Mention of these movements was inadvertently omitted from the recommendation, and its absence could impede implementation. This change has no effect on return on investment or economic impact calculations or environmental impact assessments.

Cherry Point; Aviation Intermediate Maintenance Department relocates to MCAS Cherry Point; Air Maintenance Training Group Detachment, Fleet Aviation Support Office Training Group Atlantic, and Sea Operations Detachment relocate to MCAS Cherry Point and NAS Oceana.

C. Pecunit know DIOSS?

Rationale: Part of the COBRA analysis for this scenario involved movement of Marine Corps aviation assets from MCAS Cherry Point to NAS Norfolk. Mention of this movement was inadvertently omitted from the recommendation, and its absence could impede implementation. Accordingly, in order to ensure complete clarity, the additional language fully explains the entire range of actions. This change has no effect on return on investment or economic impact calculations or environmental impact assessments.

6. Recommended Change: Recommend the OSD Report, page 64 (DON Report, page I-19) be amended as follows:

Naval Air Station Barbers Point, Hawaii

Recommendation: Close the Naval Air Station (NAS) Barbers Point and relocate its aircraft along with their dedicated personnel, ~~and~~ equipment, and support to other naval air stations, primarily Marine Corps Air Station (MCAS), Kaneohe Bay, Hawaii and NAS Whidbey Island, Washington. To support this relocation, relocate aviation assets from MCAS Kaneohe Bay, as necessary, to other naval air stations, including MCAS Miramar and MCAS Camp Pendleton. Disestablish the Naval Air Reserve Center. Retain the family housing as needed for multi-service use.

ok if subdes

can't do

no

Rationale: The recommended closures of NAS Barbers Point and MCAS El Toro, and the decision not to construct MCAS Twentynine Palms, involve relocation of Navy and Marine aviation assets to other naval air stations. This relocation was not clear from the recommendation as written, which could impede implementation. Accordingly, in order to ensure complete clarity, the additional language fully explains the entire range of actions. Consistent with OSD policy to account for all Reserve component actions at closing installations, the BSEC directed the closure or realignment of all reserve centers at such installations. The Naval Air Reserve Center, Barbers Point disestablishment was included in the COBRA analysis, but was inadvertently omitted from the recommendation. The squadrons supported by that NARCEN will be based at MCAS Kaneohe Bay. These changes have no effect on return on investment or economic impact calculations or environmental impact assessments.

No

But "from"

7. Recommended Change: Recommend the OSD Report, page 66 (DON Report, page K-11) be amended as follows:

4. Recommended Change: Recommend the OSD Report, page 60 (DON Report, page H-5) be amended as follows:

Naval Training Center, San Diego, California

Recommendation: Close the Naval Training Center (NTC), San Diego and relocate certain personnel, equipment and support to NTC Great Lakes, and other locations, consistent with training requirements. Disposition of major tenants is as follows: Recruit Training Command relocates to NTC, Great Lakes; Branch Medical Clinic relocates to Submarine Base, San Diego; Naval Recruiting District relocates to Naval Air Station North Island; Service School Command (Electronic Warfare) relocates to Naval Training Center, Great Lakes; Service School Command (Surface) relocates to NTC Great Lakes; the remainder of the Service School Command relocates to NTC Great Lakes, Naval Air Station Pensacola, and Fleet Training Center, San Diego. The bachelor quarters and adjacent non-appropriated fund activities (marinas) located aboard NTC San Diego property will be retained by the Navy to support other naval activities in the San Diego area.

clarify

maybe - housing

Rationale: Information brought to the attention of the Department of the Navy reveals that the bachelor officer quarters (BOQs) and bachelor enlisted quarters (BEQs) presently on the plant account of NTC San Diego support all of the naval activities in the San Diego area, and there is a continuing requirement for that support, notwithstanding the recommended NTC San Diego closure. The language regarding the non-appropriated fund activities is specific to the marinas located next to the BOQs/BEQs, and is included only because the geography of that particular area might call into question whether the property is to be disposed of. These changes have no effect on return on investment or economic impact calculations or environmental impact assessments.

5. Recommended Change: Recommend the OSD Report, page 61 (DON Report, page I-7) be amended as follows:

Naval Air Station Cecil Field, Jacksonville, Florida

did not do

Recommendation: Close Naval Air Station, Cecil Field and relocate its aircraft along with dedicated personnel, equipment and support to Marine Corps Air Station, Cherry Point, North Carolina; Naval Air Station, Oceana, Virginia, and Marine Corps Air Station, Beaufort, South Carolina. To support this relocation, relocate aviation assets from MCAS Cherry Point, as necessary, to NAS Norfolk. Disposition of major tenants is as follows: Marine Corps Security Force Company relocates to MCAS

No

(?) why

Cherry Pt doesn't have notice of LOSS

Not on Sec's add list

~~Naval Electronic Centers~~ OK name change
Naval Command, Control and Ocean Surveillance Center
East Coast Naval In-Service Engineering Directorate

Recommendation: Close Naval Electronics Systems Engineering ~~Center (NESEC)~~ Activity (NESEA) St. Inigoes, Maryland, disestablish Naval Electronics Systems ~~Engineering~~ Center (NESEC) Charleston, South Carolina, NESEC Portsmouth, Virginia, and Naval Electronics ~~Security Systems Engineering~~ Center (NESSEC), Washington, DC. Consolidate the Centers into an East Coast ~~NESEC~~ Naval In-Service Engineering Directorate (NISE) ~~at~~ in the Portsmouth, Virginia area. The ATC/ACLS facility at St. Inigoes and the Aegis Radio Room Laboratory will remain in place and will be transferred to Naval Air Systems Command.

Rationale: During deliberations on technical centers, the BSEC intended the movement of NESEC activities to Portsmouth, Virginia, to be a consolidation of the East Coast NESECs, and formation of an East Coast NISE, similar to the one that resulted from the 1991 recommendations for closure/consolidation on the West Coast. Inclusion of NESEC Portsmouth to make this intent clear was inadvertently omitted from the original recommendation language; the title of the recommendation is likewise changed for clarity. Additionally, the COBRA analysis revealed that some of the NESEC Portsmouth functions are currently in various locations in the Hampton Roads area, which will continue to be available for the consolidation. Omission of these changes could impede implementation. These changes have no effect on return on investment or economic impact calculations or environmental impact assessments.

8. Recommended Change: Recommend the OSD Report, page 70 (DON Report, page A-17), be amended as follows:

Naval Station, Staten Island, New York

Recommendation: Close Naval Station Staten Island. Relocate its ships along with their dedicated personnel, equipment and support to Naval Stations, Norfolk, Virginia and Mayport, Florida. Disposition of minor tenants is as follows: Ship intermediate Maintenance Activity, New York relocates to Earle, New Jersey and Norfolk, Virginia; ~~Recruiting District, New York disestablishes;~~ Supervisor of Shipbuilding, Conversion and Repair (SUPSHIP), Brooklyn Detachment disestablishes. Family housing located at Naval Station, Staten Island, will be retained as necessary to support Naval Weapons Station, Earle, New Jersey.

OK name change

(w/ sub chg)

-? not sure

Rationale: Information brought to the attention of the Department of the Navy reveals that Naval Recruiting District (NRD), New York, is not a tenant of NAVSTA Staten Island, and was inadvertently included in the list of tenants to be eliminated only because it is in the same geographic area. NRD New York's area of responsibility covers New York, New Jersey, and some of Eastern Pennsylvania, and there is a continuing need for its existence. The BSEC had agreed during its deliberations to recommend to OSD that the 801 housing project associated with Naval Staten, Staten Island be retained to support WPNSTA Earle. While the majority of similar family housing recommendations were incorporated by OSD, this one was erroneously omitted. These changes have no appreciable effect on return on investment or economic impact calculations or environmental impact assessments.

error

not ? sure

9. Recommended Change: Recommend the OSD Report, page 77 (DON Report, page K-23) be amended as follows:

Naval Surface Warfare Center Detachment
White Oak, Maryland

Recommendation: Disestablish the White Oak Detachment of the Naval Surface Warfare Center (NSWC) (Dahlgren), located at White Oak, Maryland. Relocate its functions, personnel, equipment and support to NSWC-Dahlgren, Virginia, NSWC-Indian Head, Indian Head, Maryland, and NSWC-Dahlgren, Coastal Systems Station, Panama City, Florida. The property and facilities at White Oak will be retained for use by the Navy so that it may, among other things, relocate the Naval Sea Systems (NAVSEA) Command from leased space in Arlington, Virginia.

Rationale: Part of the COBRA analysis for this scenario involved movement of functions and personnel to Dahlgren, Indian Head, and Panama City. Mention of these movements was inadvertently omitted from the recommendation, and their absence could impede implementation. This change has no effect on return on investment or economic impact calculations or environmental impact assessments.

reserve

not sure

10. Recommended Change: Recommend the OSD Report, page 78 (DON Report, page N-7) be amended as follows:

1st Marine Corps District
Garden City, New York

Recommendation: Close the 1st Marine District, Garden City, New York and relocate necessary personnel, equipment and support to the Defense Distribution Region East, New Cumberland, Pennsylvania. The Defense Contract Management Area Office, a present tenant in the facility occupied by this activity as its host, will remain in

tenant

~~place and assume responsibility for this facility.~~ The Marine Corps Reserve Center, Garden City will relocate to Fort Hamilton, New York.

No - complete reversal

Rationale: Information brought to the attention of the Department of the Navy reveals that DLA may not wish to retain the Garden City facility. The recommended change allows disposal of the facility consistent with DoD policy, to include transferral of ownership to DLA. This change has no effect on return on investment or economic impact calculations or environmental impact assessments.

11. Recommended Change: Recommend the OSD Report, page 79 (DON Report, page S-5) be amended as follows:

Naval Air Station Memphis, Tennessee

Recommendation: Realign Naval Air Station (NAS) Memphis by terminating the flying mission and relocating its reserve squadrons to Carswell AFB, Texas. Relocate the Naval Air Technical Training Center to NAS Pensacola, Florida. Disestablish the Naval Air Reserve Center, and relocate the Marine Corps (Wing) Reserve Center Millington to Carswell AFB. The Bureau of Naval Personnel, currently in Washington DC, will be relocated to NAS Memphis as part of a separate recommendation.

Same as NAS reserve squadrons?

?

Rationale: Consistent with OSD policy to account for all Reserve component actions at closing installations, the BSEC directed the closure or realignment of all reserve centers at such installations. The Naval Air Reserve Center disestablishment and the Marine Corps (Wing) Reserve Center movement were included in the COBRA analysis, but inadvertently omitted from the recommendation. These changes have no effect on return on investment or economic impact calculations or environmental impact assessments.

12. Recommended Change: Recommend the OSD Report, page 82 (DON Report, page K-43) be amended as follows:

Planning, ~~Estimating,~~ Engineering for Repair and Alteration Centers (PERA)

Recommendation: Disestablish the following four technical centers and relocate necessary functions, personnel, equipment, and support at the Supervisor of Shipbuilding, Conversion and Repair, San Diego, California, Portsmouth, Virginia and Newport News, Virginia:

(PERA)-(CV), Bremerton, Washington,
(PERA)-(Surface) Atlantic, Norfolk, Virginia,

(PERA)-(Surface) Pacific, San Francisco, California,
(PERA)-(Surface) (HQ), Philadelphia, Pennsylvania.

name correction

Rationale: This change is merely to correct the name of these activities, and has no effect on return on investment or economic impact calculations or environmental impact assessments.

13. Recommended Change: Recommend the OSD Report, page 85 (DON Report, page K-55) be amended as follows:

Naval Surface Warfare Center Detachment
Annapolis, Maryland

Recommendation: Disestablish the Naval Surface Warfare Center (NSWC)-Carderock, Annapolis Detachment, Annapolis, Maryland, and relocate the necessary functions, personnel, equipment and support to the Naval Surface Warfare Center (NSWC)-Carderock, Philadelphia Detachment, Philadelphia, Pennsylvania, and NSWC-Carderock, Bethesda, Maryland. The ship survivability and propulsion/ auxiliary/electrical distribution systems research and design facilities will remain in place. The tenant Electromagnetic Compatibility Analysis Center will remain in place.

kept open

prob not substantive
prob-OK-depends where we draw the line

Rationale: The COBRA analysis for this recommendation called for leaving in a caretaker status all of the unique equipment and facilities that would be costly to move or replicate. The BSEC intention, based upon the certified COBRA data call response from the activity, was to transfer personnel to Philadelphia and Bethesda, who could then make trips to Annapolis to use the facilities when required. Once the decision was made to retain the Annapolis facilities, the major tenant likewise remained in place. This language was inadvertently omitted from the recommendation, and could impede implementation. These changes have no effect on return on investment or economic impact calculations or environmental impact assessments.

14. Recommended Change: Recommend the OSD Report, page 89 (DON Report, page K-51) be amended as follows:

Submarine Maintenance, Engineering, Planning, and Procurement (SUBMEPP), Portsmouth, New Hampshire

Recommendation: Disestablish the Submarine Maintenance, Engineering, Planning and Procurement (SUBMEPP), New Hampshire and relocate the necessary functions, personnel, equipment, and support at ~~Supervisor of Shipbuilding, Conversion and Repair,~~ Portsmouth Naval Shipyard, Kittery, Maine.

error is now OK

Rationale: There is no SUPSHIP at Portsmouth Naval Shipyard; mention of it was mere error. The COBRA analysis called for relocation of this activity to Portsmouth Naval Shipyard. This change has no effect on return on investment or economic impact calculations or environmental impact assessments.

15. Recommended Change: Recommend the OSD Report, pages 96 and 97 (DON Report, pages L-1 and L-2) be amended as follows:

National Capital Region (NCR) Activities

Recommendation: Realign Navy National Capital Region activities and relocate them as follows:

Naval Air Systems Command, to
Naval Air Station
Patuxent River, Maryland

Naval Supply Systems Command,
(including Food Service System Office, and
Defense Printing Management Systems Office) to
Ship Parts Control Center
Mechanicsburg, Pennsylvania

Bureau of Naval Personnel
(including Office of Military Manpower Management) to
Naval Air Station
Memphis, Tennessee

Naval Recruiting Command to
Naval Training Center
Great Lakes, Illinois

Naval Security Group Command,
(including Security Group Station, and
Security Group Detachment, Potomac) to
National Security Agency
Ft. Meade, Maryland

Tactical Support Office Activity to
Commander-in-Chief
Atlantic Fleet
Norfolk, Virginia

Relocate the following National Capital Region activities from leased space to Government-owned space ~~in one of these locations:~~ within the NCR, to include the Navy Annex, Arlington, Virginia; Washington Navy Yard, Washington, D.C.; 3801 Nebraska Avenue, Washington, D.C.; Marine Corps Combat Development Command, Quantico, Virginia; ~~or~~ and the White Oak facility, Silver Spring, Maryland:

broadens the available receivers - not a notice issue but still a change!

who cares?

Naval Sea Systems Command
Naval Facilities Engineering Command
Space and Naval Warfare Systems Command
Office of the General Counsel
Office of the Judge Advocate General
Navy Field Support Activity
Office of the Secretary of the Navy
* Legislative Affairs
* Program Appraisal
* Comptroller
* Inspector General
* Information
Office of the Chief of Naval Operations
Office of Civilian Manpower Management
International Programs Office
Combined Civilian Personnel Office
Navy Regional Contracting Center
Naval Criminal Investigative Service
Naval Audit Service
Strategic Systems Programs Office
Office of Naval Research
Office of the Deputy Chief of Staff (Installations & Logistics), U.S. Marine Corps
Office of the Deputy Chief of Staff (Manpower & Reserve Affairs), U.S. Marine Corps
Marine Corps Systems Command (Clarendon Office)

(?

Rationale: The BSEC decision during their deliberations was to move activities out of leased space and into any available government-owned space. The list of possible government-owned space was not intended to be all-inclusive, and so should be changed for clarity. Additionally, the Office of Naval Research was inadvertently ~~omitted~~ from the list of activities ~~currently~~ in leased space. These changes have no effect on return on investment or economic impact calculations or environmental impact assessments.

16. Recommended Change: The following recommendation was omitted from the OSD Report (DON Report, page T-19) and should be added:

Marine Corps Air Station Tustin, California

totally new

was this part of the motion that passed? If not, is that intentional?

Recommendation: Recommend that the Tustin assets be relocated to other naval air stations, primarily NAS Miramar and MCAS Camp Pendleton, as a companion to the closure of MCAS El Toro and relocation of its assets to NAS Miramar.

Justification: In the 1991 Commission Report, the Commission recommended the closure of Marine Corps Air Station, Tustin California, with proposed realignment of this station's assets either to the Marine Air-Ground

(page 11?)

Combat Center, Twentynine Palms, California, or Marine Corps Air Station, Camp Pendleton, California. Because of the approved 1999 force structure plan, and as detailed in Attachment I to this report, the Department of the Navy is recommending a number of closures and relocations regarding those operational air stations that support the Pacific Fleet. Because of the declining force structure and the thus-created additional excess capacity to that which existed in the BRAC-91 time frame, the Department was able to configure these air stations so as to avoid the need for the substantial expenditure of building a new station at Twentynine Palms and still have adequate capacity for the assets from MCAS Tustin, which is being closed in accordance with the BRAC-91 decision.

Return on Investment: Costs and savings related to the closure of MCAS Tustin were addressed in BRAC-91. Cost avoidances associated with this recommendation to change the receiving sites are included in the return on investment calculations affecting operational air stations on the West Coast and Hawaii.

Impacts: All environmental clean-ups will continue until complete. Economic and community infrastructure impacts have been incorporated into the discussion relating to operational air stations on the West Coast and Hawaii.

Totally new rec! but

Rationale: Although the OSD report mentions the Tustin recommendation change in three places (page 25, page 33, and page 235), the actual recommendation was omitted from the Department of the Navy portion of the report.

Document Separator

FINAL DRAFT

HEARING OF MAY 21, 1993

A. Motions Passed

1. I move that the Commission consider Fort Lee, VA, as a proposed addition to the Secretary's list of military installations recommended for closure.

   Motion made by: Stuart
   Motion seconded by: Bowman
   Vote for: Unanimous (7)
   Vote against: (0)

2. On March 29, 1993, the Commission voted to add Presidio of Monterey Language Institute (DLI), CA, to the list of proposed additions to the Secretary's list for closure or realignment.

   The POM Annex/Fort Ord, CA, is a subinstallation of Presidio of Monterey and was included in the Secretary of Army's recommendation re: Presidio of Monterey for closure.

   In order to clarify for the record that the intent of the Commission was and is to consider POM Annex/Fort Ord for closure or realignment, I move that the Commission confirm its intention to consider POM Annex/Fort Ord, CA, as a proposed addition to the Secretary's list of military installations recommended for closure or realignment.

   Motion made by: Courter
   Motion seconded by: Byron
   Vote for: Unanimous (7)
   Vote against: (0)

3. I move that the Commission consider Fort Monroe, VA, as a proposed addition to the Secretary's list of military installations recommended for closure or realignment.

   Motion made by: Stuart
   Motion seconded by: McPherson
   Vote for: Unanimous (7)
   Vote against: (0)

4. I move that the Commission consider Fort Gillem, GA, as a proposed addition to the Secretary's list of military installations recommended for closure or realignment.

Motion made by: Johnson
Motion seconded by: Bowman

Motion to amend/table motion:

Motion made by: McPhearson
Motion seconded by: Stuart/Bowman
Vote for: Stuart, Byron, Courter, McPherson, Cox, Bowman (6)
Vote against: Johnson (1)

I move that the Commission consider the previously deferred and tabled motion on Fort Gillem, GA; specifically I move that the Commission consider Fort Gillem, GA, as a proposed addition to the Secretary's list of military installations recommended for closure or realignment.

Motion made by: Courter
Motion seconded by: Johnson
Vote for: Stuart, Johnson, Courter, Cox, Bowman (5)
Vote against: Byron, McPherson (2)

5. I move that the Commission consider Marcus Hook, U.S. Army Reserve Center, PA, as a proposed addition to the Secretary's list of military installations recommended for closure or realignment.

Motion made by: Courter
Motion seconded by: Stuart
Vote for: Stuart, Johnson, Courter, McPherson, Bowman (5)
Vote against: Byron, Cox (2)

6. I move that the Commission consider NSY Norfolk and Defense Distribution Depot, Norfolk, VA, as proposed additions to the Secretary's list of military installations recommended for closure or realignment.

Motion made by: McPherson
Motion seconded by: Cox/Stuart
Vote for: Stuart, Courter, McPherson, Cox (4)
Vote against: Byron, Johnson (2)
Recused: Bowman (1)

7. I move that the Commission consider NSY Portsmouth, ME, as a proposed addition to the Secretary's list of military installations recommended for closure or realignment.

Motion made by: Stuart
Motion seconded by: McPherson
Vote for: Stuart, Byron, Johnson, Courter, McPherson, Cox (6)
Vote against: (0)
Recused: Bowman (1)

8. I move that the Commission consider NSY Long Beach, CA, as a proposed addition to the Secretary's list of military installations recommended for closure or realignment.

Motion made by: Stuart
Motion seconded by: Johnson
Vote for: Stuart, Byron, Johnson, Courter, McPherson, Bowman (6)
Vote against: Cox (1)

9. I move that the Commission consider NAS Oceana, VA, as a proposed addition to the Secretary's list of military installations recommended for closure or realignment.

Motion made by: Johnson
Motion seconded by: Stuart
Vote for: Stuart, Johnson, Courter, McPherson, Cox, Bowman (6)
Vote against: Byron (1)

10. I move that the Commission consider MCAS Beaufort and NAVHOSP Beaufort, SC, as proposed additions to the Secretary's list of military installations recommended for closure or realignment.

Motion made by: McPherson
Motion seconded by: Johnson
Vote for: Stuart, Johnson, Courter, McPherson, Cox, Bowman (6)
Vote against: Byron (1)

11. I move that the Commission consider NAS Miramar, CA, as a proposed addition to the Secretary's list of military installations recommended for closure or realignment.

Motion made by: McPherson
Motion seconded by: Johnson
Vote for: Stuart, Byron, Johnson, Courter, McPherson, Bowman (6)
Vote against: (0)
Recused: Cox (1)

12. I move that the Commission consider MCAS Tustin, CA, as a proposed addition to the Secretary's list of military installations recommended for realignment.

    Motion made by: Bowman
    Motion seconded by: Stuart
    Vote for: Stuart, Johnson, Courter, McPherson, Bowman (5)
    Vote against: Byron (1)
    Recused: Cox (1)

13. I move that the Commission consider NAS Corpus Christi and NAVHOSP Corpus Christi, TX, as proposed additions to the Secretary's list of military installations recommended for closure or realignment.

    Motion made by: Johnson
    Motion seconded by: Stuart
    Vote for: Unanimous (7)
    Vote against: (0)

14. I move that the Commission consider NAVSTA Ingleside, TX, as a proposed addition to the Secretary's list of military installations recommended for closure or realignment.

    Motion made by: Stuart
    Motion seconded by: Bowman
    Vote for: Unanimous (7)
    Vote against: (0)

15. I move that the Commission consider NAVSTA Pascagoula, MS, as a proposed addition to the Secretary's list of military installations recommended for closure or realignment.

    Motion made by: Johnson
    Motion seconded by: McPherson
    Vote for: Unanimous (7)
    Vote against: (0)

16. I move that the Commission consider NAVSTA Everett, WA, as a proposed addition to the Secretary's list of military installations recommended for closure or realignment.

    Motion made by: McPherson
    Motion seconded by: Cox
    Vote for: Unanimous (7)
    Vote against: (0)

17. I move that the Commission consider NAVHOSP Great Lakes, IL, as a proposed addition to the Secretary's list of military installations recommended for closure or realignment.

    Motion made by: Byron
    Motion seconded by: McPherson
    Vote for: Byron, Johnson, Courter, McPherson, Cox, Bowman (6)
    Vote against: (0)
    Recused: Stuart (1)

18. I move that the Commission consider Ship Parts Control Center, Mechanicsburg, PA, as a proposed addition to the Secretary's list of military installations recommended for closure or realignment.

    Motion made by: Courter
    Motion seconded by: Stuart
    Vote for: Stuart, Byron, Courter, McPherson (4)
    Vote against: Johnson, Cox, Bowman (3)

19. I move that the Commission consider NESEC Portsmouth, VA, as a proposed addition to the Secretary's list of military installations recommended for closure or realignment.

    Motion made by: McPherson
    Motion seconded by: Johnson
    Vote for: Unanimous (7)
    Vote against: (0)

20. I move that the Commission consider NAF Martinsburg, WV, as a proposed addition to the Secretary's list of military installations recommended for closure or realignment.

    Motion made by: Stuart
    Motion seconded by: Bowman
    Vote for: Unanimous (7)
    Vote against: (0)

21. I move that the Commission consider NAF Johnstown, PA, as a proposed addition to the Secretary's list of military installations recommended for closure or realignment.

    Motion made by: Bowman
    Motion seconded by: McPherson
    Vote for: Unanimous (7)
    Vote against: (0)

22. I move that the Commission consider NRC/AFRC, Chicopee, NMCRC Lawrence and NRC Quincy, MA, as proposed additions to the Secretary's list of military installations recommended for closure or realignment.

    Motion made by: McPherson
    Motion seconded by: Bowman
    Vote for: Stuart, Johnson, Courter, McPherson, Cox, Bowman (6)
    Vote against: Byron (1)

23. I move that the Commission consider Naval Ordnance Station, Louisville, KY, as a proposed addition to the Secretary's list of military installations recommended for closure or realignment.

    Motion made by: Stuart
    Motion seconded by: Johnson
    Vote for: Unanimous (7)
    Vote against: (0)

24. I move that the Commission consider NAS Memphis, TN, for a proposed increase in the extent of realignment recommended by the Secretary and/or as a proposed addition to the Secretary's list of military installations recommended for closure; I further move that the Commission consider NAVHOSP Millington, TN, as a proposed addition to the Secretary's list of military installations recommended for closure or realignment.

    Motion made by: McPherson
    Motion seconded by: Cox
    Vote for: Unanimous (7)
    Vote against: (0)

25. I move that the Commission consider Fort McPherson, GA, as a proposed addition to the Secretary's list of military installations recommended for closure or realignment.

    Motion made by: Bowman
    Motion seconded by: Cox
    Vote for: Stuart, Courter, Cox, Bowman (4)
    Vote against: Byron, Johnson, McPherson (3)

26. I move that the Commission consider Plattsburgh AFB, NY, as a proposed addition to the Secretary's list of military installations recommended for closure or realignment.

Motion made by: McPherson
Motion seconded by: Cox
Vote for: Unanimous (7)
Vote against: (0)

27. I move that the Commission consider Fairchild AFB, WA, as a proposed addition to the Secretary's list of military installations recommended for closure or realignment.

Motion made by: Courter
Motion seconded by: Stuart
Vote for: Stuart, Johnson, Courter, McPherson, Cox, Bowman (6)
Vote against: Byron (1)

28. I move that the Commission consider Grand Forks AFB, ND, as a proposed addition to the Secretary's list of military installations recommended for closure or realignment.

Motion made by: Byron
Motion seconded by: Stuart
Vote for: Unanimous (7)
Vote against: (0)

29. I move that the Commission consider Tinker AFB and Defense Distribution Depot, Oklahoma City, OK, as proposed additions to the Secretary's list of military installations recommended for closure or realignment.

Motion made by: Byron
Motion seconded by: Cox/Bowman
Vote for: Unanimous (7)
Vote against: (0)

30. I move that the Commission consider RPC Tinker AFB (LSBA-IPC Oklahoma City) Oklahoma City, OK, as a proposed addition to the Secretary's list of military installations recommended for closure or realignment.

Motion made by: Byron
Motion seconded by: Stuart
Vote for: Unanimous (7)
Vote against: (0)

31. I move that the Commission consider Warner-Robins AFB, RPC Warner-Robins (LSBA-IPC Warner-Robins) and Defense Distribution Depot, Warner-Robins, GA, as proposed additions to the Secretary's list of military installations recommended for closure or realignment.

    Motion made by: Stuart
    Motion seconded by: Bowman
    Vote for: Unanimous (7)
    Vote against: (0)

32. I move that the Commission consider Kelly AFB, RPC Kelly AFB (LSBA-IPC San Antonio) and Defense Distribution Depot, San Antonio, TX, as proposed additions to the Secretary's list of military installations recommended for closure or realignment.

    Motion made by: Cox
    Motion seconded by: Stuart
    Vote for: Stuart, Courter, McPherson, Cox, Bowman (5)
    Vote against: Byron, Johnson (2)

33. I move that the Commission consider NADEP North Island and Defense Distribution Depot, San Diego, CA, as proposed additions to the Secretary's list of military installations recommended for closure or realignment.

    Motion made by: Courter
    Motion seconded by: McPherson
    Vote for: Unanimous (7)
    Vote against: (0)

34. I move that the Commission consider NADEP Cherry Point and Defense Distribution Depot, Cherry Point, NC, as proposed additions to the Secretary's list of military installations recommended for closure or realignment.

    Motion made by: Courter
    Motion seconded by: McPherson
    Vote for: Unanimous (7)
    Vote against: (0)

35. I move that the Commission consider NADEP Jacksonville and Defense Distribution Depot, Jacksonville, FL, as proposed additions to the Secretary's list of military installations recommended for closure or realignment.

Motion made by: McPherson
Motion seconded by: Bowman
Vote for: Unanimous (7)
Vote against: (0)

36. I move that the Commission consider MCLB Albany and Defense Distribution Depot, Albany, GA, as proposed additions to the Secretary's list of military installations recommended for closure or realignment.

Motion made by: Stuart
Motion seconded by: Bowman
Vote for: Unanimous (7)
Vote against: (0)

37. I move that the Commission consider MCLB Barstow and Defense Distribution Depot, Barstow, CA, as proposed additions to the Secretary's list of military installations recommended for closure or realignment.

Motion made by: Stuart
Motion seconded by: Bowman
Vote for: Unanimous (7)
Vote against: (0)

38. I move that the Commission consider Red River Army Depot and Defense Distribution Depot, Red River, TX; Anniston Army Depot and Defense Distribution Depot, Anniston, AL; Tobyhanna Army Depot, PA; Seal Beach, Naval Weapon Station, CA; and Air Force Logistics Center, Ogden, UT as proposed additions to the Secretary's list of military installations recommended for closure or realignment.

Motion made by: Cox
Motion seconded by: Bowman
Vote for: Unanimous (7)
Vote against: (0)

39. I move that the Commission consider Defense Construction Supply Center (DCSC) and Defense Information Technology Services Organization (DITSO) (RMBA Columbus), Columbus, OH, as proposed additions to the Secretary's list of military installations recommended for closure or realignment.

Motion made by: Stuart
Motion seconded by: Johnson
Vote for: Unanimous (7)
Vote against: (0)

40. I move that the Commission consider Defense Contract Management District Northeast, MA, as a proposed addition to the Secretary's list of military installations recommended for closure or realignment.

Motion made by: Johnson
Motion seconded by: McPherson
Vote for: Unanimous (7)
Vote against: (0)

41. I move that the Commission consider Defense Distribution Depot, McClellan AFB, CA, and Naval Depot, San Diego, CA,* as proposed additions to the Secretary's list of military installations recommended for closure or realignment.

Motion made by: Johnson
Motion seconded by: Stuart
Vote for: Unanimous (7)
Vote against: (0)

42. I move that the Commission consider DITSO Denver (RMBA Denver), CO; AIPC Chambersburg (MIPA Chambersburg), PA; AIPC Huntsville (MIPA Huntsville), AL; and DITSO Cleveland (RMBA Cleveland), OH as proposed additions to the Secretary's list of military installations recommended for closure or realignment.

Motion made by: Johnson
Motion seconded by: McPherson
Vote for: Unanimous (7)
Vote against: (0)

43. I move that the Commission consider Gentile AFB, OH, as a proposed addition to the Secretary's list of military installations recommended for closure or realignment.

Motion made by: Stuart
Motion seconded by: Johnson
Vote for: Unanimous (7)
Vote against: (0)

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* Naval Depot, San Diego, CA, is the same thing as Motion #33.

B. Motions Failed

1. I move that the Commission consider Fort Leonard Wood, MO, as a proposed addition to the Secretary's list of military installations recommended for closure or realignment.

   Motion made by: Johnson
   Motion seconded by: Bowman
   Vote for: Stuart, Johnson, Bowman (3)
   Vote against: Byron, Courter, McPherson, Cox (4)

2. I move that the Commission consider NSB New London, CT, for a proposed increase in the extent of realignment recommended by the Secretary and/or as a proposed addition to the Secretary's list of military installations recommended for closure; I further move that the Commission consider NAVHOSP Groton, CT, as a proposed addition to the Secretary's list of military installations recommended for closure or realignment.

   Motion made by: Johnson
   Motion seconded by: Cox
   Vote for: Johnson, Cox (2)
   Vote against: Byron, Courter, McPherson, Bowman (4)
   Recused: Stuart (1)

3. I move that the Commission consider McChord AFB, WA, as a proposed addition to the Secretary's list of military installations recommended for closure or realignment.

   Motion made by: Cox
   Motion seconded by: No second

Document Separator

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Discagoula

85. Navy Radio Transmission Facility, Driver, VA
86. Hunters Point Annex to Naval Station Treasure Island, San Francisco
87. Public Works Center, San Francisco, CA
88. Naval Facilities Engineering Command, Western Engineering Field Division, San Bruno, CA
89. NESEA St. Inigoes, MD;NESEA Charleston, SC; and NESSEC Washington, D.C.; NESEA Portsmouth VA
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DEFENSE BASE CLOSURE AND REALIGNMENT COMMISSION
1993 VOTING WORKSHEET

PAGE 1

NAME OF BASE	STATE	SERVICE/ CATEGORY	MOTION BY	VOTE YEA/NAY	DATE OF VOTE	VOTE TO CLOSE OR REALIGN	MISC. NOTES
FORT McCLELLAN	AL	INIT ENTRY TRAINING	HT-1 PB-2	6/1	6/23	REJECT DOD	remain open - RS-no
FORT LEE	VA	" [ADD]	NONE	-	"	-	LEFT ALONE
FT. BELVOIR	VA	Comm/Control	HM-1 RC-2	7/0	"	REALIGN	per DoD rec
PRESIDIO SF	CA	"	RC-1 BB-2	7/0	"	Reject DoD rec + recommend with Army remaining Presidio of SF	
McPHERSON/GILLEM	GA	" [ADD]	HT-1 -	-	"	REMAIN	AS IS
FT. MONROE	VA	" [ADD]	NO	MOTION	OFFERED	REMAIN	AS IS
VINT HILL FARMS	VA	Commodity oriented	HM-1 RS-2	7/0	"	To accept DoD recommendation TO CLOSE.	
FT. MONMOUTH	NJ		HM-1 RC-2	7/0	"	To reject DoD rec + instead: alternative realignment	
Rock Island	IL		HM-1 RS-2	6/1 (BB)	"	Accept DOD - redirect from 91 decision	
Marcus Hook	PA	NO MOTION	TO	ADD	TO	FINAL	LIST - REMAIN AS IS
DLI-Pom	CA		HT-1 HM-2	7/0	6/23	*See attachment	
TOOELE ARMY DEPOT	UT	ARMY DEPOT	HM-1 BB-2	7/0		DOD rec to Realign	
LETTERKENNY	MD	"	RC-1 RS-2	7/0	See	memo	
McGUIRE AFB	NJ	AFB	HT-1 RS-2	6/1 (BB)		selected as E. Coast Mobility base	
GRIFFISS AFB	NY	"	HM-1 BB-2	7/0		REALIGN	per DOD
GRAND FORKS	ND	"	~~HM-1~~		motion moved	to be removed	from consideration

(A) - odd

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PAGE 2

NAME OF BASE	STATE	SERVICE/ CATEGORY	MOTION BY	VOTE YEA/NAY	DATE OF VOTE	VOTE TO CLOSE OR REALIGN	MISC. NOTES
FAIRCHILD AFB	WA	"	—	—	6/24	removed from consideration	
MARCH AFB	CA	"	HT-1 Hm-2	7/0	"	realign per DoD	
* PLATTSBURGH	NY	"	Hm-1 RS-2	6/1 (EB)	"	CLOSE	
K I SAWYER	MI	"	RS-1 PB-2	7/0	"	accept CLOSURE rec	
HOMESTEAD AFB	FL		HT-1 Hm-2	7/0		reject DoD rec to close - realigned instead	
CHARE RESERVE	IL		RS-1 Hm-2	6/1 (BB)		* see attachment	
Kelly AFB	TX	ALC	HT-1 RC-2	7/0	6/25	removed from consideration	
Mather AFB	CA	Δ's to Brac	HT-1 PB-2	7/0		accept DoD rec to redirect to Beale	
Carswell AFB	TX	Δ's to Brac		7/0		accept DoD rec to realign.	
NEWARK AFB	OH	ALC	RS-1 HT-2	7/0		CLOSE per DoD	
McClellan AFB	CA	ALC	HT-1 RC-2	6/1 (RS)		remove from consideration	
Tinker AFB	OK	ALC	HT-1 BB-2	7/0		remove from consideration	
Robins AFB	GA	ALC	HT-2 RS-2	7/0		remove from consideration	
NORFOLK,	VA	SHIP	BB-1 RS-2	6/0 (PB recused)		remove consideration.	
PORTSMOUTH	NH		BB-1 Hm-2	6/0 (PB recused)		remove consideration.	
LONG BEACH	CA		RS-1 HT-2	4/3		against closure - REMAIN ASIS	

for - RS, HT, BB
against JAC, RC, PB, Hm

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* First Base Closed by Commission that was not DoD recommended

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PAGE 3

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CHARLESTON	SC	SHIPYD	HT-1 RS-2	6/0 (10)	6/25		CLOSE but retain cert. facilities
MARE ISL	CA	SHIPYD	HT-1 RS-2	7/0 recused (~~abstained~~)		close per DoD	in case
Rickenbacker ANGB	OH	ATOBRAC				DOD rec except - 178th remains @ Springfield.	
MacDill AFB	FL	ATOBRAC	HT-1 BB-2	7/0	partial DOD -	To keep JCSE @ MACDILL w airfield	DOC op'd
Chanute (page 8)						Joint Com	Support element
Castle	TX						accept DOD to redirect ~~B-52s~~ combat crew training to Barksdale (LA) Altus (OK)
New London Sub	CT		HM-1 PB-2	7/0		rej. DoD OPEN	Subs go to ~~Charleston~~
Newport	RI	NETC		7/0		realign per DoD	
Staten Island	NY	NS	HT-1 RS-2	7/0		close	retain housing
Charleston	SC	NS	HM-1 RS-2	5/2 (BB HT)		close	retain option for later comm. actions.
Inglaside	TX	NS	HT-1 RC-2	7/0		remove from	consideration
Gabbarguila	MS	NS	RS-1 HM-2	7/0		remove from	consideration
Mobile	AL	NS	RS-1 HM-2	7/0		accept DOD	Close
Alameda	CA	NS	RS-1 HT-2	4/3		reject DOD rec - BUT -	CLOSE
Treasure Isl.	CA	NS	HT-1 RS-2	7/0		Close per DOD	
Everett	WA	NS	HT-1 RS-2	7/0		remove from	consideration

Cox, Hm, BB no

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PAGE 4

NAME OF BASE	STATE	SERVICE/ CATEGORY	MOTION BY	VOTE YEA/NAY	DATE OF VOTE	VOTE TO CLOSE OR REALIGN	MISC. NOTES
Meridian	MS	Navy	HM-1 BB-2	7/0	6/25	reject - remain open DOD to close	- capacity
Corpus	TX		RC-1 RS-2	7/0		remove from consideration	
Beaufort	SC		HT-1 RS-2	7/0	6/26	remove from consideration	
Cecil Field	FL		HU-1 BB-2	7/0		Close per DOD	
~~Oceana~~ El Toro	CA		HM-1 HM-2	6/0		Close	
Tustin	part of El Toro vote -			6/0		relocate to Miramar	Pendleton modified DOD rec
Barbers Pt	HI		HT-1 BB-2	7/0		Close - air - Kaneohe Lindbergh also not Nav. air	
Agana	GUAM		~~RS~~-1 HT-2	6/0 [Convence]		Close - move to Anderson retain housing	
Midway Isl	NAF		HM-1 HT-2	7/0		Close per DOD	
Miramar		no vote - remain				∴ removed from consideration	
Oceana		no vote was taken					
Alameda	CA	NADEP	BB-1 HT-2	7/0		accept DOD to Close	
Pensacola	FL	NADEP	HM-1 HT-2	7/0		Completely Close	Corpus Cherry point
Norfolk	VA	NADEP	BB-2	5/2		close per DOD	
N. Island	CA	NADEP	no motion			∴ removed from consideration	
Jax	FL	NADEP					

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NAME OF BASE	STATE	SERVICE/ CATEGORY	MOTION BY	VOTE YEA/NAY	DATE OF VOTE	VOTE TO CLOSE OR REALIGN	MISC. NOTES
Cherry Pt					6/26		
MCLB Albany	CA	no motion offered: remaved from Consideration					
MCLB Barstow	GA						
NOS Louisville	KY	NOS	JAC-1 -all	7/0	remove from consideration		
Seal Beach	CA	NWS	no action:		remove from consideration		
NAS Glenview	IL	Res. NAS	RS-1 HT-2	7/0	Close	per DoD	
Dallas	TX	Res NAS	HT-1 BB-2	7/0	to Carswell	Close per DoD	
NAF Detroit	MI	NAF	RS-1 HT-2	7/0	Close.	move to Carswell CARSWELL BECOMES RESERVE BASE motion	
S. Weymouth	MA		RS-1 RC-2	7/0	do not close S. Weymouth		
NAS Memphis	TN		HT-1 RC-2	7/0	flying only - realign -	Mo Carswell defer action on other missions	
* Johnstown NAF	PA	NAF	RS-1 PB-2	7/0	Close		
* Martinsburg	WV	NAF	PB-1 RS-2	7/0	Close		
Beaumont	TX	AFB	HT-1 Hm-2	7/0		reject DoD - cantonment remain H1996	
Orlando NTC	FL		HT-1 Hm-2	6/0 (RS recusal)	accept DoD to close		
San Diego NTC	CA		HT-1 Hm-2	6/0	reject DoD → CLOSE		
NTC Great Lakes	IL	no action - remove from consideration					
Orlando Hospital	FL	Hosp.	HT-1 -	6/0	Close hospital		

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* Commission add - not DOD recommended closures

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NAME OF BASE	STATE	SERVICE/ CATEGORY	MOTION BY	VOTE YEA/NAY	DATE OF VOTE	VOTE TO CLOSE OR REALIGN	MISC. NOTES
Charleston NESEC	SC	NESEC	JAC-1 RS-2	7/0	6/27	reject DoD to close	Charleston becomes East Coast lead NESEC facility
~~Ft Ord~~ NSEA	MD	NESEC	JAC RS			CLOSE	moves to CHS
Washington	DC	NESEC				CLOSE	move to Char
Portsmouth NESEC	VA	NESEC				CLOSE	to CHS
NAWC Trenton	NJ	Tech	RS-1 HM-2	7/0		Close	to Lakehurst & TN. Patuxent per DoD
NUWC Norfolk det	VA	Tech	HM-1 BB-2	3/4 (HT-no BB-no RC-no RS-no) failed		motion to remain open 3/4 reject DoD	per 7/3 Close per DoD
NSWC Annapolis	MD	Tech	BB-1 HM-2	7/0		remain open	
NSWC ~~Corona~~ Ft Hueneme	CA	Tech	HT-1 RS-2	7/0		accept new location from per DoD	to Panama City
NAVSEA Philly	PA	Tech	HT-1 HM-2	7/0		reject DoD 91 remains open	
NSWC → Yorktown	VA	Tech	HM-1 RS-2	7/0		DoD rec to ~~close~~ disestablish	- Dahlgren
NSWC White Oak	MD	Tech	HT-1 RS-2	7/0		reject DoD disestablish	realign - Indianhead
NSWC Indian Head		Tech	HM-1 RS-2	7/0		accept DoD to disestab.	to Dahlgren
NWEF Albuquerque	NM	Tech	HT-1 HM-2	7/0		reduce per DoD	- permit small detachment remain
NESEC San Diego, Valley	CA	Tech	HT-1 BB-2	7/0		accept DoD to reduce	after 91 closure
SUBMEPP Portsmouth	NH	Tech	HM-1 RC-2	7/0		disestablish per DoD.	
PERA Bremerton	WA		BB-1 HT-2			accept DoD to disest	→ to
PERA Norfolk	VA						

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NAME OF BASE	STATE	SERVICE/ CATEGORY	MOTION BY	VOTE YEA/NAY	DATE OF VOTE	VOTE TO CLOSE OR REALIGN	MISC. NOTES
motion PERA SF	CA	tech	RB-1 RS-2	7/0	11/27	disestablish per DoD.	
PERA Philly	PA	tech	2	7/0		PERAS had 1 motion	
NCEL Pt. Hueneme	CA	Tech	RB-1 RS-2	7/0		Close per DoD →	
ASO Philly	PA		RB-1 HT-2	7/0	RC DOD closure	ASO remains open	
DPCC Mechanics	PA		HT-1 RS-2	7/0		remove from consideration	
DPSC Philly	PA		HM-1 RS-2	7/0	my DOD but	move DPSC ~~to DASC~~ (ASO compound)	
DISC Philly	PA		RB-1 HM-2	7/0	my DOD to move	→ remains in ASO compound	
DESC Dayton	OH		RS-1 RB-2	7/0	accept DoD to close & move to DCSC Col.		
Textile APB	OH		HT-1 HM-2	7/0	agree Close - mutual duplication		
Def Clothing Philly	PA		RB-1 HM-2	7/0	close per DoD		
DISC/DRMS Battlecreek	MI		RB-1 RS-2	7/0	remain	do not realign per DOD	
DCMD Chicago	IL		RC-1	7/0	accept	DoD Closure/disestab	
DCMD El Segundo	CA		HT-1 - ?!!	7/0	agree - DoD relocate	per DoD relocate	to Long Beach NSY & Navy space + maintain.
Def Dist Little Rock			RC-1 HT-2	7/0	agree - Def Dist.	remains open	
Def Dist Cal			HM-1 HT-2	7/0	did not deviate - Close		
Def Dist CHS						per DoD	
Def Dist Pensacola							

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NAME OF BASE	STATE	SERVICE/ CATEGORY	MOTION BY	VOTE YEA/NAY	DATE OF VOTE	VOTE TO CLOSE OR REALIGN	MISC. NOTES
Dy Dist Tooele	UT		RC-1 HT-2	6/1 (RS)		reject DoD - but still disastrous to Red River	Δ 88 Fuels-supply mission - TBD by DLA
NAS Memphis	TN	Training missions	RC	6/1 PB		accept DoD to relocate	
Chanute AFB	IL		HM-1 CS-2	7/0	reject ~~accept~~	DoD consolid. tech & maint. to Memphis ~~many~~ their to Pensacola	
NCR Activities	VA		HM-1 HT-2	7/0		realign per DoD	
NSC Charleston SUP	SC		HT-1 PB-2	7/0	reject DoD rec -	adjust realign - retain	
NSC Oakland	CA		BB-1 HM-2	7/0	reject DoD to close -	remain open	
NSC Pensacola	FL		BB-1 HT-2	7/0	close per DoD		
Beaufort NH	SC	Hosp	HT-1 PB-2	remove - from	Consideration		
Great Lakes NH	IL	Hosp		7/0			
Corpus Christi NH	TX	Hosp					
Millington NH	TN	Hosp					
Charleston NH	SC	Hospital	HT-1	7/0	reject closure -	REMAIN OPEN	
Oakland NH	CA	Hosp	PB-1 BB-2	7/0	close per DoD		
33 Reserve Ctrs			HT-1 CS-1	7/0	except for		
Quincy	MA		HT-1 PB-2	7/0		consolidate to S. Weymouth	
Lawrence	MA						
Chicopee	MA						

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NAME OF BASE	STATE	SERVICE/ CATEGORY	MOTION BY	VOTE YEA/NAY	DATE OF VOTE	VOTE TO CLOSE OR REALIGN	MISC. NOTES
Glenning Niagara Falls	NY		HT-1 HM-2	7/0		Close per DoD	
FT Garden City	NY		HT-1 2	7/0	reject DOD	realignment	
NRTF Quan	VA		HT-1 2	7/0	close per DoD		
NRTF Annapolis	MD						
Presidio PT Army	CA		HT-1 all	7/0	~~close~~ per DoD		
PWC SF	CA			7/0	retain		
San Diego NAVMC	CA		HT-5-2	7/0	accept realign		
Naval Reserve	FL		HT-1	7/0	~~accept per DM grants~~	(revised language	
Data Centers			HT-1 HM-2	7/0	rejects Data Consolid- + San Diego + McClellan	→ deletes Clearing Data Bases	

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1

Draft Motions

DEPARTMENT OF THE ARMY

Initial Entry Training/Branch School

Fort McClellan, AL:

Accept DoD Recommendation [Close Ft. McClellan. Relocate to Ft. Leonard Wood. CDTF stays Ft. McClellan.]:

I move that the Commission find that the Secretary of Defense did not deviate substantially from the force structure plan and final criteria and, therefore, that the Commission adopt the following recommendation of the Secretary of Defense: Close Fort McClellan. Relocate the U.S. Army Chemical and Military Police Schools and the Department of Defense Polygraph Institute (DODPI) to Fort Leonard Wood, Missouri. Transfer accountability for Pelham Range and other required training support facilities, through licensing, to the Army National Guard. Retain an enclave for the U.S. Army Reserves. Retain the capability for live-agent training at Fort McClellan.

~~Reject DoD Recommendation:~~

I move that the Commission find that the Secretary of Defense deviated substantially from the force structure plan and final criteria in making his recommendation on Fort McClellan, AL. Therefore, the Commission rejects and does not make the following recommendation of the Secretary: Close Fort McClellan. Relocate the U.S. Army Chemical and Military Police Schools and the Department of Defense Polygraph Institute (DODPI) to Fort Leonard Wood, Missouri. Transfer accountability for Pelham Range and other required training support facilities, through licensing, to the Army National Guard. Retain an enclave for the U.S. Army Reserves. Retain the capability for live-agent training at Fort McClellan. THE COMMISSION DOES RECOMMEND THAT IF THE SECRETARY OF DEFENSE WANTS TO MOVE THE CHEMICAL DEFENSE SCHOOL AND CHEMICAL DECONTAMINATION TRAINING FACILITY IN THE FUTURE, THE ARMY SHOULD PURSUE ALL OF THE REQUIRED PERMITS AND CERTIFICATES FOR THE NEW SITE.

~~Alternative Motion [Close Ft. McClellan. Relocate to Ft. Leonard Wood. CDTF to Ft. Leonard Wood.]:~~

I move that the Commission find that the Secretary of Defense deviated substantially from criteria 1 and 4, and, therefore, that the Commission adopt the following recommendation: Close Fort McClellan except for Pelham Range and other required training support facilities to be licensed to the Army National Guard, and an enclave to support

PRIOR TO THE 1995 BASE CLOSURE PROCESS. THE COMMISSION FINDS THAT THE THIS RECOMMENDATION IS CONSISTENT WITH THE FORCE STRUCTURE PLAN AND FINAL CRITERIA

POM/POM Annex

2

and criterion 4, and, therefore, that the Commission adopt the following recommendation: Retain the Presidio of Monterey but dispose of all facilities at the Presidio of Monterey Annex, except the housing, commissary, and post exchange required to support the Presidio of Monterey. The Commission finds this recommendation is consistent with the force-structure plan and final criteria.

	BOWMAN	COX	McPHERSON	COURTER	STUART	BYRON	JOHNSON
Motion							
Second							
"AYE"							
"NAY"							

General Johnson

10

Alternative 5 [Retain POM. Consolidate BASOPS with Navy. Dispose all facilities at POM Annex except housing etc. to support POM and Naval School. Evaluate for Contracting BASOPS.]:

I move that the Commission find that the Secretary of Defense deviated substantially from the force-structure plan and criterion 4, and, therefore, that the Commission adopt the following recommendation: Retain the Presidio of Monterey but dispose of all facilities at the Presidio of Monterey Annex except the housing, commissary, child care facility, and post-exchange required to support the Presidio of Monterey and Navy Post Graduate School. Consolidate base operations support with the Naval Post Graduate School by interservice agreement. The Department of Defense will evaluate whether contracted base operations support would provide savings for the Presidio of Monterey. The Commission finds this recommendation is consistent with the force-structure plan and final criteria.

	BOWMAN	COX	McPHERSON	COURTER	STUART	BYRON	JOHNSON
Motion							✓
Second			✓				
"AYE"	✓	✓	✓	✓	✓	✓	✓
"NAY"							

7/0

3

DEPARTMENT OF THE ARMY

Command/Control

Fort Belvoir, VA:

Accept DoD Recommendation [Disestablish BRDEC. 5 Areas to Detroit. Rest stay at Ft. Belvoir.]:

I move that the Commission find that the Secretary of Defense did not deviate substantially from the force structure plan and final criteria and, therefore, that the Commission adopt the following recommendation of the Secretary of Defense: Realign Fort Belvoir as follows: disestablish the Belvoir Research, Development and Engineering Center (BRDEC), Fort Belvoir, Virginia. Eliminate the Tunnel Detection, Materials, Marine Craft, Topographic Equipment, Construction Equipment and Support Equipment business areas. Relocate the Supply, Bridging, Counter Mobility, Water Purification, and Fuel/Lubricant Business Areas to the Tank Automotive Research, Development and Engineering Center (TARDEC), Detroit Arsenal, Michigan. Transfer command and control of the Physical Security, Battlefield Deception, Electric Power, Remote Mine Detection/Neutralization, Environmental Controls and Low Cost/Low Observables Business Areas to the Night Vision Electro-Optics Directorate (NVEOD) of the Communication and Electronics Research, Development and Engineering Center (CERDEC), Fort Belvoir, Virginia.

3

	JOHNSON	BYRON	STUART	COURTER	McPHERSON	COX	BOWMAN
Motion					✓		
Second						✓	
"AYE"	✓	✓	✓	✓	✓	✓	✓
"NAY"							

7
0

Pass

Reject DoD Recommendation:

I move that the Commission find that the Secretary of Defense deviated substantially from the force structure plan and final criteria in making his recommendation on Fort Belvoir, Virginia. Therefore, the Commission rejects and does not make the following recommendation of the Secretary: Realign Fort Belvoir as follows: disestablish the Belvoir Research, Development and Engineering Center (BRDEC), Fort Belvoir, Virginia. Eliminate the Tunnel Detection, Materials, Marine Craft, Topographic Equipment, Construction Equipment and Support Equipment business areas. Relocate the Supply,

Presidio of San Fran. 4

Presidio of San Francisco, CA:

Accept DoD Recommendation [6th Army to NASA Ames.]:

I move that the Commission find that the Secretary of Defense did not deviate substantially from the force structure plan and final criteria and therefore, that the Commission adopt the following recommendation of the Secretary of Defense: Relocate Headquarters, Sixth U.S. Army from Presidio San Francisco to NASA Ames, CA, instead of Fort Carson, CO, as originally approved by the Defense Secretary's Commission on Base Realignment and Closure in 1988.

	JOHNSON	BYRON	STUART	COURTER	McPHERSON	COX	BOWMAN
Motion							
Second							
"AYE"							
"NAY"							

Alternative Motions:

Alternative 1 [6th Army to Ft. Carson.]:

I move that the Commission find that the Secretary of Defense deviated substantially from criteria 2 and 4, and, therefore, that the Commission reject the Secretary's recommendation on the Presidio of San Francisco, CA and adopt the following recommendation: The 1988 decision will stand. Realign the Sixth U.S. Army to Fort Carson, Colorado. The Commission finds this recommendation is consistent with the force-structure plan and final criteria.

	JOHNSON	BYRON	STUART	COURTER	McPHERSON	COX	BOWMAN
Motion							
Second							
"AYE"							
"NAY"							

4

Alternative 2 [6th Army remains at Presidio of San Francisco.]:

I move that the Commission find that the Secretary of Defense deviated substantially

SCC rejected Mot to rej Sec's rec on Presidio SF + instead rec 6th stay at Pres.

from criteria 2 and 4, and, therefore, that the Commission adopt the following recommendation: The 1988 Commission decision will be changed to allow only the Sixth U.S. Army to remain at the Presidio of San Francisco, California. The Department of the Interior and the Department of the Army will negotiate a lease that is favorable to both departments for the current facilities occupied by Sixth U.S. Army and family housing at the Presidio of San Francisco necessary to accommodate the headquarters members. If agreement cannot be reached, the Commission expects the Army to make a subsequent recommendation to the 1995 Commission for the relocation of Sixth U.S. Army. The Commission further recommends the Defense Commissary Agency and the Army and Air Force Exchange System determine the commissary and exchange requirements to support Sixth U.S. Army based on sound business decisions. The Commission finds this recommendation is consistent with the force-structure plan and final criteria.

	JOHNSON	BYRON	STUART	COURTER	McPHERSON	COX	BOWMAN
Motion						✓	
Second		✓					
"AYE"	✓	✓	✓	✓	✓	✓	✓
"NAY"							

7
0

5

DEPARTMENT OF THE ARMY

Commodity Oriented

6

Vint Hill Farms, VA:

Accept DoD Recommendation [Close Vint Hill Farms, VA. Move to Ft. Monmouth and Tobyhanna.]:

I move that the Commission find that the Secretary of Defense did not deviate substantially from the force structure plan and final criteria and, therefore, that the Commission adopt the following recommendation of the Secretary of Defense: Close Vint Hill Farms. Relocate the maintenance and repair function of the Intelligence Material Management Center (IMMC) to Tobyhanna Army Depot, PA. Transfer the remaining elements of IMMC, the Intelligence and Electronic Warfare Directorate (formerly the Signal Warfare Directorate), and the program executive officer (PEO) for Intelligence and Electronic Warfare (IEW) to Fort Monmouth, NJ.

	JOHNSON	BYRON	STUART	COURTER	McPHERSON	COX	BOUMAN
Motion					✓		
Second			✓				
"AYE"	✓	✓	✓	✓	✓	✓	✓
"NAY"							

Passed

Alternative Motion [Leave Vint Hill Farms, VA open.]:

I move that the Commission find that the Secretary of Defense deviated substantially from criteria 1 and 4, and, therefore, that the Commission reject the Secretary's recommendation on Vint Hill Farms, VA and adopt the following recommendation: Vint Hill Farms will remain open. The Commission finds this recommendation is consistent with the force-structure plan and final criteria.

Ft Monmouth

rejects the Secretary's recommendation and, instead,

6

7

Alternative Motion [Realign Ft. Monmouth. Move CECOM to main post Ft. Monmouth.]:

I move that the Commission find that the Secretary of Defense deviated substantially from criterion 4. The Commission finds that the Department misstated the cost differential between two alternative choices. Therefore, the Commission adopts the following recommendation: Move CECOM headquarters out of the leased space and into space at Fort Monmouth vacated by the 513th Military Intelligence Brigade and the Chaplain School or other suitable space; relocate the Chaplain School to Fort Jackson; consolidate activities to maximize utilization of main post Fort Monmouth; and dispose of excess facilities and real property at Evans and Charles Woods sub posts, as well as main post Fort Monmouth. The Commission finds this recommendation is consistent with the force-structure plan and final criteria.

	JOHNSON	BYRON	STUART	COURTER	McPHERSON	COX	BOMAN
Motion					✓		
Second						✓	
"AYE"	✓	✓	✓	✓	✓	✓	✓
"NAY"							

~~rejects the~~ sec's rec ~~instead~~

1st Courter ✓

Cox 2nd

Unanim. (voice vote

8

Tech'L amendmt — insert

Vote

voted on one vote on 7

7

Rock Island Arsenal, IL:

Accept DoD Recommendation [Change Rock Island 1991 recommendation. Activity stays at Rock Island.]:

I move that the Commission find that the Secretary of Defense did not deviate substantially from the force structure plan and final criteria and, therefore, that the Commission adopt the following recommendation of the Secretary of Defense: Instead of sending the materiel management functions of U.S. Army Armament, Munitions and Chemical Command (AMCCOM) to Redstone Arsenal, Alabama, as recommended by the 1991 Base Closure Commission, reorganize these functions under Tank Automotive Command (TACOM) with the functions remaining in place at Rock Island Arsenal, IL.

Passed

	JOHNSON	BYRON	STUART	COURTER	McPHERSON	COX	BOWMAN
Motion					✓		
Second			✓				
"AYE"		✓	✓	✓	✓	✓	✓
"NAY"	✓						

Reject DoD Recommendation:

I move that the Commission find that the Secretary of Defense deviated substantially from the force structure plan and final criteria in making his recommendation on Rock Island Arsenal, IL. Therefore, the Commission rejects and does not make the following recommendation of the Secretary: Instead of sending the materiel management functions of U.S. Army Armament, Munitions and Chemical Command (AMCCOM) to Redstone Arsenal, Alabama, as recommended by the 1991 Base Closure Commission, reorganize these functions under Tank Automotive Command (TACOM) with the functions remaining in place at Rock Island Arsenal, IL.

	JOHNSON	BYRON	STUART	COURTER	McPHERSON	COX	BOWMAN
Motion							
Second							
"AYE"							
"NAY"							

Letterkenny

8

workload (excluding tactical missile maintenance functions) to other maintenance activities, including the private sector; retain the conventional ammunition storage and the regional Test, Measurement, Diagnostic Equipment (TMDE) missions at Letterkenny Depot Activity; and inactivate, transfer, or eliminate activities of the depot not associated with the remaining mission.

Tactical missile maintenance workload will not be consolidated at Letterkenny as originally planned. Consolidate the tactical missile maintenance workload at one of the following potential sites: Ogden Air Logistics Center, Utah or Anniston Army Depot, Alabama; or another installation found suitable by DOD.

Retain the Systems Integration Management Activity-East (SIMA-E) at Letterkenny Depot Activity until the Defense Information Systems Agency completes its review of activities relocated under DMRD 918. Relocate Depot Systems Command to Rock Island Arsenal, Illinois, and consolidate with the Armament, Munitions, and Chemical Command into the Industrial Operations Command, as approved by the 1991 Commission.

The Commission finds this recommendation is consistent with the force structure plan and final criteria.

	BOWMAN	COX	McPHERSON	COURTER	STUART	BYRON	JOHNSON
Motion							
Second							
"AYE"							
"NAY"							

11

Alternate Motion 2 [Reject Letterkenny realignment: Keep missile consolidation and artillery work at LEAD]:

I move that the Commission find that the Secretary of Defense deviated substantially from final criteria 1 and 4. Therefore, the Commission rejects the Secretary's recommendation on Letterkenny Army Depot, Pennsylvania, and, instead, adopts the following recommendation: Letterkenny Army Depot will remain open. Consolidate tactical missile maintenance at the depot as originally planned. Add ~~to its consolidation plan,~~ tactical missile maintenance workload currently being accomplished by the Marine Corps Logistics Base in Barstow, California, to ~~DOD's~~ the consolidation plan. Retain current ~~light combat vehicle~~ artillery workload at Letterkenny.

Cont. next pg.

Retain the Systems Integration Management Activity-East (SIMA-E) at Letterkenny Depot Activity until the Defense Information Systems Agency completes its review of activities relocated under DMRD 918. Relocate Depot Systems Command to Rock Island Arsenal, Illinois, and consolidate with the Armament, Munitions, and Chemical Command into the Industrial Operations Command, as approved by the 1991 Commission.

The Commission finds this recommendation is consistent with the force structure plan and final criteria.

	BOWMAN	COX	McPHERSON	COURTER	STUART	BYRON	JOHNSON
Motion		✓					
Second					✓		
"AYE"	✓	✓	✓	✓	✓	✓	✓
"NAY"							

12

Tooele Army Depot, UT:

Accept DoD Recommendation [Realign Toole.]:

I move that the Commission find that the Secretary of Defense did not deviate substantially from the force structure plan and final criteria and, therefore, that the Commission adopt the following recommendation of the Secretary of Defense: Realign Tooele Army Depot (TEAD) by reducing it to a depot activity and placing it under the command and control of Red River Army Depot, TX. Retain conventional ammunition storage and the chemical demilitarization mission. The depot workload will move to other depot maintenance activities, including the private sector. The activities of the depot not associated with the remaining mission will be inactivated, transferred or eliminated, as appropriate.

	BOWMAN	COX	McPHERSON	COURTER	STUART	BYRON	JOHNSON
Motion			✓				
Second						✓	
"AYE"	✓	✓	✓	✓	✓	✓	✓
"NAY"							

Tooele

#9

Tooele Army Depot, UT:

~~Accept DoD Recommendation [Realign Toole.]:~~

I move that the Commission find that the Secretary of Defense did not deviate substantially from the force structure plan and final criteria and, therefore, that the Commission adopt the following recommendation of the Secretary of Defense: Realign Tooele Army Depot (TEAD) by reducing it to a depot activity and placing it under the command and control of Red River Army Depot, TX. Retain conventional ammunition storage and the chemical demilitarization mission. The depot workload will move to other depot maintenance activities, including the private sector. The activities of the depot not associated with the remaining mission will be inactivated, transferred or eliminated, as appropriate.

	JOHNSON	BYRON	STUART	COURTER	McPHERSON	COX	BOWMAN
Motion							
Second							
"AYE"							
"NAY"							

Reject DoD Recommendation:

I move that the Commission find that the Secretary of Defense deviated substantially from the force structure plan and final criteria in making his recommendation on Tooele Army Depot, UT. Therefore, the Commission rejects and does not make the following recommendation of the Secretary: Realign Tooele Army Depot (TEAD) by reducing it to a depot activity and placing it under the command and control of Red River Army Depot, TX. Retain conventional ammunition storage and the chemical demilitarization mission. The depot workload will move to other depot maintenance activities, including the private sector. The activities of the depot not associated with the remaining mission will be inactivated, transferred or eliminated, as appropriate.

1145

10

DRAFT MOTIONS

DEFENSE DISTRIBUTION DEPOTS

Defense Distribution Depot Letterkenny, PA:

Alternative Motion [Keeps Letterkenny open.]:

I move that the Commission find that the Secretary of Defense deviated substantially from final criterion 1 and, therefore, that the Commission reject the Secretary's recommendation on the Defense Distribution Depot Letterkenny, Pennsylvania, and, instead, adopt the following recommendation: the Defense Distribution Depot Letterkenny, Chambersburg, Pennsylvania remains open. The Commission finds this recommendation to be consistent with the force structure plan and final criteria.

by Cox
2nd HTZ
Pass 7-0

Defense Distribution Depot Tooele, UT:

~~Alternative Motion 3:~~

I move that the Commission find the Secretary of Defense deviated substantially from final criterion 2 and, therefore, that the Commission reject the Secretary's recommendation on the Defense Distribution Depot Tooele, Utah, and, instead, adopt the following recommendation: disestablish Defense Distribution Depot Tooele, Utah (DDTU). Relocate the depot's functions/materiel to Defense Distribution Depot Red River, Texas (DDRT). Any remaining materiel will be placed in available space in the DoD Distribution System. Change the recommendation of the 1988 Commission regarding Pueblo Army Depot, CO, as follows: instead of sending the supply mission to Tooele Army Depot, UT, as recommended by the 1988 Commission, relocate the mission to a location to be determined by the Defense Logistics Agency. the Commission finds that this recommendation is consistent with the force structure plan and final criteria.

not by cat
2nd HTJ
unanimous vote

100

6/27/93 votes

DISC

12

DRAFT MOTIONS

Defense Industrial Supply Center, Philadelphia, PA:

Accept DoD Recommendation [Relocate DISC to New Cumberland, PA.]:

I move that the Commission find that the Secretary of Defense did not deviate substantially from the force structure plan and final criteria and, therefore, that the Commission adopt the following recommendation of the Secretary of Defense: Relocate the Defense Industrial Supply Center (DISC), a hardware Inventory Control Point (ICP), located in Philadelphia, Pennsylvania, to New Cumberland, Pennsylvania.

Alternative Motions:

Alternative Motion 1 [DISC stays at ASO.]: by BB 2nd HM 7-0

91

I move that the Commission find that the Secretary of Defense deviated substantially from final criteria 4, 5, and 6 and, therefore, that the Commission reject the Secretary's recommendation on Defense Industrial Supply Center, Philadelphia, Pennsylvania, and, instead, adopt the following recommendation: Defense Industrial Supply Center, Philadelphia, Pennsylvania, remains open and located within the ASO compound in Philadelphia, Pennsylvania. The Commission finds this recommendation is consistent with the force structure plan and final criteria.

Alternative Motion 2 [Move DISC to DCSC OH.]:

I move that the Commission find that the Secretary of Defense deviated substantially from final criteria 4 and 5 and, therefore, that the Commission reject the Secretary's recommendation on Defense Industrial Supply Center, Philadelphia, Pennsylvania, and, instead, adopt the following recommendation: relocate the Defense Industrial Supply Center, Philadelphia, Pennsylvania, to the Defense Construction Supply Center, Columbus, Ohio. The Commission finds this recommendation is consistent with the force structure plan and final criteria.

Alternative Motion 3 [Move DISC to DESC OH.]:

I move that the Commission find that the Secretary of Defense deviated substantially from final criteria 4 and 5 and, therefore, that the Commission reject the Secretary's recommendation on Defense Industrial Supply Center, Philadelphia, Pennsylvania, and, instead, adopt the following recommendation: relocate the Defense Industrial Supply Center, Columbus, Ohio, to the Defense Electronics Supply Center, Dayton, Ohio. The Commission finds this recommendation is consistent with the force structure plan and final criteria.

Defense Personnel Support Center, Philadelphia, PA:

Accept DoD Recommendation [Close and relocate DPSC to New Cumberland, PA.]:

I move that the Commission find that the Secretary of Defense did not deviate substantially from the force structure plan and final criteria and, therefore, that the Commission adopt the following recommendation of the Secretary of Defense: Close the Defense Personnel Support Center (DPSC), Philadelphia, Pennsylvania, and relocate its mission to the Defense Distribution Region East, New Cumberland, Pennsylvania.

Alternative Motions:

Alternative Motion 1 [Move DPSC to ASO.]:

I move that the Commission find that the Secretary of Defense deviated substantially from final criteria 4, 5, and 6, and, therefore, that the Commission reject the Secretary's recommendation on the Defense Personnel Support Center, Philadelphia, Pennsylvania, and, instead, adopt the following recommendation: relocate the Defense Personnel Support Center, Philadelphia, Pennsylvania, to the Aviation Supply Office compound in North Philadelphia, Pennsylvania. The Commission finds this recommendation is consistent with the force structure plan and final criteria.

Added by unan. vote to amend

90

Alternative Motion 2 [DPSC remains.]:

I move that the Commission find that the Secretary of Defense deviated substantially from final criteria 4 and 6 and, therefore, that the Commission reject the Secretary's recommendation on the Defense Personnel Support Center, Philadelphia, Pennsylvania, and, instead, adopt the following recommendation: the Defense Personnel Support Center, Philadelphia, Pennsylvania, remains open. The Commission finds this recommendation to be consistent with the force structure plan and final criteria.

7-0 pass

HM motion by RS 2nd

14

DRAFT MOTIONS

base

DEFENSE LOGISTICS AGENCY

MOTIONS

92

Defense Electronics Supply Center (Gentile AFS), Dayton, Ohio:

Accept DoD Recommendation [Close and relocate DESC to Columbus, OH.]:

I move that the Commission find that the Secretary of Defense did not deviate substantially from the force structure plan and final criteria and, therefore, that the Commission adopt the following recommendation of the Secretary of Defense: Close the Defense Electronics Supply Center (DESC) (Gentile AFS), Dayton, Ohio, and relocate its mission to the Defense Construction Supply Center (DCSC), Columbus, Ohio.

Alternative Motion [DESC Gentile remains open.]:

I move that the Commission find that the Secretary of Defense deviated substantially from final criteria 2 and 4 and, therefore, that the Commission reject the Secretary's recommendation on the Defense Electronics Supply Center (Gentile AFS), Dayton, Ohio, and, instead, adopt the following recommendation: the Defense Electronics Supply Center (Gentile AFS), Dayton, Ohio, remains open and will be considered for future consolidations within DoD. The Commission finds this recommendation to be consistent with the force structure plan and final criteria.

~~17~~
15

DRAFT MOTIONS

94

Defense Clothing Factory, Philadelphia, Pennsylvania

~~Accept DoD Recommendation:~~

BB 2nd - NM 7-0 Board

I move that the Commission find that the Secretary of Defense did not deviate substantially from the force structure plan and final criteria and, therefore, that the Commission adopt the following recommendation of the Secretary of Defense: Close the Defense Clothing Factory, relocate the personnel supporting the flag mission, and use existing commercial sources to procure the Clothing Factory products.

Reject DoD Recommendation:

I move that the Commission find that the Secretary of Defense deviated substantially from the force structure plan and final criteria in making his recommendation on Defense Clothing Factory, Philadelphia, PA. Therefore, the Commission rejects and does not make the following recommendation of the Secretary: Close the Defense Clothing Factory, relocate the personnel supporting the flag mission, and use existing commercial sources to procure the Clothing Factory products.

Alternative Motions -- none.

DRAFT MOTIONS

Defense Logistics Service Center and Defense Reutilization and Marketing Service, Battle Creek, MI:

Accept DoD Recommendation [Close and relocate to Columbus]

I move that the Commission find that the Secretary of Defense did not deviate substantially from the force structure plan and final criteria and, therefore, that the Commission adopt the following recommendation of the Secretary of Defense: Disestablish the Defense Logistics Services Center (DLSC) and collocate its mission with the Defense Construction Supply Center (DCSC), Columbus, Ohio.

Relocate the Defense Reutilization and Marketing Service, Battle Creek, Michigan, to the Defense Construction Supply Center (DCSC), Columbus, Ohio. DCSC will provide all necessary support services for the relocated personnel. Two separate functional areas, Logistics Information Management and Logistics Information Distribution, will be assigned to the DLA Inventory Control Point (ICP) to accommodate the operational mission areas now performed by DLSC.

Alternative Motions [remain in Battle Creek]:

Alternative Motion 1:

motion by BB
2nd by RS
7-0
0 abs

I move that the Commission find that the Secretary of Defense deviated substantially from final criterion 4 and, therefore, that the Commission reject the Secretary's recommendation on the Defense Logistics Services Center and Defense Reutilization and Marketing Service, Battle Creek, Michigan, and, instead, adopt the following recommendation: the Defense Logistics Services Center and Defense Reutilization and Marketing Service, Battle Creek, Michigan, remains open and located in Batte Creek. The Commission finds this recommendation is consistent with the force structure plan and final criteria.

Alternative Motion 2 [relocate to Ohio]:

I move that the Commission find that the Secretary of Defense deviated substantially from final criteria 4 and 5 and, therefore, that the Commission reject the Secretary's recommendation and, instead, adopt the following recommendation: Disestablish the Defense Logistics Services Center, Battle Creek, Michigan, and collocate its mission with the Defense Electronics Supply Center (DESC), Dayton, Ohio. Relocate the Defense Reutilization and Marketing Service, Battle Creek, Michigan, to DESC, Dayton, Ohio. The Commission finds this recommendation to be consistent with the force structure plan and final criteria.

17

DRAFT MOTIONS

Defense Contract Management District Midatlantic, Philadelphia, PA, and Defense Contract Management District Northcentral, Chicago, IL:

96

Accept DoD Recommendation [Disestablish DCMD Philadelphia and DCMD Chicago; relocate mission.]:

I move that the Commission find that the Secretary of Defense did not deviate substantially from the force structure plan and final criteria and, therefore, that the Commission adopt the following recommendation of the Secretary of Defense: Disestablish Defense Contract Management District Midatlantic (DCMDM) and Defense Contract Management District Northcentral (DCMDN), and relocate the missions to DCMD Northeast, DCMD South and DCMD West.

7-0

Reject DoD Recommendation [DCMD Philadelphia and DCMD Chicago remain open.]:

I move that the Commission find that the Secretary of Defense deviated substantially from the force structure plan and final criteria in making his recommendation on Defense Contract Management District Midatlantic, Philadelphia, PA and Defense Contract Management District Northcentral, Chicago, IL. Therefore, the Commission rejects and does not make the following recommendation of the Secretary: Disestablish Defense Contract Management District Midatlantic (DCMDM) and Defense Contract Management District Northcentral (DCMDN), and relocate the missions to DCMD Northeast, DCMD South and DCMD West.

Alternative Motions:

Alternative Motion 1 [DCMD Philadelphia remains open; DCMD Chicago relocated; disestablish DCMD Northeast.]:

I move that the Commission find that the Secretary of Defense deviated substantially from final criteria 4 and 5 and, therefore, that the Commission reject the Secretary's recommendation and, instead, adopt the following recommendation: the Defense Contract Management District Midatlantic, Philadelphia, Pennsylvania remains open. Disestablish the DCMD Northeast. Disestablish Defense Contract Management District Northcentral, Chicago, Illinois, and relocate its mission to Defense Contract Management District Midatlantic, DCMD South, and DCMD West. The Commission finds this recommendation to be consistent with the force structure plan and final criteria.

Alternative Motion 2 [DCMD Chicago remains open; DCMD Philadelphia relocates.]:

I move that the Commission find that the Secretary of Defense deviated substantially from final criteria 4 and 5 and, therefore, that the Commission reject the Secretary's

Defense Contract Management District West, El Segundo, CA:

Accept DoD Recommendation [relocate to Long Beach]:

I move that the Commission find that the Secretary of Defense did not deviate substantially from the force structure plan and final criteria and, therefore, that the Commission adopt the following recommendation of the Secretary of Defense: Relocate the Defense Contract Management District West (DCMD West), El Segundo, CA, to Long Beach Naval Shipyard, Los Angeles, CA.

Reject DoD Recommendation [remains in El Segundo]:

I move that the Commission find that the Secretary of Defense deviated substantially from the force structure plan and final criteria in making his recommendation on Defense Contract Management District West, El Segundo, CA. Therefore, the Commission rejects and does not make the following recommendation of the Secretary: Relocate the Defense Contract Management District West (DCMD West), El Segundo, CA, to Long Beach Naval Shipyard, Los Angeles, CA.

97

motion by HTJ
2nd by RS

pass
7-0

~~**Alternative Motions [to Long Beach or Navy space]**~~

I move that the Commission find that the Secretary of Defense deviated substantially from final criterion 2. Therefore, the Commission rejects the Secretary's recommendation on Defense Contract Management District West, El Segundo, CA, and, instead, adopts the following recommendation: Relocate the Defense Contract Management District West, El Segundo, CA, to Long Beach Naval Shipyard, Los Angeles, CA, or Navy space obtained from excange of land for space between the Navy and the Port Authority/City of Long Beach. The Commission finds this recommendation is consistent with the force structure plan and final criteria.

99 (a)

19

DRAFT MOTIONS

DEFENSE DISTRIBUTION DEPOTS

Defense Distribution Depot Charleston, SC:

~~**Accept DoD Recommendation [relocate to Jacksonville]:**~~

I move that the Commission find that the Secretary of Defense did not deviate substantially from the force structure plan and final criteria and, therefore, that the Commission adopt the following recommendation of the Secretary of Defense: Disestablish Defense Distribution Depot Charleston, SC (DDCS), and relocate the mission to Defense Distribution Depot Jacksonville, FL (DDJF). Slow moving and/or inactive materiel remaining at DDCS at the time of the realignment will be relocated to available storage space within the DoD Distribution System.

Alternative Motions [remains in Charleston]:

Alternative Motion 1:

I move that the Commission find that the Secretary of Defense deviated substantially from final criterion 1 and, therefore, that the Commission reject the Secretary's recommendation on the Defense Distribution Depot Charleston, South Carolina, and, instead, adopt the following recommendation: the Defense Distribution Depot Charleston, South Carolina, remains open. The Commission finds this recommendation to be consistent with the force structure plan and final criteria.

Alternative Motion 2 [Reduce Charleston]:

I move that the Commission find that the Secretary of Defense deviated substantially from final criterion 1 and, therefore, that the Commission reject the Secretary's recommendation on the Defense Distribution Depot Charleston, South Carolina, and, instead, adopt the following recommendation: the Defense Distribution Depot Charleston remains open to service its existing customers. Realign and/or reduce assets and personnel at the Defense Distribution Depot Charleston to reflect the number no longer needed due to the closing of the Naval Supply Center and Naval Station at Charleston. The Commission finds this recommendation is consistent with the force structure plan and final criteria.

MM
MTJ
unan

99 (b)

Defense Distribution Depot Oakland, CA:

~~Accept DoD Recommendation [disestablish; move to Tracy, CA]:~~

I move that the Commission find that the Secretary of Defense did not deviate substantially from the force structure plan and final criteria and, therefore, that the Commission adopt the following recommendation of the Secretary of Defense: Disestablish Defense Distribution Depot Oakland, CA (DDOC), and relocate the primary mission to Defense Distribution Depot Tracy, CA (DDTC), Defense Distribution Depot Sharpe, CA (DDSC), and Defense Distribution Depot San Diego, CA (DDDC). Slow moving or inactive materiel remaining at DDOC at the time of closure will be relocated to other available storage space within the DoD Distribution System.

Alternative Motions [remains in Oakland]:

Alternative Motion 1:

I move that the Commission find that the Secretary of Defense deviated substantially from final criterion 1 and, therefore, that the Commission reject the Secretary's recommendation on the Defense Distribution Depot Oakland, California, and, instead, adopt the following recommendation: the Defense Distribution Depot Oakland, California, remains open. The Commission finds this recommendation is consistent with the force structure plan and final criteria.

Alternative Motion 2 [reduce in Oakland]:

I move that the Commission find that the Secretary of Defense deviated substantially from final criterion 1 and, therefore, that the Commission reject the Secretary's recommendation on the Defense Distribution Depot Oakland, California, and, instead, adopt the following recommendation: the Defense Distribution Depot Oakland, California, remains open to service its existing customers. Realign and/or reduce assets and personnel at Defense Distribution Depot Oakland to reflect the number no longer needed due to the closing of the Oakland Navy Base and Naval Air Station Alameda. The Commission finds this recommendation is consistent with the force structure plan and final criteria.

99

DRAFT MOTIONS

Defense Distribution Depot Pensacola, FL:

Accept DoD Recommendation [move to Jacksonville]:

I move that the Commission find that the Secretary of Defense did not deviate substantially from the force structure plan and final criteria and, therefore, that the Commission adopt the following recommendation of the Secretary of Defense: Disestablish Defense Distribution Depot Pensacola, FL (DDPF), and relocate the mission to Defense Distribution Depot Jacksonville, FL (DDJF). Slow moving and/or inactive materiel remaining at DDPF at the time of the disestablishment will be relocated to available storage space within the DoD Distribution System.

Alternative Motions:

Alternative Motion 1 [remains open]:

I move that the Commission find that the Secretary of Defense deviated substantially from final criterion 1 and, therefore, that the Commission reject the Secretary's recommendation on the Defense Distribution Depot Pensacola, Florida, and, instead, adopt the following recommendation: the Defense Distribution Depot Pensacola, Florida, remains open. The Commission finds this recommendation to be consistent with the force structure plan and final criteria.

Alternative Motion 2 [Reduce]:

I move that the Commission find that the Secretary of Defense deviated substantially from final criterion 1 and, therefore, that the Commission reject the Secretary's recommendation on the Defense Distribution Depot Pensacola, Florida, and, instead, adopt the following recommendation: the Defense Distribution Depot Pensacola, Florida, remains open to service its existing customers. Realign and/or reduce assets and personnel at Defense Distribution Depot Pensacola to reflect the number no longer needed due to the closing of the Naval Supply Center and Naval Aviation Depot, Pensacola. The Commission finds this recommendation is consistent with the force structure plan and final criteria.

22 24

Draft Motions

Inventory Control

Aviation Supply Office, Philadelphia, PA:

Accept DoD Recommendation [Close ASO and relocate to SPCC, Mechanicsburg, PA.] :

I move that the Commission find that the Secretary of Defense did not deviate substantially from the force structure plan and final criteria and, therefore, that the Commission adopt the following recommendation of the Secretary of Defense: Close the Aviation Supply Office (ASO), Philadelphia, Pennsylvania and relocate necessary personnel, equipment and support to the Ship Parts Control Center (SPCC), Mechanicsburg, Pennsylvania.

Alternative Motion [ASO remains open.]:

I move that the Commission find that the Secretary of Defense deviated substantially from final criteria 4, 5, and 6 and, therefore, that the Commission reject the Secretary's recommendation on the Naval Aviation Supply Office, Philadelphia, Pennsylvania, and, instead, adopt the following recommendation: the Naval Aviation Supply Office, Philadelphia, Pennsylvania, remains open. The Commission finds these recommendations are consistent with the force structure plan and final criteria.

motion by BOB
2nd by RS

88

Defense Personnel Support Center, Philadelphia, PA:

Accept DoD Recommendation [Close and relocate DPSC to New Cumberland, PA.]:

I move that the Commission find that the Secretary of Defense did not deviate substantially from the force structure plan and final criteria and, therefore, that the Commission adopt the following recommendation of the Secretary of Defense: Close the Defense Personnel Support Center (DPSC), Philadelphia, Pennsylvania, and relocate its mission to the Defense Distribution Region East, New Cumberland, Pennsylvania.

Alternative Motions:

~~Alternative Motion 1 [Move DPSC to ASO.]:~~

I move that the Commission find that the Secretary of Defense deviated substantially from final criteria 4 and 5 and, therefore, that the Commission reject the Secretary's recommendation on the Defense Personnel Support Center, Philadelphia, Pennsylvania, and, instead, adopt the following recommendation: relocate the Defense Personnel Support Center, Philadelphia, Pennsylvania, to the Aviation Supply Office compound in North Philadelphia, Pennsylvania. The Commission finds this recommendation is consistent with the force structure plan and final criteria.

Alternative Motion 2 [DPSC remains.]:

I move that the Commission find that the Secretary of Defense deviated substantially from final criteria 4 and 6 and, therefore, that the Commission reject the Secretary's recommendation on the Defense Personnel Support Center, Philadelphia, Pennsylvania, and, instead, adopt the following recommendation: the Defense Personnel Support Center, Philadelphia, Pennsylvania, remains open. The Commission finds this recommendation to be consistent with the force structure plan and final criteria.

DRAFT MOTIONS

Defense Industrial Supply Center, Philadelphia, PA:

Accept DoD Recommendation [Relocate DISC to New Cumberland, PA.]:
I move that the Commission find that the Secretary of Defense did not deviate substantially from the force structure plan and final criteria and, therefore, that the Commission adopt the following recommendation of the Secretary of Defense: Relocate the Defense Industrial Supply Center (DISC), a hardware Inventory Control Point (ICP), located in Philadelphia, Pennsylvania, to New Cumberland, Pennsylvania.

Alternative Motions:

Alternative Motion 1 [DISC stays at ASO.]:
I move that the Commission find that the Secretary of Defense deviated substantially from final criteria 4, 5, and 6 and, therefore, that the Commission reject the Secretary's recommendation on Defense Industrial Supply Center, Philadelphia, Pennsylvania, and, instead, adopt the following recommendation: Defense Industrial Supply Center, Philadelphia, Pennsylvania, remains open and located within the ASO compound in Philadelphia, Pennsylvania. The Commission finds this recommendation is consistent with the force structure plan and final criteria.

Alternative Motion 2 [Move DISC to SCSC OH.]:
I move that the Commission find that the Secretary of Defense deviated substantially from final criteria 4 and 5 and, therefore, that the Commission reject the Secretary's recommendation on Defense Industrial Supply Center, Philadelphia, Pennsylvania, and, instead, adopt the following recommendation: relocate the Defense Industrial Supply Center, Philadelphia, Pennsylvania, to the Defense Construction Supply Center, Columbus, Ohio. The Commission finds this recommendation is consistent with the force structure plan and final criteria.

Alternative Motion 3 [Move DISC to DESC OH.]:
I move that the Commission find that the Secretary of Defense deviated substantially from final criteria 4 and 5 and, therefore, that the Commission reject the Secretary's recommendation on Defense Industrial Supply Center, Philadelphia, Pennsylvania, and, instead, adopt the following recommendation: relocate the Defense Industrial Supply Center, Columbus, Ohio, to ~~the~~ Defense Electronics Supply Center, Dayton, Ohio. The Commission finds this recommendation is consistent with the force structure plan and final criteria.

Alternate Motion 2 [Adds McClellan AFB and NCTS San Diego; deletes Cleveland.]:
I move that the Commission find that the Secretary of Defense deviated substantially from criteria 2 and 3 and, therefore, that the Commission reject the Secretary's recommendation on the DoD-wide Data Center Consolidation Plan, and, instead, adopt the following recommendation: disestablish the 43 DISA information processing centers listed below:

Navy Sites

NSC Charleston, SC
NSC Puget Sound, WA
NSC Norfolk, VA
NAWC AD Patuxent River, MD
NAWC WD Point Mugu, CA
NSC Pearl Harbor, HI
NAS Whidbey Island, WA
TRF Kings Bay, GA
NAS Key West, FL
NAS Oceana, VA
NCTAMSLANT Norfolk, VA
NCTS New Orleans, LA
CRUITCOM Arlington, VA
NARDAC San Francisco, CA
NCCOSC San Diego, CA
ASO Philadelphia, PA
NCTS Pensacola, FL
NAWC WD China Lake, CA
FISC San Diego, CA
FACSO Port Hueneme, CA
TRF Bangor, WA
NAS Brunswick, ME
NAS Mayport, FL
EPMAC New Orleans, LA
BUPERS Washington, DC
NCTS Washington, DC
NCTAMS EASTPAC Pearl Harbor, HI
NAVDAF Corpus Christi, TX

7-0
HT Johnson
MM passed

Marine Corps Sites

MCAS Cherry Point, NC
RASC Camp Pendleton, CA
RASC Camp Lejeune, NC
MCAS El Toro, CA

Air Force Sites

CPSC San Antonio, TX
AFMPC Randolph AFB, TX
7th CG, Pentagon, VA

Defense Logistics Agency Sites

IPC Battle Creek, MI
IPC Philadelphia, PA
IPC Ogden, UT
IPC Richmond, VA

Defense Information Systems Agency Sites

DITSO Indianapolis IPC, IN
DITSO Kansas City IPC, MO
DITSO Columbus Annex (Dayton), OH
RMBA Cleveland, OH

Consolidate the information processing center workload at the following 16 megacenters:

Recommended Megacenter Locations

- Columbus, Ohio
- Ogden, Utah
- San Antonio, Texas
- Rock Island, Illinois
- Montgomery, Alabama
- Denver, Colorado
- Warner-Robins, Georgia
- Huntsville, Alabama
- Mechanicsburg, Pennsylvania
- Dayton, Ohio
- St. Louis, Missouri
- Oklahoma City, Oklahoma
- Jacksonville, Florida
- Chambersburg, Pennsylvania
- San Diego, California
- McClellan AFB, California

The Commission finds this recommendation is consistent with the force structure plan and final criteria.

McDill

(27)

29

DRAFT MOTIONS

	BOWMAN	COX	McPHERSON	COURTER	STUART	BYRON	JOHNSON
"AYE"							
"NAY"							

21a

~~Alternative 2 [Reopen McDill; Commerce operates; do not move JCSE.]~~:
I move that the Commission find that the Secretary of Defense deviated substantially from final criteria 1, 3 and 4 and, therefore, that the Commission reject the Secretary's recommendation on MacDill AFB, Florida, ~~and, instead~~, adopt the following recommendation: retain the Joint ~~Communication Support Element~~ at MacDill as long as the airfield is non-DoD operated. ~~Retain the 482nd at Homestead AFB, FL.~~ Operation of the airfield at MacDill will be taken over by the Department of Commerce or another Federal agency. The Commission finds this recommendation is consistent with the force structure plan and final criteria.

	BOWMAN	COX	McPHERSON	COURTER	STUART	BYRON	JOHNSON
Motion							✓
Second						✓	
"AYE"	✓	✓	✓	✓	✓	✓	✓
"NAY"							

7-0

in for motion. Take out of mt.

JOHNSON DID SAY THIS IN HIS MOTION.

After Cox vote — all by voice — stay motion 1-2nd vote after 2b unopposed vote full mc OK. return.

21b

15

Griffiss AFB, NY:

Accept DoD Recommendation [Realign Griffiss. 416 Bomb Wing inactivates.]:

I move that the Commission find that the Secretary of Defense did not deviate substantially from the force structure plan and final criteria and, therefore, that the Commission adopt the following recommendation of the Secretary of Defense: Griffiss AFB, New York, is recommended for realignment. The 416th Bomb Wing will inactivate. The B-52H aircraft will transfer to Minot AFB, North Dakota, and Barksdale AFB, Louisiana. The KC-135 aircraft from Griffiss AFB will transfer to Grand Forks AFB, North Dakota. The 485th Engineering Installation Group at Griffiss AFB will relocate to Hill AFB, Utah.

The Northeast Air Defense Sector will remain at Griffiss in a cantonment area pending the outcome of a NORAD sector consolidation study. If the sector remains it will be transferred to the Air National Guard (ANG). Rome Laboratory will remain at Griffiss AFB in its existing facilities as a stand-alone Air Force laboratory. A minimum essential airfield will be maintained and operated by a contractor on an "as needed, on call" basis. The ANG will maintain and operate necessary facilities to support mobility/contingency/training of the 10th Infantry (Light) Division located at Fort Drum, New York, and operate them when needed. Only the stand-alone laboratory and the ANG mission will remain.

	BOLMAN	COX	McPHERSON	COURTER	STUART	BYRON	JOHNSON
Motion			✓				
Second						✓	
"AYE"	✓	✓	✓	✓	✓	✓	✓
"NAY"	NAY	NAY					

7/0

Reject DoD Recommendation [Griffiss remains open.]:

I move that the Commission find that the Secretary of Defense deviated substantially from the force structure plan and final criteria in making his recommendation on Griffiss AFB, NY. Therefore, the Commission rejects and does not make the following recommendation of the Secretary: Griffiss AFB, New York, is recommended for realignment. The 416th Bomb Wing will inactivate. The B-52H aircraft will transfer to Minot AFB, North Dakota, and Barksdale AFB, Louisiana. The KC-135 aircraft from Griffiss AFB will transfer to Grand

17

DRAFT MOTIONS

March AFB, CA:

Accept DoD Recommendation [Realign March AFB. Inactivate 22nd AR Wing.]:

I move that the Commission find that the Secretary of Defense did not deviate substantially from the force structure plan and final criteria and, therefore, that the Commission adopt the following recommendation of the Secretary of Defense: March AFB, California, is recommended for realignment. The 22nd Air Refueling Wing will inactivate. The KC-10 (Active and Associate Reserve) aircraft will be relocated to Travis AFB, California. The Southwest Air Defense Sector will remain at March in a cantonment area pending the outcome of a NORAD sector consolidation study. If the sector remains it will be transferred to the Air National Guard (ANG). The 445th Airlift Wing Air Force Reserve (AFRES), 452nd Air Refueling Wing (AFRES), 163rd Reconnaissance Group (ANG) (becomes an Air Refueling Group), the Air Force Audit Agency, and the Media Center (from Norton AFB, California) will remain and the base will convert to a reserve base. Additionally, the Army Corps of Engineers Unit, the US Customs Aviation Operation Center West, and the Drug Enforcement Agency aviation unit will remain.

	BOWMAN	COX	McPHERSON	COURTER	STUART	BYRON	JOHNSON
Motion							✓
Second			✓			✓	
"AYE"	✓	✓	✓	✓	✓	✓	✓
"NAY"							

Reject DoD Recommendation [March AFB remains open.]:

I move that the Commission find that the Secretary of Defense deviated substantially from the force structure plan and final criteria in making his recommendation on March AFB, CA. Therefore, the Commission rejects and does not make the following recommendation of the Secretary: March AFB, California, is recommended for realignment. The 22nd Air Refueling Wing will inactivate. The KC-10 (Active and Associate Reserve) aircraft will be relocated to Travis AFB, California. The Southwest Air Defense Sector will remain at March in a cantonment area pending the outcome of a NORAD sector consolidation study. If the sector remains it will be transferred to the Air National Guard (ANG). The 445th Airlift Wing Air Force Reserve (AFRES), 452nd Air Refueling Wing (AFRES), 163rd Reconnaissance Group (ANG) (becomes an Air Refueling Group), the Air Force Audit Agency,

Large Aircraft

K.I. Sawyer AFB, MI:

Accept DoD Recommendation [Close K.I. Sawyer. 410th Wing inactivates.]:

I move that the Commission find that the Secretary of Defense did not deviate substantially from the force structure plan and final criteria and, therefore, that the Commission adopt the following recommendation of the Secretary of Defense: K.I. Sawyer AFB, Michigan, is recommended for closure. The 410th Wing will inactivate. B-52H aircraft will transfer to Barksdale AFB, Louisiana. The Air Force will retire its B-52G aircraft instead of implementing the previous Base Closure Commission recommendation to transfer those aircraft from Castle AFB, California, to K.I. Sawyer AFB.

	BOWMAN	COX	McPHERSON	COURTER	STUART	BYRON	JOHNSON
Motion					✓		
Second	✓						
"AYE"	✓	✓	✓	✓	✓	✓	✓
"NAY"							

Reject DoD Recommendation [K.I. Sawyer remains open.]:

I move that the Commission find that the Secretary of Defense deviated substantially from the force structure plan and final criteria in making his recommendation on K.I. Sawyer AFB, MI. Therefore, the Commission rejects and does not make the following recommendation of the Secretary: K.I. Sawyer AFB, Michigan, is recommended for closure. The 410th Wing will inactivate. B-52H aircraft will transfer to Barksdale AFB, Louisiana. The Air Force will retire its B-52G aircraft instead of implementing the previous Base Closure Commission recommendation to transfer those aircraft from Castle AFB, California, to K.I. Sawyer AFB.

	BOWMAN	COX	McPHERSON	COURTER	STUART	BYRON	JOHNSON
Motion							
Second							

Homestead 8 33

F-16

following recommendation: realign Homestead AFB with the following actions. Inactivate the 31st Fighter Wing; all F-16s from the 31st Fighter Wing will remain temporarily assigned to Moody AFB, Georgia, and Shaw AFB, South Carolina; move the Inter-American Air Forces Academy to Lackland Air Force Base, Texas; and temporarily relocate the Air Force Water Survival School to Tyndall Air Force Base, Florida. Future disposition of the Water Survival School is dependent on efforts to consolidate its functions with the United States Navy. Move the 301st Rescue Squadron, Air Force Reserve (AFRES) to Patrick Air Force Base, Florida. Relocate the 726th Air Control Squadron to Shaw AFB. Consolidate the Naval Security Group with other US Navy units. Close all DoD activities and facilities including family housing, the hospital, commissary, and base exchange facilities. All essential cleanup and restoration activities associated with Hurricane Andrew will be completed. The 482d Fighter Wing and the North American Air Defense alert activity will remain in cantonment areas. The Commission finds this recommendation is consistent with the force structure plan and final criteria.

	BOWMAN	COX	McPHERSON	COURTER	STUART	BYRON	JOHNSON
Motion							
Second							
"AYE"							
"NAY"							

Alternative 2 [Realign Homestead AFB 482nd Fighter Wing, NORAD, and 301st Rescue squadron remain.]:

I move that the Commission find that the Secretary of Defense deviated substantially from final criteria 1 and 3 for the military value of this strategically located base and criterion 4 for costs to move the 482d Fighter Wing and operate MacDill AFB and criterion 6 for economic impact, and, therefore, that the Commission reject the Secretary's recommendation on Homestead AFB, Florida, and, instead, adopt the following recommendation: realign Homestead AFB with the following actions. Inactivate the 31st Fighter Wing; all F-16s from the 31st Fighter Wing will remain temporarily assigned to Moody AFB, Georgia, and Shaw AFB, South Carolina; move the Inter-American Air Forces Academy to Lackland AFB, Texas; temporarily relocate the Air Force Water Survival School to Tyndall AFB, Florida. Future disposition of the Water Survival School is dependent upon efforts to consolidate its functions with the United States Navy. Relocate the 726th

20

F-16

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DRAFT MOTIONS

Air Control Squadron to Shaw AFB. Consolidate the Naval Security Group with other US Navy units. Close all DoD activities and facilities, including family housing, the hospital, commissary, and base- exchange facilities. All essential cleanup and restoration activities associated with Hurricane Andrew will be completed. The 482d Fighter Wing and the 301st Rescue Squadron (AFRES) and the North American Air Defense alert activity will remain in cantonment areas. The Commission finds this recommendation is consistent with the force structure plan and final criteria.

	BOWMAN	COX	McPHERSON	COURTER	STUART	BYRON	JOHNSON
Motion							✓
Second			✓				
"AYE"	✓	✓	✓	✓	✓	✓	✓
"NAY"							

20

DRAFT MOTIONS

Plattsburgh AFB, NY:

DoD Recommendation -- none.

Alternative Motion ~~[Close Plattsburgh. Transfer KC-135's.]~~:

I move that the Commission find that the Secretary of Defense deviated substantially from criteria 2 and 4 and, therefore, the Commission adopt the following recommendation: close Plattsburgh AFB and transfer the KC-135s to ~~the designated East Coast Mobility Base~~ McGuire AFB. The Commission finds that this recommendation is consistent with the force structure plan and final criteria.

	BOWMAN	COX	McPHERSON	COURTER	STUART	BYRON	JOHNSON
Motion			✓				
Second					✓		
"AYE"	✓	✓	✓	✓	✓		✓
"NAY"						✓	

6/1

33

DRAFT MOTIONS

Carswell AFB, CA:

Accept DoD Recommendation [Realign to Luke, Hill, and Dyess.]:

I move that the Commission find that the Secretary of Defense did not deviate substantially from the force structure plan and final criteria and, therefore, that the Commission adopt the following recommendation of the Secretary of Defense: Transfer the fabrication function of the 436th Training Squadron (formerly 436th Strategic Training Squadron) to Luke AFB, Arizona and the maintenance training function to Hill AFB, Utah. The remaining functions of the 436th Training Squadron will still relocate to Dyess AFB, Texas. Final disposition of the base exchange and commissary will depend on the outcome of the Congressionally mandated base exchange and commissary test program.

	BOWMAN	COX	McPHERSON	COURTER	STUART	BYRON	JOHNSON
Motion							✓
Second						✓	
"AYE"	✓	✓	✓	✓	✓	✓	✓
"NAY"							

include circled language

7/0 pass

Reject DoD Recommendation [Realign 436. Training only to Dyess.]:

I move that the Commission find that the Secretary of Defense deviated substantially from the force structure plan and final criteria in making his recommendation on Carswell AFB, CA. Therefore, the Commission rejects and does not make the following recommendation of the Secretary: Transfer the fabrication function of the 436th Training Squadron (formerly 436th Strategic Training Squadron) to Luke AFB, Arizona and the maintenance training function to Hill AFB, Utah. The remaining functions of the 436th Training Squadron will still relocate to Dyess AFB, Texas. Final disposition of the base exchange and commissary will depend on the outcome of the Congressionally mandated base exchange and commissary test program.

	BOWMAN	COX	McPHERSON	COURTER	STUART	BYRON	JOHNSON
Motion							
Second							

Castle AFB, CA:

~~Accept DoD Recommendation [Realign Castle to Barksdale and Altus.]:~~

I move that the Commission find that the Secretary of Defense did not deviate substantially from the force structure plan and final criteria and, therefore, that the Commission adopt the following recommendation of the Secretary of Defense: Redirect the B-52 and KC-135 Combat Crew Training mission from Fairchild AFB, Washington to Barksdale AFB, Louisiana (B-52) and Altus AFB, Oklahoma (KC-135).

	BOWMAN	COX	McPHERSON	COURTER	STUART	BYRON	JOHNSON
Motion							✓
Second	✓						
"AYE"	✓	✓	✓	✓	✓	✓	✓
"NAY"							

22

7-0

Reject DoD Recommendation [Castle to Fairchild.]:

I move that the Commission find that the Secretary of Defense deviated substantially from the force structure plan and final criteria in making his recommendation on Castle AFB, CA. Therefore, the Commission rejects and does not make the following recommendation of the Secretary: Redirect the B-52 and KC-135 Combat Crew Training mission from Fairchild AFB, Washington to Barksdale AFB, Louisiana (B-52) and Altus AFB, Oklahoma (KC-135).

	BOWMAN	COX	McPHERSON	COURTER	STUART	BYRON	JOHNSON
Motion							
Second							
"AYE"							
"NAY"							

Alternative Motion -- none.

DRAFT MOTIONS

MacDill AFB, FL:

Accept DoD Recommendation [482 to MacDill, JCSE remains.]:

I move that the Commission find that the Secretary of Defense did not deviate substantially from the force structure plan and final criteria and, therefore, that the Commission adopt the following recommendation of the Secretary of Defense: The Air Force Reserve (AFRES) will temporarily operate the airfield as a reserve base, not open to civil use, until it can be converted to a civil airport. This will accommodate the recommended reassignment of the 482nd Fighter Wing (AFRES) from Homestead AFB to MacDill AFB and its conversion to KC-135 tankers. The Joint Communications Support Element (JCSE) will not be transferred to Charleston AFB, South Carolina as recommended in 1991, but, instead, will remain at MacDill AFB.

	BOWMAN	COX	McPHERSON	COURTER	STUART	BYRON	JOHNSON
Motion							
Second							
"AYE"							
"NAY"							

Reject DoD Recommendation/Alternative 1 [MacDill remains closed.]:

I move that the Commission find that the Secretary of Defense deviated substantially from final criteria 1 and 4 and, therefore, that the Commission reject the Secretary's recommendation on MacDill AFB, Florida, and, instead, adopt the following recommendation: move the Joint Communication Support Element to Charleston AFB, South Carolina, as provided for in the 1991 Defense Base Closure Commission Report to the President. The 482nd Fighter Wing (AFRES) will remain at Homestead AFB, Florida. The Commission finds this recommendation is consistent with the force structure plan and final criteria.

	BOWMAN	COX	McPHERSON	COURTER	STUART	BYRON	JOHNSON
Motion							
Second							

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(31)

DRAFT MOTIONS

Mather AFB, CA:

Accept DoD Recommendation [Mather to Beale.]:

I move that the Commission find that the Secretary of Defense did not deviate substantially from the force structure plan and final criteria and, therefore, that the Commission adopt the following recommendation of the Secretary of Defense: Redirect the 940th Air Refueling Group (AFRES) with its KC-135 aircraft to Beale AFB, California vice McClellan AFB, California. Because of the rapidly approaching closure of Mather AFB, the 940th will temporarily relocate to McClellan AFB, while awaiting permanent beddown at Beale AFB.

	BOWMAN	COX	McPHERSON	COURTER	STUART	BYRON	JOHNSON
Motion							✓
Second	✓						
"AYE"	✓	✓	✓	✓	✓	✓	✓
"NAY"							

Pass

Reject DoD Recommendation [Mather to McClellan.]:

I move that the Commission find that the Secretary of Defense from the force structure plan and final criteria in making his reco AFB, CA. Therefore, the Commission rejects and does not make the fo of the Secretary: Redirect the 940th Air Refueling Group (AFRES) w to Beale AFB, California vice McClellan AFB, California. Because o approaching closure of Mather AFB, the 940th will temporarily reloc while awaiting permanent beddown at Beale AFB.

	BOWMAN	COX	McPHERSON	COURTER	STUART	BYRON
Motion						
Second						
"AYE"						
"NAY"						

McP

Chanute

37 40

DRAFT MOTIONS

~~Technology, Non-Destructive Inspection, and Aircraft Structural Maintenance training courses with the Navy at Naval Air Station (NAS) Memphis, Tennessee. The Commission finds this recommendation is consistent with the force structure plan and final criteria.~~

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Alt 3 [Same as DoD but change last phrase so goes w/any Navy move]:

I move that the Commission find that the Secretary of Defense deviated substantially from the final criteria 4 and, therefore, that the Commission reject the Secretary's recommendation on Chanute AFB, Illinois, and, instead, adopt the following recommendation: As part of the closure of Chanute AFB, Illinois, consolidate the Air Force's 16 Metals Technology, Non-Destructive Inspection, and Aircraft Structural Maintenance training courses with the Navy at Naval Air Station (NAS) Memphis, Tenn., and then move with the Navy to Pensacola. ~~any move from Memphis~~. The Commission finds this recommendation is consistent with the force structure plan and final criteria.

motion by B
2nd by M

7/0

	B	C	M	C	S	B	J
Y	✓	✓	✓	✓	✓	✓	✓
N							

to move the 178th Fighter Group; 4 WHH stay at Springfield Municipal Airport, Ohio.

41

24

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DRAFT MOTIONS

Rickenbacker Air National Guard Base (ANGB), OH:

Accept DoD Recommendation [ANG at Rickenbacker, Springfield to Wright-Patterson.]

I move that the Commission find that the Secretary of Defense did not deviate substantially from the force structure plan and final criteria and, therefore, that the Commission adopt the following recommendation of the Secretary of Defense: The 121st Air Refueling Wing (ANG) and the 160th Air Refueling Group (ANG) will move into a cantonment area on the present Rickenbacker ANGB, and operate as a tenant of the Rickenbacker Port Authority (RPA) on RPA's airport. The 907th Airlift Group (AFRES) will realign to Wright-Patterson AFB, Ohio as originally recommended. The 4950th Test Wing will still move to Edwards AFB, California. There is no recommendation by the Secretary of Defense or the Commission

	BOMAN	COX	McPHERSON	COURTER	STUART	BYRON	JOHNSON
Motion							✓
Second		✓					
"AYE"	✓	✓	✓	✓	✓	✓	✓
"NAY"							

7/0

Reject DoD Recommendation/Alternative 1 [Realign Rickenbacker to Wright-Patterson. Not move to Springfield.]:

I move that the Commission find that the Secretary of Defense deviated substantially from final criterion 5 and, therefore, that the Commission reject the Secretary's recommendation on Rickenbacker Air National Guard Base (ANGB), Ohio, and, instead, adopt the following recommendation: move the 121st Air Refueling Wing (ANG) and the 160th Air Refueling Group (ANG) at Rickenbacker ANGB to WPAFB as originally planned. The Commission reaffirms the 1991 recommendation to realign the 907th Airlift Group (AFRES) to Wright-Patterson AFB, Ohio and move the 4950th Test Wing to Edwards AFB, California. The Commission finds these recommendations are consistent with the force structure plan and final criteria.

	BOMAN	COX	McPHERSON	COURTER	STUART	BYRON	JOHNSON
Motion							
Second							

McGuire

Inserts:

East Coast Mobility Base Scenario

In order to facilitate deliberations on large aircraft air force bases, I move that the Commission determine it will make recommendations consistent with:

[pick one]

Plattsburgh AFB-NY
McGuire AFB-NJ
Griffis AFB-NY

being the North East Mobility Wing Base.

McGuire AFB Insert: motion by HTJ seconded by RS 6 in favor 1 opposed - again

13

Alternative 1B [HTJ - McGuire as East Coast Mobility Base; with ~~specific aircraft assignments.~~].

I move that the Commission find that the Secretary of Defense deviated substantially from final criteria 1, 2, 3, and 4 and, therefore, that the Commission reject the Secretary's recommendation on McGuire AFB, and, instead, adopt the following recommendation: retain McGuire AFB as an active installation. The 438th and 514th airlift wings, the 170th air refueling group (ANG), and the 108th air refueling wing (ANG) will remain at McGuire AFB. Move the 19 KC-10 aircraft from Barksdale AFB to McGuire AFB. Move the requisite number of KC-135 aircraft to establish the east coast mobility base ~~to~~ at McGuire AFB. The C-130 913th airlift group (AFRES) remains at Willow Grove NAS, PA. The Commission finds this recommendation is consistent with the force structure plan and final criteria.

Homestead Replacement for Alternative 2

Alternative 2 [Realign Homestead AFB 482nd Fighter Wing, NORAD, and 301st Rescue Squadron remain.]:

I move that the Commission find that the Secretary of Defense deviated substantially from final criteria 1 and 3 for the military value of this strategically located base and criterion 4 for costs to move the 482d Fighter Wing and operate MacDill AFB and criterion 6 for economic impact, and, therefore, that the Commission reject the Secretary's recommendation on Homestead AFB, Florida, and, instead, adopt the following recommendation: realign Homestead AFB with the following actions. Inactivate the 31st Fighter Wing; all F-16s from the 31st Fighter Wing will remain temporarily assigned to Moody AFB, Georgia, and Shaw AFB, South Carolina; move the Inter-American Air Forces Academy to Lackland AFB, Texas; temporarily relocate the Air Force Water Survival School to Tyndall AFB, Florida.

Air Logistics Centers

Newark AFB, OH:

Accept DoD Recommendation [Close Newark.]:

I move that the Commission find that the Secretary of Defense did not deviate substantially from the force structure plan and final criteria and, therefore, that the Commission adopt the following recommendation of the Secretary of Defense: Newark AFB, Ohio, is recommended for closure. The Aerospace Guidance and Metrology Center (AGMC) depot will be closed; some workload will move to other depot maintenance activities including the private sector. ~~We anticipate that most will be privatized in place.~~

	BOWMAN	COX	McPHERSON	COURTER	STUART	BYRON	JOHNSON
Motion					✓		
Second						✓ ?	
"AYE"	✓	✓	✓	✓	✓	✓	✓
"NAY"							

7/0

Reject DoD Recommendation [Newark stays open.]:

I move that the Commission find that the Secretary of Defense deviated substantially from the force structure plan and final criteria in making his recommendation on Newark AFB, Ohio. Therefore, the Commission rejects and does not make the following recommendation of the Secretary: Newark AFB, Ohio, is recommended for closure. The Aerospace Guidance and Metrology Center (AGMC) depot will be closed; some workload will move to other depot maintenance activities including the private sector. We anticipate that most will be privatized in place.

	BOWMAN	COX	McPHERSON	COURTER	STUART	BYRON	JOHNSON
Motion							
Second							
"AYE"							
"NAY"							

41

Draft Motions

O'Hare International Airport, Air Reserves Station, Chicago, IL
[To clarify Friday's recommendation.]

[Intro: On Friday, we voted to recommend that O'Hare Air Reserves Station be closed and relocated provided the City of Chicago demonstrated that it had the financing to cover, among other things, the full cost of replacing facilities "except for FAA grants for airfield facilities open to the public." We included that exception to make clear that we did not intend to deprive a community to which O'Hare ARS is relocated of FAA grants for which it would otherwise be entitled. To ensure that our intent is clear:

I move that the phrase "(except for FAA grants for airfield facilities open to the public)" be revised to read as follows: "(except for FAA grants for airport planning and development that would otherwise be eligible for Federal financial assistance to serve the needs of civil aviation at the receiving location)."

~~[Fri -- The entire recommendation now reads:~~

I move that the Commission find that the Secretary of Defense deviated substantially from final criteria 2 and 4 and, therefore that the Commission reject the Secretary's recommendation on O'Hare and, instead, adopt the following recommendation: Close O'Hare ARS as proposed by the City of Chicago and relocate the assigned Air Reserve Component (ARC) units to the Greater Rockford Airport, or another location acceptable to the Secretary of the Air Force (in consultation and agreement with the receiving location), provided the City of Chicago can demonstrate that it has the financing in place to cover the full cost of replacing facilities (except for FAA grants for airport planning and development that would otherwise be eligible for Federal financial assistance to serve the needs of civil aviation at the receiving location), environmental impact analyses, moving, and any added costs of environmental cleanup resulting from higher standards or a faster schedule than DoD would be obliged to meet if the base did not close, without any cost whatsoever to the federal government, and further provided that the closure/realignment must begin by July 1995 and be completed by July 1998. Chicago would also have to fund the cost of relocating the Army Reserve activity, or leave it in place. If these conditions are not met, the units should remain at O'Hare International Airport. The Commission finds this recommendation is consistent with the force structure plan and final criteria.]

O Hare

Draft Motions

42 Same

O'Hare International Airport, Air Reserves Station, Chicago, IL
[To clarify Friday's recommendation.]

[Intro: On Friday, we voted to recommend that O'Hare Air Reserves Station be closed and relocated provided the City of Chicago demonstrated that it had the financing to cover, among other things, the full cost of replacing facilities "except for FAA grants for airfield facilities open to the public." We included that exception to make clear that we did not intend to deprive a community to which O'Hare ARS is relocated of FAA grants for which it would otherwise be entitled. To ensure that our intent is clear:

I move that the phrase "(except for FAA grants for airfield facilities open to the public)" be revised to read as follows: "(except for FAA grants for airport planning and development that would otherwise be eligible for Federal financial assistance to serve the needs of civil aviation at the receiving location)."

[FYI -- The entire recommendation now reads:
I move that the Commission find that the Secretary of Defense deviated substantially from final criteria 2 and 4 and, therefore that the Commission reject the Secretary's recommendation on O'Hare and, instead, adopt the following recommendation: Close O'Hare ARS as proposed by the City of Chicago and relocate the assigned Air Reserve Component (ARC) units to the Greater Rockford Airport, or another location acceptable to the Secretary of the Air Force (in consultation and agreement with the receiving location), provided the City of Chicago can demonstrate that it has the financing in place to cover the full cost of replacing facilities (except for FAA grants for airport planning and development that would otherwise be eligible for Federal financial assistance to serve the needs of civil aviation at the receiving location), environmental impact analyses, moving, and any added costs of environmental cleanup resulting from higher standards or a faster schedule than DoD would be obliged to meet if the base did not close, without any cost whatsoever to the federal government, and further provided that the closure/realignment must begin by July 1995 and be completed by July 1998. Chicago would also have to fund the cost of relocating the Army Reserve activity, or leave it in place. If these conditions are not met, the units should remain at O'Hare International Airport. The Commission finds this recommendation is consistent with the force structure plan and final criteria.]

Voice vote Johnson/Cox

42 Draft Motions

O'Hare International Airport, Air Reserves Station, Chicago, IL
[To clarify Friday's recommendation.]

[**Intro:** On Friday, we voted to recommend that O'Hare Air Reserves Station be closed and relocated provided the City of Chicago demonstrated that it had the financing to cover, among other things, the full cost of replacing facilities "except for FAA grants for airfield facilities open to the public." We included that exception to make clear that we did not intend to deprive a community to which O'Hare ARS is relocated of FAA grants for which it would otherwise be entitled. To ensure that our intent is clear:

I move that the phrase "(except for FAA grants for airfield facilities open to the public)" be revised to read as follows: "(except for FAA grants for airport planning and development that would otherwise be eligible for Federal financial assistance to serve the needs of civil aviation at the receiving location)."

[FYI -- The entire recommendation now reads:
I move that the Commission find that the Secretary of Defense deviated substantially from final criteria 2 and 4 and, therefore that the Commission reject the Secretary's recommendation on O'Hare and, instead, adopt the following recommendation: Close O'Hare ARS as proposed by the City of Chicago and relocate the assigned Air Reserve Component (ARC) units to the Greater Rockford Airport, or another location acceptable to the Secretary of the Air Force (in consultation and agreement with the receiving location), provided the City of Chicago can demonstrate that it has the financing in place to cover the full cost of replacing facilities (except for FAA grants for airport planning and development that would otherwise be eligible for Federal financial assistance to serve the needs of civil aviation at the receiving location), environmental impact analyses, moving, and any added costs of environmental cleanup resulting from higher standards or a faster schedule than DoD would be obliged to meet if the base did not close, without any cost whatsoever to the federal government, and further provided that the closure/realignment must begin by July 1995 and be completed by July 1998. Chicago would also have to fund the cost of relocating the Army Reserve activity, or leave it in place. If these conditions are not met, the units should remain at O'Hare International Airport. The Commission finds this recommendation is consistent with the force structure plan and final criteria.]

Voice vote Johnson/Cox

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DRAFT MOTIONS

Bergstrom AFB, TX:

Accept DoD Recommendation [704th Fighter Squadron and 924 Fighter Group to Carswell.]:

I move that the Commission find that the Secretary of Defense did not deviate substantially from the force structure plan and final criteria and, therefore, that the Commission adopt the following recommendation of the Secretary of Defense: The 704th Fighter Squadron (AFRES) with its F-16 aircraft and the 924th Fighter Group (AFRES) support units will move to Carswell AFB, Texas and the cantonment area at Bergstrom AFB will close. The Regional Corrosion Control Facility at Bergstrom AFB will be closed by September 30, 1994, unless a civilian airport authority elects to assume the responsibility for operating and maintaining the facility before that date.

Reject DoD Recommendation [Bergstrom remains open.]:

I move that the Commission find that the Secretary of Defense deviated substantially from the force structure plan and final criteria in making his recommendation on Bergstrom AFB, TX. Therefore, the Commission rejects and does not make the following recommendation of the Secretary: The 704th Fighter Squadron (AFRES) with its F-16 aircraft and the 924th Fighter Group (AFRES) support units will move to Carswell AFB, Texas and the cantonment area at Bergstrom AFB will close. The Regional Corrosion Control Facility at Bergstrom AFB will be closed by September 30, 1994, unless a civilian airport authority elects to assume the responsibility for operating and maintaining the facility before that date.

Alternative Motion [Bergstrom remains open due to military value and manpower implications.]:

I move that the Commission find that the Secretary of Defense deviated substantially from the force-structure plan and final criteria 1, 2 and 4, and, therefore, that the Commission reject the Secretary's recommendation on Bergstrom AFB, Texas, and, instead, adopt the following recommendation: Bergstrom cantonment area will remain open and the 704th Fighter Squadron (AFRES) with its F-16 aircraft and the 924th Fighter Group (AFRES) support units (AFRES) remain at the Bergstrom cantonment area until at least the end of 1996, ~~and until it is determined that the Dallas - Ft. Worth area can sustain the high number of reservists.~~ Close or relocate the Regional Corrosion Control Facility at Bergstrom by September 30, 1994, unless a civilian airport authority assumes the responsibility for operating and maintaining the facility before that date.

2nd mot

1st mot

cont'd next page

B C m C S B J mot. by MTD

unan. consent to withdraw,

mot by MTD

2nd MM

[Optional paragraph: I move that the Commission further adopt the recommendation that the Air Force consider the Austin community's proposal to realign the Air Force reserve units from Carswell to Bergstrom for consideration during the 1995 base closure and realignment process. The Air Forces' analysis of the retention of the Carswell AFRES units should concentrate on 2 key issues: (1) demographics and the ability of the Dallas-FT Worth population to support substantial reservists, and (2) the budget quality of facilities and requirements of all reserve units potentially utilizing Carswell AFB.]

~~Must include:~~ The Commission finds this recommendation is consistent with the force structure plan and final criteria.

Gentile Air Force Station, Dayton, Ohio

DoD Recommendation -- none.

~~Alternative Motion [close Gentile AFS]:~~

I move that the Commission find that the Secretary of Defense deviated substantially from final criterion 1 and, therefore, that the Commission adopt the following recommendation: close Gentile Air Force Station, Dayton, Ohio, except for space required to operate the AUTODIN Switching Center. The Commission finds this recommendation is consistent with the force structure plan and final criteria.

93

by MTJ
MM

Mare Isl.

45

50

Draft Motions

Shipyards

Mare Island Naval Shipyard, CA:

Accept DoD Recommendation [Close Mare Island NSY. Retain family housing as necessary to support Naval Weapons Station Concord.] :

I move that the Commission find that the Secretary of Defense did not deviate substantially from the force structure plan and final criteria and, therefore, that the Commission adopt the following recommendation of the Secretary of Defense: Close the Mare Island Naval Shipyard (NSY). Relocate the Combat Systems Technical Schools Command activity to Dam Neck, Virginia. Relocate one submarine to the Naval Submarine Base, Bangor, Washington. Family housing located at Mare Island NSY will be retained as necessary to support Naval Weapons Station Concord.

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	BOWMAN	COX	McPHERSON	COURTER	STUART	BYRON	JOHNSON
Motion							✓
Second					✓		
"AYE"	✓	✓	✓	✓	✓	✓	✓
"NAY"							

Alternative Motion [Mare Island NSY remains open.]:

I move that the Commission find that the Secretary of Defense deviated substantially from final criterion 1 and, therefore, that the Commission reject the Secretary's recommendation on Mare Island Naval Shipyard, California, and, instead, adopt the following recommendation: Mare Island Naval Shipyard remains open. The Commission finds that this recommendation is consistent with the force structure plan and final criteria.

	BOWMAN	COX	McPHERSON	COURTER	STUART	BYRON	JOHNSON
Motion							
Second							
"AYE"							
"NAY"							

Charleston NSY 46

Draft Motions 51

Alternative Motion [Close NSY Charleston. Retain flexibilities for use of some facilities.]:

I move that the Commission find that the Secretary of Defense deviated substantially from final criterion 1 and, therefore, that the Commission reject the Secretary's recommendation on Naval Shipyard Charleston, and, instead, adopt the following recommendation: close Naval Shipyard Charleston, but maintain the option for the 1993 Defense Base Closure and Realignment Commission later to recommend the retention of Charleston Naval Shipyard facilities that are deemed necessary to establish or support naval commands that are retained at, realigned to, or relocated to Charleston, South Carolina. The Commission finds that this recommendation is consistent with the force structure plan and final criteria.

	BOWMAN	COX	McPHERSON	COURTER	STUART	BYRON	JOHNSON
Motion							✓
Second					✓		
"AYE"		✓	✓	✓	✓	✓	✓
"NAY"							

35

close but retain opt to retain facils dep's on subseq Comm'n action.

to keep Charles. - Bowman [illegible]

just by subst dev ≠ need to Δ rec.

~~p~~practical sol'n - need to consider NAS etc.

To maximize comm'n partic

47

57

Draft Motions

NAS Agana, Guam

DoD Recommendation -- none.

56

Alternative Motion 1 [Close Agana. Retain housing.]:

I move that the Commission find that the Secretary of Defense deviated substantially from the force structure plan and final criteria and, therefore, that the Commission adopt the following recommendation: Close Naval Air Station (NAS) Agana. Move aircraft, personnel and associated equipment to Anderson AFB, Guam. Retain housing at NAS Agana necessary to support Navy personnel who have relocated to Anderson AFB. The Commission finds this recommendation is consistent with the force structure plan and final criteria.

Alternative Motion 2 [Close Agana. Excess facilities.]:

I move that the Commission find that the Secretary of Defense deviated substantially from the force structure plan and final criteria and, therefore, that the Commission adopt the following recommendation: Close Naval Air Station (NAS) Agana. Move aircraft, personnel and associated equipment to Anderson AFB, Guam. Excess all facilities at NAS Agana. The Commission finds this recommendation is consistent with the force structure plan and final criteria.

motion by RS
2nd by HTJ

6 - 0

	B	C	M	C	S	B	L
Y	–		–	–	–	–	–
N							

Recused

48

53

Draft Motions

Naval Air Facility, Midway Island:

Accept DoD Recommendation [Close NAF Midway Island.]:

I move that the Commission find that the Secretary of Defense did not deviate substantially from the force structure plan and final criteria and, therefore, that the Commission adopt the following recommendation of the Secretary of Defense: Close Naval Air Facility (NAF), Midway Island.

Reject DoD Recommendation [Keep NAF Midway Island open.]:

I move that the Commission find that the Secretary of Defense deviated substantially from the force structure plan and final criteria in making his recommendation on Naval Air Facility, Midway Island. Therefore, the Commission rejects and does not make the following recommendation of the Secretary: Close Naval Air Facility (NAF), Midway Island.

by MM
2nd MTJ

BB	C	M	C	S	B	J
—	—	—	—	—	—	—

49

54

Draft Motions

East Coast Operational Air Stations

Naval Air Station, Cecil Field, FL:

Accept DoD Recommendation [Close Cecil Field; move assets to Cherry Point, Oceana and Beaufort.]:

I move that the Commission find that the Secretary of Defense did not deviate substantially from the force structure plan and final criteria and, therefore, that the Commission adopt the following recommendation of the Secretary of Defense: Close Naval Air Station, Cecil Field and relocate its aircraft along with dedicated personnel, equipment and support to Marine Corps Air Station, Cherry Point, North Carolina; Naval Air Station, Oceana, Virginia; and Marine Corps Air Station, Beaufort, South Carolina. Disposition of major tenants is as follows: Marine Corps Security Force Company relocates to MCAS Cherry Point; Aviation Intermediate Maintenance Department relocates to MCAS Cherry Point; Air Maintenance Training Group Detachment, Fleet Aviation Support Office Training Group Atlantic, and Sea Operations Detachment relocate to MCAS Cherry Point and NAS Oceana.

	BOWMAN	COX	McPHERSON	COURTER	STUART	BYRON	JOHNSON
Motion			✓				
Second						✓	
"AYE"	✓	✓	✓	✓	✓	✓	✓
"NAY"							

53

El Toro

NAS North Island

Draft Motions

West Coast Operational Air Stations

Accept modified DoD Recommendation MCAS El Toro, CA [accept Sec's recommendation as modified -- Close El Toro and move to Miramar; reaign Miramar; redirect Tustin to Miramar].

I move that the Commission find that the Secretary of Defense deviated substantially from the force structure plan and final criteria and, therefore, that the Commission reject the Secreatary's recommendation on MCAS El Toro, CA, and, instead, adopt the following recommendation: Close Marine Corps Air Station (MCAS) El Toro, California. Relocate its aircraft along with their dedicated personnel, equipment and support to other naval air stations, primarily Naval Air Station (NAS), Miramar, California and MCAS Camp Pendleton, California. In an associated action, the squadrons and related activities at NAS Miramar will move to other naval air stations, primarily NAS Lemoore and NAS Fallon in order to make room for the relocation of the MCAS El Toro squadrons. Relocate Marine Corps Reserve Center to NAS Miramar. Additionally, change the recommendation of the 1991 Commission, which was to close MCAS Tustin and relocate its helicopter assets to Marine Corps Air Ground Combat Center at Twentynine Palms, California, as follows: relocate MCAS Tustin helicopter assets to NAS Miramar, California and MCAS Camp Pendleton, California.

Reject DoD Recommendation [Keep MCAS El Toro Open, Keep NAS Miramar Open and do not redirect MCAS Tustin from Twentynine Palms to NAS Miramar.]:

I move that the Commission find that the Secretary of Defense deviated substantially from the force structure plan and final criteria in making his recommendation on MCAS El Toro, CA. Therefore, the Commission rejects and does not make the following recommendation of the Secretary: Close Marine Corps Air Station (MCAS) El Toro, California. Relocate its aircraft along with their dedicated personnel, equipment and support to Naval Air Station (NAS), Miramar, California and MCAS Camp Pendleton, California. In an associated action, the squadrons and activities at NAS Miramar will move to NAS Lemoore and NAS Fallon in order to make room for the relocation of MCAS El Toro squadrons. Additionally, change the recommendation of the 1991 Commission, which was to close MCAS Tustin and relocate its helicopter assets to Marine Corps Air Ground Combat Center at Twentynine Palms, California, as follows: relocate MCAS Tustin helicopter assets to NAS Miramar, California and MCAS Camp Pendleton, California.

The Comm finds this rec. is consistent w/ the force structure plan and final criteria.

* FYI - this rec. still sends Tustin to 29 Palms.

51

56

Draft Motions

NAVAL AIR STATION BARBERS POINT, HI

Alternative Motions:

~~Accept partially modified DoD Recommendation.~~

I move that the Commission find that the Secretary of Defense deviated substantially from the force structure plan and final criteria and, therefore, that the Commission reject the Secretary's recommendation on NAS Barbers Point Hawaii and instead adopt the following recommendation: Close the Naval Air Station (NAS) Barbers Point and relocate its aircraft, along with their dedicated personnel, equipment and support to other naval air stations, including Marine Corps Air Station (MCAS) Kaneohe Bay, Hawaii and NAS Whidbey Island, Washington. Disestablish the Naval Air Reserve Center. Retain the family housing as needed for multi-service use. The Commission finds this recommendation is consistent with the force structure plan and final criteria.

motion - MTJ

2nd - Byron

Carried

Y3 NAS Memphis re NATTC (52) SUN 1:30pm 37

Draft Motions

Naval Air Technical Training Center portion of DoD recommendation on Naval Air Station, Memphis, TN:

INTRO [to be read] -- The Secretary's recommendation on NAS Memphis addressed (1) the flying mission and reserve squadrons, (2) the the Naval Air Technical Training Center, and (3) the Bureau of Naval Personnel. To facilitate matters, we are addressing and voting on these three parts of the recommendation separately. We have already voted on the flying mission and reserve squadrons. I would now like to make a motion on the Naval Air Technical Training Center.

Accept DoD Recommendation on Naval Air Technical Training Center [Relocate to Pensacola]:

I move that the Commission find that the Secretary of Defense did not deviate substantially from the force structure plan and final criteria and, therefore, that the Commission adopt the following recommendation of the Secretary of Defense: Relocate the Naval Air Technical Training Center to NAS Pensacola, Florida.

Reject DoD Recommendation [not relocated.]:

I move that the Commission find that the Secretary of Defense deviated substantially from the force structure plan and final criteria in making his recommendation on Naval Air Station, Memphis, TN. Therefore, the Commission rejects and does not make the following recommendation of the Secretary: Relocate the Naval Air Technical Training Center to NAS Pensacola, Florida. recommendation.

(101)

motion by HTJ
2nd - DLS
6
1

B	C	M	C	S	B	L
	✓	✓	✓	✓	✓	✓
N						

NSB New London (53)

58

Reject DoD Recommendation [NSB New London is not realigned.]:

I move that the Commission find that the Secretary of Defense deviated substantially from the force structure plan and final criteria. Therefore, the Commission rejects and does not make the following recommendation of the Secretary: Realign Naval Submarine Base (NSB), New London by terminating its mission to homeport ships. Relocate berthed ships, their personnel, associated equipment and other support to the Submarine Base, Kings Bay, Georgia and the Naval Station, Norfolk, Virginia. This relocation is to include a floating drydock. Piers, waterfront facilities, and related property shall be retained by the Navy at New London, Connecticut. The Nuclear Submarine Support Facility, a major tenant, relocates to Kings Bay, Georgia and Norfolk, Virginia; and another major tenant, the Nuclear Power Training Unit, disestablishes.

	BOWMAN	COX	McPHERSON	COURTER	STUART	BYRON	JOHNSON
Motion							
Second							
"AYE"							
"NAY"							

Alternative Motions:

~~**Alternative Motion 1 [NSB New London retains mission as homeport.]:**~~

I move that the Commission find that the Secretary of Defense deviated substantially from final criteria 2, 4, and 5 and, therefore, that the Commission reject the Secretary's recommendation on Naval Submarine Base, New London, and, instead, adopt the following recommendation: Naval Submarine Base, New London remains open and does not realign. The Commission finds this recommendation is consistent with the force structure plan and final criteria.

	BOWMAN	COX	McPHERSON	COURTER	STUART	BYRON	JOHNSON
Motion			✓				
Second	✓						
"AYE"	✓	✓	✓	✓	✓	✓	✓
"NAY"							

39

7/0

NS Staten Isl.

(54)

Draft Motions

Alternative Motion 2 [NS ~~Staten Island closes with DoD requested change to retain housing.]:

I move that the Commission find that the Secretary of Defense deviated substantially from final criteria 2 and, therefore, that the Commission reject the Secretary's recommendation on Naval Station Staten Island and, instead, adopt the following recommendation: close Naval Station Staten Island. Relocate its ships along with their dedicated personnel, equipment and support to Naval Stations, Norfolk, Virginia and Mayport, Florida. Disposition of minor tenants is as follows: Ship intermediate Maintenance Activity, New York relocates to Earle, New Jersey and Norfolk, Virginia; Supervisor of Shipbuilding, Conversion and Repair (SUPSHIP), ~~Brooklyn Detachment disestablishes.~~ Retain family housing located at Naval Station, Staten Island, as necessary to support Naval Weapons Station, Earle, New Jersey. The Commission finds this recommendation is consistent with the force structure plan and final criteria.

Johnson moved to add than. consent

include

4/2 Amended

	BOWMAN	COX	McPHERSON	COURTER	STUART	BYRON	JOHNSON
Motion							✓
Second							
"AYE"	✓	✓	✓	✓	✓	✓	✓
"NAY"							

55

60

Draft Motions

40

Naval Education and Training Center, Newport, RI:

~~Accept DoD Recommendation [Realign NETC Newport. Terminate berthing ships mission. Relocate ships to NS Mayport and NS Norfolk.]~~:

I move that the Commission find that the Secretary of Defense did not deviate substantially from the force structure plan and final criteria and, therefore, that the Commission adopt the following recommendation of the Secretary of Defense: Realign the Naval Education and Training Center (NETC) Newport and terminate the Center's mission to berth ships. Relocate the ships to Naval Station Mayport, Florida and Naval Station Norfolk, Virginia. Piers, waterfront facilities and related property shall be retained by NETC Newport. The Education and Training Center will remain to satisfy its education and training mission.

	BOWMAN	COX	McPHERSON	COURTER	STUART	BYRON	JOHNSON
Motion	✓						
Second						✓	
"AYE"	✓	✓	✓	✓	✓	✓	✓
"NAY"							

9/0

Naval Station Mobile, AL:

Accept DoD Recommendation [Close NS Mobile. Relocate ships to NS Pascagoula and NS Ingleside.]:

I move that the Commission find that the Secretary of Defense did not deviate substantially from the force structure plan and final criteria and, therefore, that the Commission adopt the following recommendation of the Secretary of Defense: Close Naval Station, Mobile and relocate assigned ships to Naval Stations Pascagoula, Mississippi, and Ingleside, Texas, along with dedicated personnel, equipment and appropriate other support.

46

	BOWMAN	COX	McPHERSON	COURTER	STUART	BYRON	JOHNSON
Motion					✓		
Second			✓				
"AYE"	✓	✓	✓	✓	✓	✓	✓
"NAY"							

Reject DoD Recommendation [NS Mobile remains open.]:

I move that the Commission find that the Secretary of Defense deviated substantially from the force structure plan and final criteria in making his recommendation on Naval Station Mobile, AL. Therefore, the Commission rejects and does not make the following recommendation of the Secretary: Close Naval Station, Mobile and relocate assigned ships to Naval Stations Pascagoula, Mississippi, and Ingleside, Texas, along with dedicated personnel, equipment and appropriate other support.

	BOWMAN	COX	McPHERSON	COURTER	STUART	BYRON	JOHNSON
Motion							
Second							
"AYE"							
"NAY"							

57

62

Draft Motions

West Coast Naval Stations

Naval Station, Treasure Island, CA:

~~Accept DoD Recommendation [Close NS Treasure Island.]~~:

I move that the Commission find that the Secretary of Defense did not deviate substantially from the force structure plan and final criteria and, therefore, that the Commission adopt the following recommendation of the Secretary of Defense: Close Naval Station, Treasure Island and relocate personnel, as appropriate to the Naval Station, San Diego, California; Naval Amphibious Base, Little Creek, Virginia; Naval Training Center, Great Lakes, Illinois and various Naval Reserve sites in California. Major tenants are impacted as follows: Naval Reserve Center San Francisco relocates to the Naval/Marine Corps Reserve Center, Alameda, California and REDCOM 20 relocates to the Naval Reserve Center, San Bruno, California. Naval Technical Training Center relocates to Fleet Training Center San Diego, Naval Amphibious School, Little Creek and Naval Training Center Great Lakes.

	BOWMAN	COX	McPHERSON	COURTER	STUART	BYRON	JOHNSON
Motion							✓
Second					✓		
"AYE"	✓	✓	✓	✓	✓	✓	✓
"NAY"							

48

4 NTC GL closes ?

Alternative Motion 2 [NAS Alameda closes, aviation asset move modified as requested by DoD.]:

I move that the Commission find that the Secretary of Defense deviated substantially from final criteria 1 and 2 and, therefore, that the Commission reject the Secretary's recommendation on Naval Station Alameda, and, instead, adopt the following recommendation: close Naval Air Station, Alameda, California and relocate its aircraft along with the dedicated personnel, equipment and support to NAS North Island. In addition, those ships currently berthed at NAS Alameda will be relocated to the Fleet concentrations at San Diego and Bangor/Puget Sound/Everett. Disposition of major tenants is as follows: reserve aviation assets relocate to NASA Ames/Moffett Field, California, NAS Whidbey Island, and NAS Willow Grove; Navy Regional Data Automation Center, San Francisco realigns to NAS North Island; Ship Intermediate Maintenance Department disestablishes; the Naval Air Reserve Center and the Marine Corps Reserve Center relocate to leased space at NASA/Ames. The Commission finds this recommendation is consistent with the force structure plan and final criteria.

	BOWMAN	COX	McPHERSON	COURTER	STUART	BYRON	JOHNSON
Motion					✓		
Second							✓
"AYE"	✓			✓	✓		✓
"NAY"		✓	✓			✓	

4
3

Training Air Stations

Naval Air Station, Meridian, MS:

Accept DoD Recommendation:

adopt

I move that the Commission find that the Secretary of Defense did not deviate substantially from the force structure plan and final criteria and, therefore, that the Commission adopt the following recommendation of the Secretary of Defense: Close Naval Air Station (NAS) Meridian. Relocate advanced strike training to Naval Air Station Kingsville, Texas. Relocate intermediate strike training and Naval Technical Training Center to NAS Pensacola, Florida.

	BOWMAN	COX	McPHERSON	COURTER	STUART	BYRON	JOHNSON
Motion							
Second							
"AYE"							
"NAY"							

Alternative Motion:

I move that the Commission find that the Secretary of Defense deviated substantially from final criteria 1, 2, and 3 and, therefore, that the Commission reject the Secretary's recommendation on Naval Air Station, Meridian, and, instead, adopt the following recommendation: Naval Air Station, Meridian will remain open. The Commission finds this recommendation is consistent with the force structure plan and final criteria.

	BOWMAN	COX	McPHERSON	COURTER	STUART	BYRON	JOHNSON
Motion			✓				
Second						✓	
"AYE"	✓	✓	✓	✓	✓	✓	✓
"NAY"							

7-0

Reserve Air Stations

Naval Air Station, Glenview, IL:

~~Accept DoD Recommendation [Close NAS Glenview.]:~~

I move that the Commission find that the Secretary of Defense did not deviate substantially from the force structure plan and final criteria and, therefore, that the Commission adopt the following recommendation of the Secretary of Defense: Close the Naval Air Station (NAS), Glenview and relocate its aircraft and associated personnel, equipment and support to Navy Reserve, National Guard and other activities. Family housing located at NAS Glenview will be retained to meet existing and new requirements of the nearby Naval Training Center (NTC), Great Lakes. The Recruiting District, Chicago will be relocated to NTC Great Lakes. The Marine Corps Reserve Center activities will relocate as appropriate to Dam Neck, Virginia, Green Bay, Wisconsin, Stewart Army National Guard Facility, New Windsor, New York and NAS, Atlanta, Georgia.

	BOWMAN	COX	McPHERSON	COURTER	STUART	BYRON	JOHNSON
Motion					✓		
Second							✓
"AYE"	✓	✓	✓	✓	✓	✓	✓
"NAY"							

NAS S. Weymouth

The Commission finds this recommendation is consistent with the force structure plan and final criteria.

61

66

Draft Motions

~~Reject DoD Recommendation [Keep NAS South Weymouth open.]~~:

I move that the Commission find that the Secretary of Defense deviated substantially from the force structure plan and final criteria in making his recommendation on Naval Air Station, South Weymouth, MA. Therefore, the Commission rejects and does not make the following recommendation of the Secretary: Close Naval Air Station (NAS), South Weymouth and relocate its aircraft and associated personnel, equipment and support to Naval Air Stations Brunswick, Maine, New Orleans, Louisiana, and Naval Station Mayport, Florida. The Marine Corps Reserve Center activities will relocate to Dam Neck, Virginia, Johnstown, Pennsylvania, Camp Pendleton, California, and NAS Willow Grove, Pennsylvania.

	BOMAN	COX	McPHERSON	COURTER	STUART	BYRON	JOHNSON
Motion					✓		
Second		✓					✓
"AYE"	✓	✓	✓	✓	✓	✓	✓
"NAY"							

7/0

65a

65b

65c vote on amended mot

Amendment

Add at end "The Comm finds this consist"

unan voice vote

w/

62 67

B	C	M	C	S	B
✓	✓	✓	✓	✓	✓

motion by HTJ 2nd - BB

Draft Motions

Naval Air Station, Dallas, TX:

~~**Accept DoD Recommendation [NAS Dallas and Reserve Centers to Carswell.]**~~ :

I move that the Commission find that the Secretary of Defense did not deviate substantially from the force structure plan and final criteria and, therefore, that the Commission adopt the following recommendation of the Secretary of Defense: Close the Naval Air Station (NAS), Dallas and relocate its aircraft and associated personnel, equipment and support to Carswell ~~Air Force Base~~, Fort Worth, Texas. The following Navy and Marine Corps Reserve Centers relocate to Carswell ~~Air Force Base~~: Naval Reserve Center, Dallas, Marine Corp Reserve Center, Dallas, Marine Corps Reserve Center (Wing) Dallas, and REDCOM 11.

~~**Alternative Motion [Keep NAS Dallas open.]**~~:

I move that the Commission find that the Secretary of Defense deviated substantially from the force structure plan and from final criteria 1, 2, 3, 4 and 5 and, therefore, that the Commission reject the Secretary's recommendation on NAS Dallas, and, instead, adopt the following recommendation: Naval Air Station Dallas will not close or realign to Carswell AFB. The Commission finds this recommendation is consistent with the force structure plan and final criteria.

63

~~H ~~ Suggested Insert~~:

Carswell AFB, TX, will become a navy operated Carswell Joint Reserve ~~Base~~ Center to receive and accomodate the reserve units currently there and being relocated there by this 1993 Comm.

63

or South Weymouth, Mass Hackmatack

voice vote

Draft Motions

Naval Air Facility, Detroit, MI:

~~Accept DoD Recommendation [Close NAF Detroit]~~:

I move that the Commission find that the Secretary of Defense did not deviate substantially from the force structure plan and final criteria and, therefore, that the Commission adopt the following recommendation of the Secretary of Defense: Close Naval Air Facility (NAF), Detroit and relocate its aircraft and associated personnel, equipment and support to the Naval Air Station Jacksonville, Florida, and Carswell Air Force Base, Fort Worth, TX. The Mt. Clemons, Michigan Marine Corps Reserve Center will relocate to the Marine Corps Reserve Center, Twin Cities, Minnesota.

	BOWMAN	COX	McPHERSON	COURTER	STUART	BYRON	JOHNSON
Motion					✓		
Second							✓
"AYE"	✓	✓	✓	✓	✓	✓	✓
"NAY"							

64

64 a – motion/2nd RS HTJ

64b – table – unany voice vote

64c – HTJ mot to amend [add – (or s w/ mass)

RS – 2nd

voice vote – unanym – approve

64d – vote on amended motion

NAS Memphis
flying mission

REPLACEMENT 3pm (64)

69

Draft Motions

~~Reject DoD recommendation on NAS Memphis and accept modified DoD recommendation:~~

I move that the Commission find that the Secretary of Defense deviated substantially from the force structure plan and final criteria and, therefore, that the Commission reject the recommendation of the Secretary of Defense and instead, adopt the following: Realign Naval Air Station (NAS) Memphis by terminating the flying mission and relocating its reserve squadrons to Carswell ~~AFB~~, Texas. Disestablish the Naval Air Reserve Center, and relocate the Marine Corps (Wing) Reserve Center Millington to Carswell ~~AFB~~. This recommendation is consistent with the force structure plan and final criteria.

READ THIS LANGUAGE WITH ANY MOTION RE: NAS

Commission defers action on the part of the Secretary of Defense's recommendation which was to further realign NAS Memphis by relocating the Naval Air Technical Center to NAS Pensacola until later in deliberations.

MTD - motion
cut - 2nd

BEMES

66

Naval Air Facility, Johnstown, PA:

~~DoD Recommendation -- none.~~

~~Alternative Motion [Close NAF Johnstown.]:~~

I move that the Commission find that the Secretary of Defense deviated substantially from final criteria 4 and 5 and, therefore, that the Commission adopt the following recommendation: close the Naval Air Facility Johnstown, Pennsylvania. The Commission finds this recommendation is consistent with the force structure plan and final criteria.

	BOWMAN	COX	McPHERSON	COURTER	STUART	BYRON	JOHNSON
Motion					✓		
Second	✓						
"AYE"	✓	✓	✓	✓	✓	✓	✓
"NAY"							

66

Draft Motions

Naval Air Facility, Martinsburg, WV:

DoD Recommendation -- none.

~~Alternative Motion [Close NAF Martinsburg.]~~:

I move that the Commission find that the Secretary of Defense deviated substantially from final criteria 1, 3, 4 and 5 and, therefore, that the Commission adopt the following recommendation: close Naval Air Facility, Martinsburg, West Virginia. The Commission finds this recommendation is consistent with the force structure plan and final criteria.

	BOLMAN	COX	McPHERSON	COURTER	STUART	BYRON	JOHNSON
Motion	✓						
Second		✓		✓	✓	✓	
"AYE"	✓	✓	✓	✓	✓	✓	✓
"NAY"							

68

67

72

Naval Training Center, Orlando, FL:

~~Accept DoD Recommendation [Close Orlando, move to Great Lakes and others.]:~~

I move that the Commission find that the Secretary of Defense did not deviate substantially from the force structure plan and final criteria and, therefore, that the Commission adopt the following recommendation of the Secretary of Defense: Close the Naval Training Center (NTC), Orlando, and relocate certain personnel, equipment and support to NTC Great Lakes and other locations, consistent with DoD training requirements. Disposition of major tenants is as follows: Recruit Training Command relocates to NTC Great Lakes; the Nuclear Power School and the Nuclear "A" School relocate to the Submarine School at the Naval Submarine Base (NSB), New London; Personnel Support Detachment relocates to NTC Great Lakes; Service School Command relocates to Great Lakes; Naval Dental Clinic relocates to Great Lakes; Naval Education and Training Program Management Support Activity disestablishes.

	BOWMAN	COX	McPHERSON	COURTER	STUART	BYRON	JOHNSON
Motion	✓						✓
Second			✓			✓	
"AYE"	✓	✓	✓	✓		✓	✓
"NAY"							

76

6/0

or find subst dev.
+ adopt DoD except
NPS/NAS → stay Orl.?
Fla cannot w/.

73

Draft Motions

Naval Training Center, San Diego, CA

~~Reject DoD's recommendation and accept modified DoD recommendation.~~

I move that the Commission find that the Secretary of Defense deviated substantially from the force structure plan and final criteria and, therefore, that the Commission reject the Secretary's recommendation on NTC San Diego, and, instead, adopt the following: Close ~~the~~ Naval Training Center (NTC), San Diego ~~and~~ relocate certain personnel, equipment and support to NTC Great Lakes, and other locations, consistent with training requirements. Disposition of major tenants is as follows: Recruit Training Command relocates to NTC, Great Lakes; Branch Medical Clinic relocates to Submarine Base, San Diego; Naval Recruiting District relocates to Naval Air Station North Island; Service School Command (Electronic Warfare) relocates to Naval Training Center, Great Lakes; Service School Command (Surface) relocates to NTC Great Lakes; the remainder of the Service School Command relocates to NTC Great Lakes, Naval Air Station Pensacola, and Fleet Training Center, San Diego. The co-generation plant and the bachelor quarters and adjacent non-appropriated fund activities (marinas) located aboard NTC San Diego property will be retained by the Navy to support other naval activities in the San Diego area. The Commission finds this recommendation is consistent with the force structure plan and final criteria.

- NAVY's request to maintain BASOPS for adjoining bases
- cost to modify is factored in COBRA run.

motion by HTJ
2nd HM

Y	B	C	M	C	R	B	I
	✓	✓	✓	✓		✓	✓

N

Recusal

69

74

Draft Motions

Naval Hospital, Orlando, FL:

~~**Accept DoD Recommendation [Close NH Orlando.]:**~~

I move that the Commission find that the Secretary of Defense did not deviate substantially from the force structure plan and final criteria and, therefore, that the Commission adopt the following recommendation of the Secretary of Defense: Close the Naval Hospital, Orlando and relocate certain military and civilian personnel to other Naval Hospitals.

Alternative Motions [Keep NH Orlando open.]:

I move that the Commission find that the Secretary of Defense deviated substantially from final criteria 1, 5 and 6 and, therefore, that the Commission reject the Secretary's recommendation on Naval Hospital, Orlando, and, instead, adopt the following recommendation: Naval Hospital, Orlando remains open. The Commission finds this recommendation is consistent with the force structure plan and final criteria.

mc as revised

mot'n MTD	6	Y	Y	Y	Y		Y	Y
2nd OB	0							

Naval Air Depots

Naval Aviation Depot, Alameda, CA:

~~Accept DoD Recommendation [Close NADEP Alameda.]:~~

I move that the Commission find that the Secretary of Defense did not deviate substantially from the force structure plan and final criteria and, therefore, that the Commission adopt the following recommendation of the Secretary of Defense: Close Naval Aviation Depot (NADEP), Alameda and relocate repair capability as necessary to other depot maintenance activities. This relocation may include personnel, equipment and support. The depot workload will move to other depot maintenance activities, including the private sector.

	BOWMAN	COX	McPHERSON	COURTER	STUART	BYRON	JOHNSON
Motion						✓	
Second							✓
"AYE"	✓	✓	✓	✓	✓	✓	✓
"NAY"							

Alternative Motion [NADEP Alameda remains open.]:

I move that the Commission find that the Secretary of Defense deviated substantially from final criteria 4 and 5 and, therefore, that the Commission reject the Secretary's recommendation on Naval Aviation Depot (NADEP), Alameda, and, instead, adopt the following recommendation: Naval Aviation Depot (NADEP), Alameda, remains open. The Commission finds this recommendation is consistent with the force structure plan and final criteria.

	BOWMAN	COX	McPHERSON	COURTER	STUART	BYRON	JOHNSON
Motion							
Second							
"AYE"							
"NAY"							

NADEP Pensacola

Insert after (P NADEP: , Corpus Christi Army Depot, or the private sector,

~~Draft Motions~~

~~Alternative Motion 2 [Close NADEP Pensacola and move to Corpus Christi and Cherry Point.]:~~

I move that the Commission find that the Secretary of Defense deviated substantially from final criteria 4 and 5 and, therefore, that the Commission reject the Secretary's recommendation on Naval Aviation Depot (NADEP), Pensacola, and, instead, adopt the following recommendation: completely close the Naval Aviation Depot (NADEP), Pensacola. Relocate repair and maintenance capabilities for H-1 and H-60 helicopters to Corpus Christi and the remaining repair and maintenance activities to the NADEP at Cherry Point. This relocation will include the personnel and equipment needed to accommodate the new work. Move the whirl tower and dynamic component facility to Cherry Point NADEP, in lieu of the Navy's plan to retain it as a stand alone facility. The Commission finds this recommendation is consistent with the force structure plan and final criteria.

	BOWMAN	COX	McPHERSON	COURTER	STUART	BYRON	JOHNSON
Motion			✓				✓
Second							
"AYE"	✓	✓	✓	✓	✓	✓	✓
"NAY"					✓	✓	

7-0

59

(Corpus Christi Army Depot,

or the private sector,)

59b added by amend.

59a maj. motion

12

77

Draft Motions

Naval Aviation Depot, Norfolk, VA:

~~**Accept DOD Recommendation [Close NADEP Norfolk.]:**~~

I move that the Commission find that the Secretary of Defense did not deviate substantially from the force structure plan and final criteria and, therefore, that the Commission adopt the following recommendation of the Secretary of Defense: Close Naval Aviation Depot (NADEP), Norfolk and relocate repair capability as necessary to other depot maintenance activities. This relocation may include personnel, equipment and support. The Depot workload will move to other depot maintenance activities, including the private sector.

	BOWMAN	COX	McPHERSON	COURTER	STUART	BYRON	JOHNSON
Motion							✓
Second	✓						
"AYE"		✓	✓	✓	✓		✓
"NAY"	✓					✓	

60

5/2

Alternative Motion [Keep NADEP Norfolk open.]:

I move that the Commission find that the Secretary of Defense deviated substantially from final criteria 1, 4, and 5 and, therefore, that the Commission reject the Secretary's recommendation on Naval Aviation Depot (NADEP), Norfolk, and, instead, adopt the following recommendation: Naval Aviation Depot (NADEP), Norfolk remains open. The Commission finds this recommendation is consistent with the force structure plan and final criteria.

	BOWMAN	COX	McPHERSON	COURTER	STUART	BYRON	JOHNSON
Motion							
Second							
"AYE"							
"NAY"							

NAS Charleston

(73)

NAS Charleston

Alternative Motion [Close Charleston - retain flexibility for use of some facilities.]:

I move that the Commission find that the Secretary of Defense deviated substantially from final criterion 1 and, therefore, that the Commission reject the Secretary's recommendation on Naval Station Charleston, and, instead, adopt the following recommendation: Close Naval Station (NS) Charleston, but maintain the option for the 1993 Defense Base Closure and Realignment Commission later to recommend the retention of Naval Station Charleston facilities that are deemed necessary to establish or support naval commands that are retained at, realigned to, or relocated to Charleston, South Carolina.

The Commission finds that this recommendation is consistent with the Force Structure Plan and final criteria.

by JM

2nd RS

B	C	MB	C	S	B	T
✓	✓	✓	✓	✓	✓	✓

43

5/2

(73)

NSC Charleston, SC:

Accept DoD Recommendation [Close.]:

I move that the Commission find that the Secretary of Defense did not deviate substantially from the force structure plan and final criteria and, therefore, that the Commission adopt the following recommendation of the Secretary of Defense: Disestablish the Naval Supply Center (NSC) Charleston.

SCW

Alternative Motions:

Alternative Motion 1 [Open.]:

I move that the Commission find that the Secretary of Defense deviated substantially from final criteria 1 and 3 and, therefore, that the Commission reject the Secretary's recommendation on Naval Supply Center (NSC) Charleston, and, instead, adopt the following recommendation: Naval Supply Center (NSC) Charleston, South Carolina, is not disestablished. The Commission finds this recommendation is consistent with the force structure plan and final criteria.

Alternative Motion 2 [Close NSC Charleston; retain regional contracting Center.]:

I move that the Commission find that the Secretary of Defense deviated substantially from final criterion 1 and, therefore, that the Commission reject the Secretary's recommendation on Naval Supply Center (NSC) Charleston, and, instead, adopt the following recommendation: close Naval Supply Center (NSC) Charleston, South Carolina, except retain regional contracting center. The Commission finds this recommendation is consistent with the force structure plan and final criteria.

Alternative Motion 3 [Partially disestablish NSC Charleston; retain facilities and personnel as appropriate.]:

I move that the Commission find that the Secretary of Defense deviated substantially from final criterion 1 and, therefore, that the Commission reject the Secretary's recommendation on Naval Supply Center (NSC) Charleston, and, instead, adopt the following recommendation: partially disestablish Naval Supply Center (NSC) Charleston, South Carolina, and retain the facilities and personnel appropriate for the continued support of Navy activities in the Charleston, S.C. area. The Commission finds this recommendation is consistent with the force structure plan and final criteria.

7-0 1st Johnson
2nd Bowman

NEW MOTION PROPOSED BY N.T. JOHNSON
#103

Naval Supply Centers

NSC Oakland, CA:

Accept DoD Recommendation [Close.]:
I move that the Commission find that the Secretary of Defense did not deviate substantially from the force structure plan and final criteria and, therefore, that the Commission adopt the following recommendation of the Secretary of Defense: Close the Naval Supply Center (NSC) Oakland, including the Naval Supply Depot, Point Molate, and relocate two supply ships to the Naval Supply Center, San Diego. The Office of the Military Sealift Command, Pacific Division, relocates to leased space in the Oakland area.

Alternative Motion [Open.]: Reject DoD on NSC -
I move that the Commission find that the Secretary of Defense deviated substantially from final criteria 1, 3 and 4 and, therefore, that the Commission reject the Secretary's recommendation on Naval Supply Center (NSC) Oakland, and, instead, adopt the following recommendation: Naval Supply Center (NSC) Oakland, California, remains open. The Commission finds this recommendation is consistent with the force structure ~~plan and~~ final criteria.

#104

Byrom 1st
McPherson 2nd 7-0

NSC Pensacola, FL: #105

Accept DoD Recommendation [Close.]:

I move that the Commission find that the Secretary of Defense did not deviate substantially from the force structure plan and final criteria and, therefore, that the Commission adopt the following recommendation of the Secretary of Defense: Disestablish the Naval Supply Center (NSC) Pensacola.

Alternative Motion [Open.]:

I move that the Commission find that the Secretary of Defense deviated substantially from final criteria 1, 3, and 5 and, therefore, that the Commission reject the Secretary's recommendation on Naval Supply Center (NSC) Pensacola, and, instead, adopt the following recommendation: Naval Supply Center (NSC) Pensacola, Florida, is not disestablished. The Commission finds this recommendation is consistent with the force structure plan and final criteria.

(7)

82

#106

Voice vote for
removal of naval hospitals
from further consideration
NH Beaufort SC
NH Corpus Christi TX
NH Great Lakes IL
NH Millington TN

#106
N Hosp. from
consideration

Naval Hospital, Charleston, SC:

Accept DoD Recommendation [Close Naval Hospital, Charleston.]:

I move that the Commission find that the Secretary of Defense did not deviate substantially from the force structure plan and final criteria and, therefore, that the Commission adopt the following recommendation of the Secretary of Defense: Close the Naval ~~Hospital, Charleston and~~ relocate certain military and civilian personnel to other ~~Naval~~ Hospitals.

Alternative Motion [Naval Hospital, Charleston remains open.]:

I move that the Commission find that the Secretary of Defense deviated substantially from final criteria 1, and 6 and, therefore, that the Commission reject the Secretary's recommendation on Naval Hospital, Charleston, South Carolina, and, instead, adopt the following recommendation: the Naval Hospital, Charleston, South Carolina, remains open. The Commission finds this recommendation is consistent with the force structure plan and final criteria.

#107

79

#108 **Naval Hospitals**

Naval Hospital, Oakland, CA:

Accept DoD Recommendation [Close Naval Hospital, Oakland.]:

I move that the Commission find that the Secretary of Defense did not deviate substantially from the force structure plan and final criteria and, therefore, that the Commission adopt the following recommendation of the Secretary of Defense: Close the Naval Hospital, Oakland and relocate certain military and civilian personnel to other Naval hospitals, and certain military personnel to the Naval Air Stations at Lemoore and Whidbey Island. The Deployable Medical Unit, Northwest Region, will relocate to Naval Hospital, Bremerton, Washington.

Alternative Motion [Naval Hospital, Oakland remains Open.]:

I move that the Commission find that the Secretary of Defense deviated substantially from final criteria 1, 5 and 6 and, therefore, that the Commission reject the Secretary's recommendation on Naval Hospital, Oakland, California, and, instead, adopt the following recommendation: the Naval Hospital, Oakland, California, remains open. The Commission finds that this recommendation is consistent with the force structure plan and final criteria.

#108

108

Altoona, Pennsylvania
Kingsport, Tennessee
Memphis, Tennessee
Ogden, Utah
Staunton, Virginia
Parkersburg, West Virginia

Naval Reserve Facilities at:

Alexandria, Louisiana
Midland, Texas

Readiness Command Districts at:

Olathe, Kansas (REDCOM 18)
Scotia, New York (REDCOM 2)
Ravenna, Ohio (REDCOM 5)

Reject DoD Recommendation:

I move that the Commission find that the Secretary of Defense deviated substantially from the force structure plan and final criteria in making his recommendation on Stand-Alone Navy and Marine Corps Reserve Centers. Therefore, the Commission ~~rejects and does not~~ makes the following recommendation: ~~of the Secretary:~~ Close the following reserve centers except for Billings, Montana.

Navy/Marine Corps Reserve Centers at:

Fort Wayne, Indiana
~~Billings, Montana~~ delete
Abilene, Texas

Naval Reserve Centers at:

Gadsden, Alabama
Montgomery, Alabama
Fayetteville, Arkansas
Fort Smith, Arkansas

#109 - Johnson 1st
~~Byron~~
- Stuart 2nd

at end of motion:
This recommendation is consistent with force structure & final criteria.

~~Kasich~~ ~~Virginia Rosing~~
~~Gudera July 19~~

109

Pacific Grove, California
Macon, Georgia
Terre Haute, Indiana
Hutchinson, Kansas
Monroe, Louisiana
New Bedford, Massachusetts
Pittsfield, Massachusetts
Joplin, Missouri
St. Joseph, Missouri
Great Falls, Montana
Missoula, Montana
Atlantic City, New Jersey
Perth Amboy, New Jersey
Jamestown, New York
Poughkeepsie, New York
Altoona, Pennsylvania
Kingsport, Tennessee
Memphis, Tennessee
Ogden, Utah
Staunton, Virginia
Parkersburg, West Virginia

*109

Naval Reserve Facilities at:

Alexandria, Louisiana
Midland, Texas

Readiness Command Districts at:

Olathe, Kansas (REDCOM 18)
Scotia, New York (REDCOM 2)
Ravenna, Ohio (REDCOM 5)

Alternative Motions:

I move that the Commission find that the Secretary of Defense deviated substantially from the force structure plan and final criteria and, therefore, that the Commission reject the Secretary's recommendations on Stand-Alone Navy and Marine Corps Reserve Centers, and, instead, adopt the following recommendation: close the following reserve centers:

Navy and Marine Corps Reserve Center at:

Lawrence, Massachusetts

Naval Reserve Center at:

Chicopee, Massachusetts
Quincy, Massachusetts

and consolidate these activities at the existing facilities at NAS South Weymouth, Massachusetts. The Commission finds this recommendation is consistent with the force structure plan and final criteria.

7

Yes

7-0

HT - 1st
PB - 2nd

117

DoD Family Housing and Family Housing Office, Niagara Falls, NY:

Accept DoD Recommendation:

I move that the Commission find that the Secretary of Defense did not deviate substantially from the force structure plan and final criteria and, therefore, that the Commission adopt the following recommendation of the Secretary of Defense: Close the DoD Family Housing Office and the 111 housing units it administers.

Alternative Motion:

I move that the Commission find that the Secretary of Defense deviated substantially from final criterion 7 and, therefore, that the Commission reject the Secretary's recommendation on DoD Family Housing and Family Housing Office, Niagara Falls, New York, and, instead, adopt the following recommendation: the DoD Family Housing Office and the 111 housing units it administers remains open. The Commission finds this recommendation is consistent with the force structure plan and final criteria.

Johnson

McPherson

voice vote pass

Other Bases

1st Marine Corps District, Garden City, NY:

Accept DoD Recommendation [Close 1st Marine Corps District.]:

I move that the Commission find that the Secretary of Defense did not deviate substantially from the force structure plan and final criteria and, therefore, that the Commission adopt the following recommendation of the Secretary of Defense: Close the 1st Marine District, Garden City, New York and relocate necessary personnel, equipment and support to the Defense Distribution Region East, New Cumberland, Pennsylvania. The Defense Contract Management Area Office, a present tenant in the facility occupied by this activity as its host, will remain in place and assume responsibility for this facility. The Marine Corps Reserve Center, Garden City will relocate to Fort Hamilton, New York.

Reject DoD Recommendation [1st Marine Corps District remains open.]:

I move that the Commission find that the Secretary of Defense deviated substantially from the force structure plan and final criteria in making his recommendation on 1st Marine Corps District, Garden City, NY. Therefore, the Commission rejects and does not make the following recommendation of the Secretary: Close the 1st Marine District, Garden City, New York and relocate necessary personnel, equipment and support to the Defense Distribution Region East, New Cumberland, Pennsylvania. The Defense Contract Management Area Office, a present tenant in the facility occupied by this activity as its host, will remain in place and assume responsibility for this facility. The Marine Corps Reserve Center, Garden City will relocate to Fort Hamilton, New York.

Alternative Motions -- none.

1st Johnson

2nd

84

90

Navy Radio Transmission Facility, Annapolis, MD:

Accept DoD Recommendation [Close NRTF Annapolis.]:

I move that the Commission find that the Secretary of Defense did not deviate substantially from the force structure plan and final criteria and, therefore, that the Commission adopt the following recommendation of the Secretary of Defense: Disestablish the Navy Radio Transmission Facility (NRTF), Annapolis. The Navy shall retain the real property on which this facility resides.

Reject DoD Recommendation [NRTF remains open.]:

I move that the Commission find that the Secretary of Defense deviated substantially from the force structure plan and final criteria in making his recommendation on Navy Radio Transmission Facility, Annapolis, MD. Therefore, the Commission rejects and does not make the following recommendation of the Secretary: Disestablish the Navy Radio Transmission Facility (NRTF), Annapolis. The Navy shall retain the real property on which this facility resides.

Alternative Motions [Delay closure of NRTF Annapolis.]:

I move that the Commission find that the Secretary of Defense deviated substantially from final criterion 1 and, therefore, that the Commission reject the Secretary's recommendation, and, instead, adopt the following recommendation: disestablish the Naval Radio Transmission Facility, Annapolis, Maryland. Do not relocate the equipment of Naval Radio Transmission Facility, Annapolis, Maryland. Continue to maintain actively the equipment until September 1, 1995. If the 1995 Defense Base Closure Commission does not recommend otherwise, then close the Naval Radio Transmission Facility, Annapolis, Maryland. The Commission finds this recommendation is consistent with the force structure plan and final criteria.

Voice vote
Pass
HT

Combined with 114

113

Naval Radio Transmission Facility, Driver, VA:

Accept DoD Recommendation [Close NRTF Driver.]:

I move that the Commission find that the Secretary of Defense did not deviate substantially from the force structure plan and final criteria and, therefore, that the Commission adopt the following recommendation of the Secretary of Defense: Close the Navy Radio Transmission Facility (NRTF), Driver, Virginia.

~~Alternative Motions~~ [NRTF Driver remains open.]:

I move that the Commission find that the Secretary of Defense deviated substantially from final criterion 1 and, therefore, that the Commission reject the Secretary's recommendation on Naval Radio Transmission Facility, Driver, Virginia, and, instead, adopt the following recommendation: the Naval Radio Transmission Facility, Annapolis, MD remains open. The Commission finds this recommendation is consistent with the force structure plan and final criteria.

voice vote

86

92

Hunter's Point Annex to Naval Station Treasure Island, San Francisco, CA:

Accept DoD Recommendation [Allows for disposal of Hunter's Point. Changes 1991 recommendation.]:

I move that the Commission find that the Secretary of Defense did not deviate substantially from the force structure plan and final criteria and, therefore, that the Commission adopt the following recommendation of the Secretary of Defense: Permit the Navy to dispose of Hunters Point Annex to Naval Station Treasure Island, San Francisco, California, in any lawful manner, including outleasing.

Reject DoD Recommendation [1991 recommendation remains unchanged.]:

I move that the Commission find that the Secretary of Defense deviated substantially from the force structure plan and final criteria in making his recommendation on Hunter's Point Annex to Naval Station Treasure Island, CA. Therefore, the Commission rejects and does not make the following recommendation of the Secretary: Permit the Navy to dispose of Hunters Point Annex to Naval Station Treasure Island, San Francisco, California, in any lawful manner, including outleasing.

Alternative Motion -- none.

voice vote

combined with 116

115

87

passed voice vote

Draft Motions

Public Works Center, San Francisco, CA:

Accept DoD Recommendation [Disestablish PWC San Francisco.]:

I move that the Commission find that the Secretary of Defense did not deviate substantially from the force structure plan and final criteria and, therefore, that the Commission adopt the following recommendation of the Secretary of Defense: Disestablish the Public Works Center (PWC) San Francisco.

Alternative Motion [PWC San Francisco remains open.]:

I move that the Commission find that the Secretary of Defense deviated substantially from final criterion 1 and, therefore, that the Commission reject the Secretary's recommendation on the Public Works Center San Francisco, California, and, instead, adopt the following recommendation: the Public Works Center San Francisco, California, remains open and is not disestablished. The Commission finds that this recommendation is consistent with the force structure plan and final criteria.

Alternative stand - accept DOD recommendation

116

Naval Facilities Engineering Command, Western Engineering Field Division, San Bruno, CA:

Accept DoD Recommendation [Realign NAVFAC, San Bruno. Retain BRAC Engineering under management of NAVFAC, San Diego.]:

I move that the Commission find that the Secretary of Defense did not deviate substantially from the force structure plan and final criteria and, therefore, that the Commission adopt the following recommendation of the Secretary of Defense: Realign the Western Engineering Field Division, Naval Facilities Engineering Command (NAVFAC), San Bruno, California. Retain in place necessary personnel, equipment and support as a Base Realignment and Closure (BRAC) Engineering Field Activity under the management of the Southwestern Field Division, NAVFAC, San Diego, California.

Alternative Motions [NAVFAC, San Bruno, is not realigned.]:

I move that the Commission find that the Secretary of Defense deviated substantially from final criterion 1 and, therefore, that the Commission reject the Secretary's recommendation on the Naval Facilities Engineering Command, Western Engineering Field Division, San Bruno, CA, and, instead, adopt the following recommendation: the Naval Facilities Engineering Command, Western Engineering Field Division, San Bruno, California, remains open and is not realigned. The Commission finds that this recommendation is consistent with the force structure plan and final criteria.

passed
voice vote

Additional NAVSEA alternative (69)

Draft Motions

Tech Centers (SPAWARS)

Naval Command, Control & Ocean Surveillance Centers
East Coast NAVAC In-Service Engineering Directorate

NESEA St. Inigoes, MD, NESEA Charleston, SC and NESSEC Washington, DC, NESEA Portsmouth, VA:

Accept DoD Recommendation [Consolidates all NESEAs at Portsmouth, VA.] :

I move that the Commission find that the Secretary of Defense did not deviate substantially from the force structure plan and final criteria and, therefore, that the Commission adopt the following recommendation of the Secretary of Defense: Close Naval Electronics Systems Engineering Activity (NESEA) St. Inigoes, Maryland, disestablish NESEA Charleston, South Carolina and Naval Electronics Security Systems Engineering Center (NESSEC), Washington, DC. Consolidate the Centers into an East Coast Naval In-Service Engineering Directorate (NISE) at Portsmouth, Virginia. The ATC/ACLS facility at St. Inigoes and the Aegis Radio Room Laboratory will remain in place and will be transferred to Naval Air Systems Command.

Reject DoD Recommendation [Does not consolidate NESEAs.] :

I move that the Commission find that the Secretary of Defense deviated substantially from the force structure plan and final criteria in making his recommendation on NESEA St. Inigoes, MD, NESEA Charleston, SC and NESSEC Washington, DC. Therefore, the Commission rejects and does not make the following recommendation of the Secretary: Close Naval Electronics Systems Engineering Activity (NESEA) St. Inigoes, Maryland, disestablish NESEA Charleston, South Carolina and Naval Electronics Security Systems Engineering Center (NESSEC), Washington, DC. Consolidate the Centers into an East Coast Naval In-Service Engineering Directorate (NISE) at Portsmouth, Virginia. The ATC/ACLS facility at St. Inigoes and the Aegis Radio Room Laboratory will remain in place and will be transferred to Naval Air Systems Command.

Alternative Motions:

~~**Alternative 1 [Consolidates NESEAs at Charleston.]:**~~

I move that the Commission find that the Secretary of Defense deviated substantially from final criteria 1, 2, 5, and 6 and, therefore, that the Commission reject the Secretary's recommendation on Electronics Systems Engineering Activity (NESEA) St. Inigoes, Maryland, NESEA Charleston, South Carolina, Naval Electronics Security Systems

74

, IFF, Lamps and Special Warfare

Engineering Center (NESSEC), Washington, DC, and NESEA Portsmouth, and, instead, adopt the following recommendation: Naval Electronic Systems Engineering Activity (NESEA), Charleston remains open and becomes the new East coast lead facility. NESSEC, Washington closes and moves to NESEA, Charleston. NESEA, Portsmouth closes and moves to NESEA, Charleston, except for a detachment of fewer than 60 people. NESEA, St. Inigoes closes and moves to NESEA, Charleston. Module Maintenance Facility moves from Charleston Naval Shipyard to NESEA Charleston. The ATC/ACLS facility at St. Inigoes, ~~and~~ the Aegis radio Room Laboratory will remain in place and will be transferred to Naval Air Systems Command. The Commission finds this recommendation is consistent with the force structure plan and final criteria.

Alternative Motion 2 [Consolidates NESEAs at Portsmouth.]:

I move that the Commission find that the Secretary of Defense deviated substantially from final criteria 1, 2, 5, and 6 and, therefore, that the Commission reject the Secretary's recommendation on Electronics Systems Engineering Activity (NESEA) St. Inigoes, Maryland, NESEA Charleston, South Carolina, Naval Electronics Security Systems Engineering Center (NESSEC), Washington, DC, and NESEA Portsmouth, and, instead, adopt the following recommendation: Naval Electronic Systems Engineering Activity (NESEA), Portsmouth remains open and becomes the new East coast lead facility. NESSEC, Washington closes and moves to NESEA, Portsmouth; NESEA, Charleston closes and moves to NESEA, Portsmouth. NESEA, St. Inigoes closes and moves to NESEA, Portsmouth. The ATC/ACLS facility at St. Inigoes and the Aegis radio Room Laboratory will remain in place and will be transferred to Naval Air Systems Command. The Commission finds this recommendation is consistent with the force structure plan and final criteria.

Alternative Motion 3 [Consolidates NESEAs at Portsmouth.] :

I move that the Commission find that the Secretary of Defense deviated substantially from final criteria 1, 2, 5, and 6 and, therefore, that the Commission reject the Secretary's recommendation on Electronics Systems Engineering Activity (NESEA) St. Inigoes, Maryland, NESEA Charleston, South Carolina, Naval Electronics Security Systems Engineering Center (NESSEC), Washington, DC, and NESEA Portsmouth, and, instead, adopt the following recommendation: Naval Electronic Systems Engineering Activity (NESEA), St. Inigoes remains open and becomes the new East coast lead facility. NESSEC, Washington closes and moves to NESEA, St. Inigoes. NESEA, Portsmouth closes and moves to NESEA, St. Inigoes, except for a detachment of fewer than 60 people. NESEA, Charleston closes and moves to NESEA, St. Inigoes. The Commission finds this recommendation is consistent with the force structure plan and final criteria.

90

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Draft Motions

Naval Air Warfare Center-Aircraft Division, Trenton, NJ:

~~Accept DoD Recommendation [Close NAWC Trenton.]~~:

I move that the Commission find that the Secretary of Defense did not deviate substantially from the force structure plan and final criteria and, therefore, that the Commission adopt the following recommendation of the Secretary of Defense: Close the Aircraft Division of the Naval Air Warfare Center (NAWC) Trenton, New Jersey and relocate appropriate functions, personnel, equipment and support to the Arnold Engineering Development Center, Tullahoma, Tennessee, and the Naval Air Warfare Center, Patuxent River, Maryland.

Alternative Motions [NAWC Trenton remains open.]:

I move that the Commission find that the Secretary of Defense deviated substantially from final criteria 3 and 5 and, therefore, that the Commission reject the Secretary's recommendation on Naval Air Warfare Center - Aircraft Division, Trenton, New Jersey, and, instead, adopt the following recommendation: the Naval Air Warfare Center - Aircraft Division, Trenton, New Jersey, remains open. The Commission finds this recommendation is consistent with the force structure plan and final criteria.

~~95~~

motion by RS
2nd HM.

Vote:	B	C	M	C	S	B	J
Y	✓	✓	✓	✓	✓	✓	✓
N							

Naval Undersea Warfare Center (NUWC) Detachment Norfolk, VA:

Accept DoD Recommendation:

I move that the Commission find that the Secretary of Defense did not deviate substantially from the force structure plan and final criteria and, therefore, that the Commission adopt the following recommendation of the Secretary of Defense: Disestablish the Norfolk Detachment of the Naval Undersea Warfare Center, Newport, Rhode Island, and relocate its functions, personnel, equipment and support to the Naval Undersea Warfare Center (NUWC), Newport, Rhode Island.

Alternative Motion:

I move that the Commission find that the Secretary of Defense deviated substantially from final criteria 1 and 5 and, therefore, that the Commission reject the Secretary's recommendation on the Naval Undersea Warfare Center, Norfolk Detachment, Norfolk, Virginia, and, instead, adopt the following recommendation: the Naval Undersea Warfare Center, Norfolk Detachment, Norfolk, Virginia, remains open. The Commission finds this recommendation is consistent with the force structure plan and final criteria.

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94

Draft Motions

NSWC Annapolis, MD:

Accept DoD Recommendation:

I move that the Commission find that the Secretary of Defense did not deviate substantially from the force structure plan and final criteria and, therefore, that the Commission adopt the following recommendation of the Secretary of Defense: Disestablish the Naval Surface Warfare Center (NSWC)-Carderock, Annapolis Detachment, Annapolis, Maryland, and relocate the necessary functions, personnel, equipment and support to the Naval Surface Warfare Center (NSWC)-Carderock, Philadelphia Detachment, Philadelphia, Pennsylvania, and NSWC-Carderock, Bethesda, Maryland.

mot. by BB
2nd HM

B	C	M	C	S	B	D
Y	Y	Y	Y	Y	Y	Y

Alternative Motions:

77

~~**Alternative Motion 1:**~~

I move that the Commission find that the Secretary of Defense deviated substantially from final criteria 4 and 5 and, therefore, that the Commission reject the Secretary's recommendation on the Naval Surface Warfare Center, Annapolis, Maryland, and, instead, adopt the following recommendation: the Naval Surface Warfare Center, Annapolis, Maryland, remains open and is not disestablished. The Commission finds this recommendation is consistent with the force structure plan and final criteria.

Alternative Motion 2 [Reject DoD recommendation. Includes DoD's technical corrections (underlined).]:

I move that the Commission find that the Secretary of Defense deviated substantially from final criterion 1 and, therefore, that the Commission reject the Secretary's recommendation on the Naval Surface Warfare Center, Annapolis, Maryland, and, instead, adopt the following recommendation: Disestablish the Naval Surface Warfare Center (NSWC)-Carderock, Annapolis Detachment, Annapolis, Maryland, and relocate the necessary functions, personnel, equipment and support to the Naval Surface Warfare Center (NSWC)-Carderock, Philadelphia Detachment, Philadelphia, Pennsylvania, and NSWC-Carderock, Bethesda, Maryland. <u>The ship survivability and propulsion/auxillary/electronic distribution systems research and design facilities will remain in place. The tenant electronmagnetic compatibility will remain in place.</u> The Commission finds this recommendation is consistent with the force structure plan and final criteria.

93 78 160

Draft Motions

Naval Mine Warfare Engineering Activity, Yorktown, VA

~~Accept DoD Recommendation:~~

I move that the Commission find that the Secretary of Defense did not deviate substantially from the force structure plan and final criteria and, therefore, that the Commission adopt the following recommendation of the Secretary of Defense: relocate the Naval Mine Warfare Engineering Activity (now the Naval Surface Warfare Center-Port Hueneme, Yorktown Detachment) to the Naval Surface Warfare Center-Dahlgren, Coastal Systems Station, Panama City, Florida.

Alternative Motion:

I move that the Commission find that the Secretary of Defense deviated substantially from final criteria 1 and 5 and, therefore, that the Commission reject the Secretary's recommendation on the Naval Mine Warfare Engineering Activity, Yorktown, Virginia (now the Naval Surface Warfare Center-Port Hueneme, Yorktown Detachment), and, instead, adopt the following recommendation: the Naval Mine Warfare Engineering Activity, Yorktown, Virginia, remains open and is not relocated. The Commission finds this recommendation is consistent with the force structure plan and final criteria.

Pass 7-0 accept sec rec.

Naval Air Technical Services Facility, Philadelphia, PA:

Accept DoD Recommendation [Close NATSF.]:

I move that the Commission find that the Secretary of Defense did not deviate substantially from the force structure plan and final criteria and, therefore, that the Commission adopt the following recommendation of the Secretary of Defense: Close the Naval Air Technical Services Facility, Philadelphia and relocate certain personnel, equipment and support to the new Naval Air Systems Command Headquarters, Patuxent River, Maryland.

Alternative Motions [NATSF remains open.]:

I move that the Commission find that the Secretary of Defense deviated substantially from final criterion 1 and, therefore, that the Commission reject the Secretary's recommendation on the Naval Technical Services Facility, Philadelphia, Pennsylvania, and, instead, adopt the following recommendation: the Naval Technical Services Facility, Philadelphia, Pennsylvania, remains open. The Commission finds this recommendation is consistent with the force structure plan and final criteria.

by HTJ
2nd HM

B	C	M	C	S	OS	D
✓	✓	✓	✓	✓	✓	✓

95

162

Draft Motions

Naval Surface Warfare Center (NSWC) Detachment Virginia Beach, VA:

~~Accept DoD Recommendation:~~

I move that the Commission find that the Secretary of Defense did not deviate substantially from the force structure plan and final criteria and, therefore, that the Commission adopt the following recommendation of the Secretary of Defense: Disestablish the Virginia-Beach Detachment of the Naval Surface Warfare Center, Port Hueneme and relocate its functions, personnel, equipment and support to the Fleet Combat Training Center, Dam Neck, Virginia.

Alternative Motion:

I move that the Commission find that the Secretary of Defense deviated substantially from final criterion 1 and, therefore, that the Commission reject the Secretary's recommendation on Naval Surface Warfare Center - Port Hueneme, Virginia Beach Detachment, Virginia Beach, Virginia, and, instead, adopt the following recommendation: Naval Surface Warfare Center - Port Hueneme, Virginia Beach Detachment, Virginia Beach remains open. The Commission finds this recommendation is consistent with the force structure plan and final criteria.

by Hm
2nd OB

7-0

80 pass

Naval Surface Warfare Center (NSWC) Detachment White Oak, MD:

Accept DoD Recommendation:

I move that the Commission find that the Secretary of Defense did not deviate substantially from the force structure plan and final criteria and, therefore, that the Commission adopt the following recommendation of the Secretary of Defense: Disestablish the White Oak Detachment of the Naval Surface Warfare Center (NSWC) (Dahlgren), located at White Oak, Maryland. Relocate its functions, personnel, equipment and support to NSWC-Dahlgren, Virginia. The property and facilities at White Oak will be retained for use by the Navy so that it may, among other things, relocate the Naval Sea Systems (NAVSEA) Command from leased space in Arlington, Virginia.

Alternative Motions:

Alternative Motion 1:

I move that the Commission find that the Secretary of Defense deviated substantially from final criterion 1 and, therefore, that the Commission reject the Secretary's recommendation on the Naval Surface Warfare Center (NSWC) (Dahlgren), White Oak, Maryland, and, instead, adopt the following recommendation: the Naval Surface Warfare Center (NSWC) (Dahlgren), White Oak, Maryland remains open and will not be disestablished. The Commission finds this recommendation is consistent with the force structure plan and final criteria.

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Alternative Motion 2 [Reject DoD's recommendation. Includes DoD technical corrections (underlined).]:

I move that the Commission find that the Secretary of Defense deviated substantially from the force structure and final criterion 1 and, therefore, that the Commission reject the Secretary's recommendation on the Naval Surface Warfare Center (NSWC) (Dahlgren), White Oak, Maryland, and, instead, adopt the following recommendation: Disestablish the White Oak Detachment of the Naval Surface Warfare Center (NSWC) (Dahlgren), located at White Oak, Maryland. Relocate its functions, personnel, equipment and support to NSWC-Dahlgren, Virginia, NSWC-Indian Head, Indian Head, Maryland, and NSWC-Dahlgren, Coastal Systems Station, Panama City, Florida. The property and facilities at White Oak will be retained for use by the Navy so that it may, among other things, relocate the Naval Sea Systems (NAVSEA) Command from leased space in Arlington, Virginia.

The Commission finds this recommendation is consistent with the force structure plan and final criteria.

The Commiss. finds this rec is consist w/ the BSB BC.

Y Y Y N Y Y Y Y

97 82 164

Draft Motions

Tech Centers (NAVSEA)

Sea Automated Data Systems Activity (SEAADSA) Indian Head, MD:

~~Accept DoD Recommendation~~:

I move that the Commission find that the Secretary of Defense did not deviate substantially from the force structure plan and final criteria and, therefore, that the Commission adopt the following recommendation of the Secretary of Defense: Disestablish the Sea Automated Data Systems Activity (SEAADSA) and relocate necessary functions, personnel, equipment, and support at Naval Surface Warfare Center (NSWC) Indian Head, Maryland.

~~Alternative~~ Motions:

I move that the Commission find that the Secretary of Defense deviated substantially from final criterion 1 and, therefore, that the Commission reject the Secretary's recommendation on the Sea Automated Data Systems Activity, Indian Head, Maryland, and instead, adopt the following recommendation: the Sea Automated Data Systems Activity, Indian Head, Maryland, remains open and is not disestablished. The Commission finds this recommendation is consistent with the force structure plan and final criteria.

MM
MS

B

98

105

Draft Motions

Naval Weapons Evaluation Facility, Albuquerque, NM:

Accept DoD Recommendation [Allows liaison office at Albuquerque to remain. Changes 1991 recommendation.]:

I move that the Commission find that the Secretary of Defense did not deviate substantially from the force structure plan and final criteria and, therefore, that the Commission adopt the following recommendation of the Secretary of Defense: Permit a small detachment of the Weapons Division to remain after the closure of the Naval Weapons Evaluation Facility (NWEF), Albuquerque, NM, in order to provide liaison with the Sandia Laboratory of the Department of Energy.

Reject DoD Recommendation [1991 recommendation remains unchanged.]:

I move that the Commission find that the Secretary of Defense deviated substantially from the force structure plan and final criteria in making his recommendation on Naval Weapons Evaluation Facility, Albuquerque, NM. Therefore, the Commission rejects and does not make the following recommendation of the Secretary: Permit a small detachment of the Weapons Division to remain after the closure of the Naval Weapons Evaluation Facility (NWEF), Albuquerque, NM, in order to provide liaison with the Sandia Laboratory of the Department of Energy

Alternative Motions -- none.

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by MTJ
2nd MM

(99) (84) 186

Draft Motions

Naval Electronic Systems Engineering Centers, San Diego and Vallejo, CA:

Accept DoD Recommendation [Change in 1991 recommendation. Change receiving location of NESEA San Diego and NESEA Vallejo to Air Force Plant #19 in San Diego vice new construciton at Point Loma, San Diego, CA.]:

I move that the Commission find that the Secretary of Defense did not deviate substantially from the force structure plan and final criteria and, therefore, that the Commission adopt the following recommendation of the Secretary of Defense: Change the receiving location of the Naval Electronic Systems Engineering Activity (NESEA) San Diego, California and the NESEA Vallejo, California to be Air Force Plant #19 in San Diego vice new construction at Point Loma, San Diego, California.

Reject DoD Recommendation [Reject change in 1991 recommendation. Receiving location of NESEA San Diego and NESEA Vallejo does not change.]:

I move that the Commission find that the Secretary of Defense deviated substantially from the force structure plan and final criteria in making his recommendation on Naval Electronic Systems Engineering Centers, San Diego and Vallejo, CA. Therefore, the Commission rejects and does not make the following recommendation of the Secretary: Change the receiving location of the Naval Electronic Systems Engineering Activity (NESEA) San Diego, California and the NESEA Vallejo, California to be Air Force Plant #19 in San Diego vice new construction at Point Loma, San Diego, California.

Alternative Motions -- none.

motion by HTG
2nd " BB

–	✓	✓	–	–	–	–

Submarine Maintenance Engineering, Planning and Procurement (SUBMEPP), Portsmouth, NH:

Accept DoD Recommendation [Disestablish SUBMEPP and move functions to Portsmouth NSY.]:

I move that the Commission find that the Secretary of Defense did not deviate substantially from the force structure plan and final criteria and, therefore, that the Commission adopt the following recommendation of the Secretary of Defense: disestablish the Submarine Maintenance, Engineering, Planning and Procurement (SUBMEPP), New Hampshire and relocate the necessary functions, personnel, equipment, and support at Supervisor of Shipbuilding, Conversion and Repair, Portsmouth Naval Shipyard, Kittery, Maine.

Reject DoD Recommendation [Do not disestablish SUBMEPP.]:

I move that the Commission find that the Secretary of Defense deviated substantially from the force structure plan and final criteria in making his recommendation on Submarine Maintenance Engineering, Planning and Procurement (SUBMEPP), Portsmouth, NH. Therefore, the Commission rejects and does not make the following recommendation of the Secretary: Disestablish the Submarine Maintenance, Engineering, Planning and Procurement (SUBMEPP), New Hampshire and relocate the necessary functions, personnel, equipment, and support at Supervisor of Shipbuilding, Conversion and Repair, Portsmouth Naval Shipyard, Kittery, Maine.

Alternative Motions -- none.

85

motion 6 HM 1 COF

86

101

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Planning, Repair and Alteration Centers (PERA)
(Planning, Estimating, Engineering for Repair and Alteration.)

PERA-CV, Bremerton, WA, PERA-Surface, Norfolk, VA, PERA-Surface, San Francisco, CA and PERA-Surface, Philadelphia (HQ), PA:

~~Accept DoD Recommendations: [Disestablish all of the PERAs]~~

I move that the Commission find that the Secretary of Defense did not deviate substantially from the force structure plan and final criteria and, therefore, that the Commission adopt the following recommendation of the Secretary of Defense: Disestablish the following four technical centers and relocate necessary functions, personnel, equipment, and support at the Supervisor of Shipbuilding, Conversion and Repair, San Diego, California, Portsmouth, Virginia and Newport News, Virginia:

(PERA)-(CV), Bremerton, Washington,
(PERA)-(Surface) Atlantic, Norfolk, Virginia,
(PERA)-(Surface) Pacific, San Francisco, California,
(PERA)-(Surface) (HQ), Philadelphia, Pennsylvania.

RB - not
MTg - 2nd

✓	✓	✓	✓	✓	✓	✓

Reject DoD Recommendation:

I move that the Commission find that the Secretary of Defense deviated substantially from the force structure plan and final criteria in making his recommendation on PERA-CV, Bremerton, WA, PERA-Surface, Norfolk, VA, PERA-Surface, San Francisco, CA and PERA-Surface, Philadelphia (HQ), PA. Therefore, the Commission rejects and does not make the following recommendation of the Secretary: Disestablish the following four technical centers and relocate necessary functions, personnel, equipment, and support at the Supervisor of Shipbuilding, Conversion and Repair, San Diego, California, Portsmouth, Virginia and Newport News, Virginia:

(PERA)-(CV), Bremerton, Washington,
(PERA)-(Surface) Atlantic, Norfolk, Virginia,
(PERA)-(Surface) Pacific, San Francisco, California,
(PERA)-(Surface) (HQ), Philadelphia, Pennsylvania.

Alternative Motions:

Alternate 1: [PERA (CV) stays in Bremerton; PERA (SURFACE) → SUPSHIP]

I move that the Commission find that the Secretary of Defense deviated substantially

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Draft Motions

Naval Civil Engineering Laboratory (NCEL), Port Hueneme, CA:

Accept DoD Recommendation [Close NCEL; move to CBC Port Hueneme.]:

I move that the Commission find that the Secretary of Defense did not deviate substantially from the force structure plan and final criteria and, therefore, that the Commission adopt the following recommendation of the Secretary of Defense: Close the Naval Civil Engineering Laboratory (NCEL), Port Hueneme, CA, and realign necessary functions, personnel, equipment, and support at the Construction Battalion Center, Port Hueneme, California.

Alternative Motion [NCEL remains open.] :

I move that the Commission find that the Secretary of Defense deviated substantially from final criteria 4 and 5 and, therefore, that the Commission reject the Secretary's recommendation on Naval Civil Engineering Laboratory, Port Hueneme, CA, and, instead, adopt the following recommendation: Naval Civil Engineering Laboratory, Port Hueneme, CA, remains open. The Commission finds that this recommendation is consistent with the force structure plan and final criteria.

mot. by BB
2nd by BB

Y

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Draft Motions

Inventory Control

Aviation Supply Office, Philadelphia, PA:

Accept DoD Recommendation [Close ASO and relocate to SPCC, Mechanicsburg, PA.] :

I move that the Commission find that the Secretary of Defense did not deviate substantially from the force structure plan and final criteria and, therefore, that the Commission adopt the following recommendation of the Secretary of Defense: Close the Aviation Supply Office (ASO), Philadelphia, Pennsylvania and relocate necessary personnel, equipment and support to the Ship Parts Control Center (SPCC), Mechanicsburg, Pennsylvania.

Alternative Motion [ASO remains open.]:

I move that the Commission find that the Secretary of Defense deviated substantially from final criteria 4, 5, and 6 and, therefore, that the Commission reject the Secretary's recommendation on the Naval Aviation Supply Office, Philadelphia, Pennsylvania, and, instead, adopt the following recommendation: the Naval Aviation Supply Office, Philadelphia, Pennsylvania, remains open. The Commission finds these recommendations are consistent with the force structure plan and final criteria.

motion by PB
2nd by RS

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In comm rec. & use ↓ or direct copy of DoD rec — NCR — by HM p4 111

Draft Motions

National Capital Region

~~Accept DoD Recommendation:~~

I move that the Commission find that the Secretary of Defense did not deviate substantially from the force structure plan and final criteria and, therefore, that the Commission adopt the recommendation of the Secretary of Defense to realign and relocate Navy National Capital Region activities, ~~and relocate them as follows:~~

NO NEED TO READ LIST

* Naval Air Systems Command to Naval Air Station, Patuxent River, Maryland

* Naval Supply Systems Command (including Food Service System Office, and Defense Printing Management Systems Office) to Ship Parts Control Center, Mechanicsburg, Pennsylvania

* Bureau of Naval Personnel (including Office of Military Manpower Management) to Naval Air Station, Memphis, Tennessee

* Naval Recruiting Command to Naval Training Center, Great Lakes, Illinois

* Naval Security Group Command (including Security Group Station, and Security Group Detachment, Potomac) to National Security Agency, Ft. Meade, Maryland

* Tactical Support Office /Activity to Commander-in-Chief, Atlantic Fleet, Norfolk, Virginia

Relocate the following National Capital Region activities from leased space to Government-owned space in one of these locations: Navy Annex, Arlington, Virginia; Washington Navy Yard, Washington, D.C.; 3801 Nebraska Avenue, Washington, D.C.; Marine Corps Combat Development Command, Quantico, Virginia; or the White Oak facility, Silver Spring, Maryland:

Naval Sea Systems Command

Naval Facilities Engineering Command
Space and Naval Warfare Systems Command

Document Separator

FINAL DRAFT

HEARING OF MAY 21, 1993

A. Motions Passed

1. I move that the Commission consider Fort Lee, VA, as a proposed addition to the Secretary's list of military installations recommended for closure.

   Motion made by: Stuart
   Motion seconded by: Bowman
   Vote for: Unanimous (7)
   Vote against: (0)

2. On March 29, 1993, the Commission voted to add Presidio of Monterey Language Institute (DLI), CA, to the list of proposed additions to the Secretary's list for closure or realignment.

   The POM Annex/Fort Ord, CA, is a subinstallation of Presidio of Monterey and was included in the Secretary of Army's recommendation re: Presidio of Monterey for closure.

   In order to clarify for the record that the intent of the Commission was and is to consider POM Annex/Fort Ord for closure or realignment, I move that the Commission confirm its intention to consider POM Annex/Fort Ord, CA, as a proposed addition to the Secretary's list of military installations recommended for closure or realignment.

   Motion made by: Courter
   Motion seconded by: Byron
   Vote for: Unanimous (7)
   Vote against: (0)

3. I move that the Commission consider Fort Monroe, VA, as a proposed addition to the Secretary's list of military installations recommended for closure or realignment.

   Motion made by: Stuart
   Motion seconded by: McPherson
   Vote for: Unanimous (7)
   Vote against: (0)

4. I move that the Commission consider Fort Gillem, GA, as a proposed addition to the Secretary's list of military installations recommended for closure or realignment.

Motion made by: Johnson
Motion seconded by: Bowman

Motion to amend/table motion:

Motion made by: McPhearson
Motion seconded by: Stuart/Bowman
Vote for: Stuart, Byron, Courter, McPherson, Cox, Bowman (6)
Vote against: Johnson (1)

I move that the Commission consider the previously deferred and tabled motion on Fort Gillem, GA; specifically I move that the Commission consider Fort Gillem, GA, as a proposed addition to the Secretary's list of military installations recommended for closure or realignment.

Motion made by: Courter
Motion seconded by: Johnson
Vote for: Stuart, Johnson, Courter, Cox, Bowman (5)
Vote against: Byron, McPherson (2)

5. I move that the Commission consider Marcus Hook, U.S. Army Reserve Center, PA, as a proposed addition to the Secretary's list of military installations recommended for closure or realignment.

Motion made by: Courter
Motion seconded by: Stuart
Vote for: Stuart, Johnson, Courter, McPherson, Bowman (5)
Vote against: Byron, Cox (2)

6. I move that the Commission consider NSY Norfolk and Defense Distribution Depot, Norfolk, VA, as proposed additions to the Secretary's list of military installations recommended for closure or realignment.

Motion made by: McPherson
Motion seconded by: Cox/Stuart
Vote for: Stuart, Courter, McPherson, Cox (4)
Vote against: Byron, Johnson (2)
Recused: Bowman (1)

7. I move that the Commission consider NSY Portsmouth, ME, as a proposed addition to the Secretary's list of military installations recommended for closure or realignment.

Motion made by: Stuart
Motion seconded by: McPherson
Vote for: Stuart, Byron, Johnson, Courter, McPherson, Cox (6)
Vote against: (0)
Recused: Bowman (1)

8. I move that the Commission consider NSY Long Beach, CA, as a proposed addition to the Secretary's list of military installations recommended for closure or realignment.

Motion made by: Stuart
Motion seconded by: Johnson
Vote for: Stuart, Byron, Johnson, Courter, McPherson, Bowman (6)
Vote against: Cox (1)

9. I move that the Commission consider NAS Oceana, VA, as a proposed addition to the Secretary's list of military installations recommended for closure or realignment.

Motion made by: Johnson
Motion seconded by: Stuart
Vote for: Stuart, Johnson, Courter, McPherson, Cox, Bowman (6)
Vote against: Byron (1)

10. I move that the Commission consider MCAS Beaufort and NAVHOSP Beaufort, SC, as proposed additions to the Secretary's list of military installations recommended for closure or realignment.

Motion made by: McPherson
Motion seconded by: Johnson
Vote for: Stuart, Johnson, Courter, McPherson, Cox, Bowman (6)
Vote against: Byron (1)

11. I move that the Commission consider NAS Miramar, CA, as a proposed addition to the Secretary's list of military installations recommended for closure or realignment.

Motion made by: McPherson
Motion seconded by: Johnson
Vote for: Stuart, Byron, Johnson, Courter, McPherson, Bowman (6)
Vote against: (0)
Recused: Cox (1)

12. I move that the Commission consider MCAS Tustin, CA, as a proposed addition to the Secretary's list of military installations recommended for realignment.

    Motion made by: Bowman
    Motion seconded by: Stuart
    Vote for: Stuart, Johnson, Courter, McPherson, Bowman (5)
    Vote against: Byron (1)
    Recused: Cox (1)

13. I move that the Commission consider NAS Corpus Christi and NAVHOSP Corpus Christi, TX, as proposed additions to the Secretary's list of military installations recommended for closure or realignment.

    Motion made by: Johnson
    Motion seconded by: Stuart
    Vote for: Unanimous (7)
    Vote against: (0)

14. I move that the Commission consider NAVSTA Ingleside, TX, as a proposed addition to the Secretary's list of military installations recommended for closure or realignment.

    Motion made by: Stuart
    Motion seconded by: Bowman
    Vote for: Unanimous (7)
    Vote against: (0)

15. I move that the Commission consider NAVSTA Pascagoula, MS, as a proposed addition to the Secretary's list of military installations recommended for closure or realignment.

    Motion made by: Johnson
    Motion seconded by: McPherson
    Vote for: Unanimous (7)
    Vote against: (0)

16. I move that the Commission consider NAVSTA Everett, WA, as a proposed addition to the Secretary's list of military installations recommended for closure or realignment.

    Motion made by: McPherson
    Motion seconded by: Cox
    Vote for: Unanimous (7)
    Vote against: (0)

17. I move that the Commission consider NAVHOSP Great Lakes, IL, as a proposed addition to the Secretary's list of military installations recommended for closure or realignment.

    Motion made by: Byron
    Motion seconded by: McPherson
    Vote for: Byron, Johnson, Courter, McPherson, Cox, Bowman (6)
    Vote against: (0)
    Recused: Stuart (1)

18. I move that the Commission consider Ship Parts Control Center, Mechanicsburg, PA, as a proposed addition to the Secretary's list of military installations recommended for closure or realignment.

    Motion made by: Courter
    Motion seconded by: Stuart
    Vote for: Stuart, Byron, Courter, McPherson (4)
    Vote against: Johnson, Cox, Bowman (3)

19. I move that the Commission consider NESEC Portsmouth, VA, as a proposed addition to the Secretary's list of military installations recommended for closure or realignment.

    Motion made by: McPherson
    Motion seconded by: Johnson
    Vote for: Unanimous (7)
    Vote against: (0)

20. I move that the Commission consider NAF Martinsburg, WV, as a proposed addition to the Secretary's list of military installations recommended for closure or realignment.

    Motion made by: Stuart
    Motion seconded by: Bowman
    Vote for: Unanimous (7)
    Vote against: (0)

21. I move that the Commission consider NAF Johnstown, PA, as a proposed addition to the Secretary's list of military installations recommended for closure or realignment.

    Motion made by: Bowman
    Motion seconded by: McPherson
    Vote for: Unanimous (7)
    Vote against: (0)

22. I move that the Commission consider NRC/AFRC, Chicopee, NMCRC Lawrence and NRC Quincy, MA, as proposed additions to the Secretary's list of military installations recommended for closure or realignment.

    Motion made by: McPherson
    Motion seconded by: Bowman
    Vote for: Stuart, Johnson, Courter, McPherson, Cox, Bowman (6)
    Vote against: Byron (1)

23. I move that the Commission consider Naval Ordnance Station, Louisville, KY, as a proposed addition to the Secretary's list of military installations recommended for closure or realignment.

    Motion made by: Stuart
    Motion seconded by: Johnson
    Vote for: Unanimous (7)
    Vote against: (0)

24. I move that the Commission consider NAS Memphis, TN, for a proposed increase in the extent of realignment recommended by the Secretary and/or as a proposed addition to the Secretary's list of military installations recommended for closure; I further move that the Commission consider NAVHOSP Millington, TN, as a proposed addition to the Secretary's list of military installations recommended for closure or realignment.

    Motion made by: McPherson
    Motion seconded by: Cox
    Vote for: Unanimous (7)
    Vote against: (0)

25. I move that the Commission consider Fort McPherson, GA, as a proposed addition to the Secretary's list of military installations recommended for closure or realignment.

    Motion made by: Bowman
    Motion seconded by: Cox
    Vote for: Stuart, Courter, Cox, Bowman (4)
    Vote against: Byron, Johnson, McPherson (3)

26. I move that the Commission consider Plattsburgh AFB, NY, as a proposed addition to the Secretary's list of military installations recommended for closure or realignment.

Motion made by: McPherson
Motion seconded by: Cox
Vote for: Unanimous (7)
Vote against: (0)

27. I move that the Commission consider Fairchild AFB, WA, as a proposed addition to the Secretary's list of military installations recommended for closure or realignment.

Motion made by: Courter
Motion seconded by: Stuart
Vote for: Stuart, Johnson, Courter, McPherson, Cox, Bowman (6)
Vote against: Byron (1)

28. I move that the Commission consider Grand Forks AFB, ND, as a proposed addition to the Secretary's list of military installations recommended for closure or realignment.

Motion made by: Byron
Motion seconded by: Stuart
Vote for: Unanimous (7)
Vote against: (0)

29. I move that the Commission consider Tinker AFB and Defense Distribution Depot, Oklahoma City, OK, as proposed additions to the Secretary's list of military installations recommended for closure or realignment.

Motion made by: Byron
Motion seconded by: Cox/Bowman
Vote for: Unanimous (7)
Vote against: (0)

30. I move that the Commission consider RPC Tinker AFB (LSBA-IPC Oklahoma City) Oklahoma City, OK, as a proposed addition to the Secretary's list of military installations recommended for closure or realignment.

Motion made by: Byron
Motion seconded by: Stuart
Vote for: Unanimous (7)
Vote against: (0)

31. I move that the Commission consider Warner-Robins AFB, RPC Warner-Robins (LSBA-IPC Warner-Robins) and Defense Distribution Depot, Warner-Robins, GA, as proposed additions to the Secretary's list of military installations recommended for closure or realignment.

    Motion made by: Stuart
    Motion seconded by: Bowman
    Vote for: Unanimous (7)
    Vote against: (0)

32. I move that the Commission consider Kelly AFB, RPC Kelly AFB (LSBA-IPC San Antonio) and Defense Distribution Depot, San Antonio, TX, as proposed additions to the Secretary's list of military installations recommended for closure or realignment.

    Motion made by: Cox
    Motion seconded by: Stuart
    Vote for: Stuart, Courter, McPherson, Cox, Bowman (5)
    Vote against: Byron, Johnson (2)

33. I move that the Commission consider NADEP North Island and Defense Distribution Depot, San Diego, CA, as proposed additions to the Secretary's list of military installations recommended for closure or realignment.

    Motion made by: Courter
    Motion seconded by: McPherson
    Vote for: Unanimous (7)
    Vote against: (0)

34. I move that the Commission consider NADEP Cherry Point and Defense Distribution Depot, Cherry Point, NC, as proposed additions to the Secretary's list of military installations recommended for closure or realignment.

    Motion made by: Courter
    Motion seconded by: McPherson
    Vote for: Unanimous (7)
    Vote against: (0)

35. I move that the Commission consider NADEP Jacksonville and Defense Distribution Depot, Jacksonville, FL, as proposed additions to the Secretary's list of military installations recommended for closure or realignment.

Motion made by: McPherson
Motion seconded by: Bowman
Vote for: Unanimous (7)
Vote against: (0)

36. I move that the Commission consider MCLB Albany and Defense Distribution Depot, Albany, GA, as proposed additions to the Secretary's list of military installations recommended for closure or realignment.

Motion made by: Stuart
Motion seconded by: Bowman
Vote for: Unanimous (7)
Vote against: (0)

37. I move that the Commission consider MCLB Barstow and Defense Distribution Depot, Barstow, CA, as proposed additions to the Secretary's list of military installations recommended for closure or realignment.

Motion made by: Stuart
Motion seconded by: Bowman
Vote for: Unanimous (7)
Vote against: (0)

38. I move that the Commission consider Red River Army Depot and Defense Distribution Depot, Red River, TX; Anniston Army Depot and Defense Distribution Depot, Anniston, AL; Tobyhanna Army Depot, PA; Seal Beach, Naval Weapon Station, CA; and Air Force Logistics Center, Ogden, UT as proposed additions to the Secretary's list of military installations recommended for closure or realignment.

Motion made by: Cox
Motion seconded by: Bowman
Vote for: Unanimous (7)
Vote against: (0)

39. I move that the Commission consider Defense Construction Supply Center (DCSC) and Defense Information Technology Services Organization (DITSO) (RMBA Columbus), Columbus, OH, as proposed additions to the Secretary's list of military installations recommended for closure or realignment.

Motion made by: Stuart
Motion seconded by: Johnson
Vote for: Unanimous (7)
Vote against: (0)

40. I move that the Commission consider Defense Contract Management District Northeast, MA, as a proposed addition to the Secretary's list of military installations recommended for closure or realignment.

Motion made by: Johnson
Motion seconded by: McPherson
Vote for: Unanimous (7)
Vote against: (0)

41. I move that the Commission consider Defense Distribution Depot, McClellan AFB, CA, and Naval Depot, San Diego, CA,* as proposed additions to the Secretary's list of military installations recommended for closure or realignment.

Motion made by: Johnson
Motion seconded by: Stuart
Vote for: Unanimous (7)
Vote against: (0)

42. I move that the Commission consider DITSO Denver (RMBA Denver), CO; AIPC Chambersburg (MIPA Chambersburg), PA; AIPC Huntsville (MIPA Huntsville), AL; and DITSO Cleveland (RMBA Cleveland), OH as proposed additions to the Secretary's list of military installations recommended for closure or realignment.

Motion made by: Johnson
Motion seconded by: McPherson
Vote for: Unanimous (7)
Vote against: (0)

43. I move that the Commission consider Gentile AFB, OH, as a proposed addition to the Secretary's list of military installations recommended for closure or realignment.

Motion made by: Stuart
Motion seconded by: Johnson
Vote for: Unanimous (7)
Vote against: (0)

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* Naval Depot, San Diego, CA, is the same thing as Motion #33.

B. Motions Failed

1. I move that the Commission consider Fort Leonard Wood, MO, as a proposed addition to the Secretary's list of military installations recommended for closure or realignment.

   Motion made by: Johnson
   Motion seconded by: Bowman
   Vote for: Stuart, Johnson, Bowman (3)
   Vote against: Byron, Courter, McPherson, Cox (4)

2. I move that the Commission consider NSB New London, CT, for a proposed increase in the extent of realignment recommended by the Secretary and/or as a proposed addition to the Secretary's list of military installations recommended for closure; I further move that the Commission consider NAVHOSP Groton, CT, as a proposed addition to the Secretary's list of military installations recommended for closure or realignment.

   Motion made by: Johnson
   Motion seconded by: Cox
   Vote for: Johnson, Cox (2)
   Vote against: Byron, Courter, McPherson, Bowman (4)
   Recused: Stuart (1)

3. I move that the Commission consider McChord AFB, WA, as a proposed addition to the Secretary's list of military installations recommended for closure or realignment.

   Motion made by: Cox
   Motion seconded by: No second

FINAL DRAFT

FINAL DELIBERATIONS
JUNE 23-27, 1993

1. **Fort McClellan, AL**

(a) I move that the Commission find that the Secretary of Defense deviated substantially from the force structure plan and final criteria in making his recommendation on Fort McClellan, AL. Therefore, the Commission rejects and does not make the following recommendation of the Secretary: "Close Fort McClellan. Relocate the U.S. Army Chemical and Military Police Schools and the Department of Defense Polygraph Institute (DODPI) to Fort Leonard Wood, Missouri. Transfer accountability for Pelham Range and other required training support facilities, through licensing, to the Army National Guard. Retain an enclave for the U.S. Army Reserves. Retain the capability for live-agent training at Fort McClellan." The Commission does 17 recommend that if the Secretary of Defense wants to move the Chemical Defense School and Chemical Decontamination Training Facility in the future, the Army should pursue all of the required permits and certificates for the new site prior to the 1995 base closure process. The Commission finds this recommendation is consistent with the force structure plan and final criteria.

Motion made by: Johnson
Motion seconded by: Bowman
Vote for: (see below)
Vote against:

(b) Motion to amend motion on Ft. McClellan to read:
I move that the Commission find that the Secretary of Defense deviated substantially from criteria 1 and 4, and, therefore, that the Commission adopt the following recommendation: close Fort McClellan except for Pelham Range and other required training support facilities to be licensed to the Army National Guard, and an enclave to support the U.S. Army Reserves; relocate the Chemical and Military Police Schools to Fort Leonard Wood, Missouri; close the Chemical Decontamination Training Facility at Fort McClellan and construct a replacement facility at Fort Leonard Wood subject to CDTF permits; and relocate the Department of Defense Polygraph Institute to another location determined by the Department of Defense. The Commission finds this recommendation is consistent with the force-structure plan and final criteria.

Motion made by: Stuart
Motion seconded by: None
Vote for: N/A
Vote against: N/A

(c) Motion to amend fails for lack of second. Vote on original motion (above):

Vote for: Bowman, Cox, McPherson, Courter, Byron, Johnson (6)
Vote against: Stuart (1)

2. **Presidio of Monterey/POM Annex, CA**
Discussion. Motion/vote tabled/deferred.

3. **Fort Belvoir, VA**
I move that the Commission find that the Secretary of Defense did not deviate substantially from the force structure plan and final criteria and, therefore, that the Commission adopt the following recommendation of the Secretary of Defense: realign Fort Belvoir as follows: Disestablish the Belvoir Research, Development and Engineering Center (BRDEC), Fort Belvoir, Virginia. Eliminate the Tunnel Detection, Materials, Marine Craft, Topographic Equipment, Construction Equipment and Support Equipment business areas. Relocate the Supply, Bridging, Counter Mobility, Water Purification, and Fuel/Lubricant Business Areas to the Tank Automotive Research, Development and Engineering Center (TARDEC), Detroit Arsenal, Michigan. Transfer command and control of the Physical Security, Battlefield Deception, Electric Power, Remote Mine Detection/Neutralization, Environmental Controls and Low Cost/Low Observables Business Areas to the Night Vision Electro-Optics Directorate (NVEOD) of the Communication and Electronics Research, Development and Engineering Center (CERDEC), Fort Belvoir, Virginia.

Motion made by: McPherson
Motion seconded by: Cox
Vote for: Unanimous (7)
Vote against: (0)

4. **Presidio of San Francisco, CA**
I move that the Commission find that the Secretary of Defense deviated substantially from criteria 2 and 4, and, therefore, that the Commission adopt the following recommendation: The 1988 Commission decision will be changed to allow only the Sixth U.S. Army to remain at the Presidio of San Francisco, California. The Department of the Interior and the Department of the Army will negotiate a lease that is favorable to both departments for the current facilities occupied by Sixth U.S. Army and family housing at the Presidio of San Francisco necessary to accommodate the headquarters members. If agreement cannot be reached, the Commission expects the Army to make a subsequent recommendation to the 1995 Commission for the relocation of Sixth U.S. Army. The Commission further recommends the Defense Commissary Agency and the Army and Air Force Exchange System determine the commissary and exchange requirements to support Sixth U.S. Army based on sound business decisions. The Commission finds this recommendation is consistent with the force structure plan and final criteria.

Motion made by: Cox
Motion seconded by: Byron
Vote for: Unanimous (7)
Vote against: (0)

5. **Ft. Gillem, GA**
I move that the Commission find that Secretary of Defense deviated substantially from the force structure and final criteria in not recommending the closure of Ft. Gillem. Therefore, the Commission recommends the closure of Ft. Gillem and the movement of the Director of Engineering and Housing and all 3rd Army Tenants to Ft. McPherson, Georgia, and 2nd Army to Ft. Stewart. The Commission further recommends the Army, directly or through GSA, make the warehouse buildings at Ft. Gillem available to the Army and Air Force Exchange Service as long as they wish to remain a tenant there. The Commission finds this recommendation is consistent with the force structure plan and final criteria.

Motion made by: Johnson
Motion seconded by: None
Vote for: N/A
Vote against: N/A

6. **Ft. McPherson, GA**
No motion.

7. **Ft. Lee, VA**
No motion.

8. **Ft. Monroe, VA**
No motion.

9. **Vint Hill Farms, VA**
I move that the Commission find that the Secretary of Defense did not deviate substantially from the force structure plan and final criteria and, therefore, that the Commission adopt the following recommendation of the Secretary of Defense: Close Vint Hill Farms. Relocate the maintenance and repair function of the Intelligence Material Management Center (IMMC) to Tobyhanna Army Depot, PA. Transfer the remaining elements of IMMC, the Intelligence and Electronic Warfare Directorate (formerly the Signal Warfare Directorate), and the program executive officer (PEO) for Intelligence and Electronic Warfare (IEW) to Ft. Monmouth, NJ.

Motion made by: McPherson
Motion seconded by: Stuart
Vote for: Unanimous (7)
Vote against: N/A (0)

10. **Ft. Monmouth, NJ**
(a) I move that the Commission find that the Secretary of Defense deviated substantially from criterion 4. The Commission finds that the Department misstated the cost differential between two alternative choices. Therefore, the Commission adopts the following recommendation: Move CECOM headquarters out of the leased space and into space at Ft. Monmouth vacated by the 513th Military Intelligence Brigade and the Chaplain School or other suitable space; relocate the Chaplain School to Ft. Jackson; consolidate activities to maximize utilization of main post Ft. Monmouth; and dispose of excess facilities and real property at Evans and Charles Woods sub posts, as well as main post Ft. Monmouth. The Commission finds this recommendation is consistent with the force structure plan and final criteria.

Motion made by: McPherson
Motion seconded by: Cox
Vote for: N/A
Vote against: N/A

(b) Motion to make technical amendment to insert the following: "rejects the Secretary's recommendation on Ft. Monmouth, and, instead."

Motion made by: Courter
Motion seconded by: Cox
Vote for: Unanimous (7) [voice vote]
Vote against: (0)

(c) Vote on amended motion:
I move that the Commission find that the Secretary of Defense deviated substantially from criterion 4. The Commission finds that the Department misstated the cost differential between two alternative choices. Therefore, the Commission rejects the Secretary's recommendation on Ft. Monmouth, and, instead, adopts the following recommendation: Move CECOM headquarters out of the leased space and into space at Ft. Monmouth vacated by the 513th Military Intelligence Brigade and the Chaplain School or other suitable space; relocate the Chaplain School to Ft. Jackson; consolidate activities to maximize utilization of main post Ft. Monmouth; and dispose of excess facilities and real property at Evans and Charles Woods sub posts, as well as main post Ft. Monmouth. The Commission finds this recommendation is consistent with the force structure plan and final criteria.

Vote for: Unanimous (7)
Vote against: (0)

11. **Rock Island Arsenal, IL**
I move that the Commission find that the Secretary of Defense did not deviate substantially from the force structure plan and final criteria and, therefore, that the Commission adopt the following recommendation of the Secretary of Defense: Instead of sending the materiel management functions of U.S. Army Armament, Munitions and Chemical Command (AMCCOM) to Redstone Arsenal, Alabama, as recommended by the 1991 Base Closure Commission, reorganize these functions under Tank Automotive Command (TACOM) with the functions remaining in place at Rock Island Arsenal, IL.

Motion made by: McPherson
Motion seconded by: Stuart
Vote for: Byron, Stuart, Courter, McPherson, Cox, Bowman (6)
Vote against: Johnson (1)

12. **Marcus Hook USAR Center, PA**
No motion.

13. **Presidio of Monterey/Presidio of Monterey Annex, CA** [previously deferred]
I move that the Commission find that the Secretary of Defense deviated substantially from the force-structure plan and criterion 4, and, therefore, that the Commission adopt the following recommendation: Retain the Presidio of Monterey but dispose of all facilities at the Presidio of Monterey Annex except the housing, commissary, child care facility, and post-exchange required to support the Presidio of Monterey and Navy Post Graduate School. Consolidate base operations support with the Naval Post Graduate School by interservice agreement. The Department of Defense will evaluate whether contracted base operations support would provide savings for the Presidio of Monterey. The Commission finds this recommendation is consistent with the force-structure plan and final criteria.

Motion made by: Johnson
Motion seconded by: McPherson
Vote for: Unanimous (7)
Vote against: (0)

14. **Letterkenny Army Depot, PA**
I move that the Commission find that the Secretary of Defense deviated substantially from final criteria 1 and 4. Therefore, the Commission rejects the Secretary's recommendation on Letterkenny Army Depot, Pennsylvania, and, instead, adopts the following recommendation: Letterkenny Army Depot will remain open. Consolidate tactical missile maintenance at the depot as originally planned. Add tactical missile maintenance workload currently being accomplished by the Marine Corps Logistics Base in Barstow, California, to the consolidation plan. Retain current artillery workload at Letterkenny.

Retain the Systems Integration Management Activity-East (SIMA-E) at Letterkenny Depot Activity until the Defense Information Systems Agency completes its review of activities relocated under DMRD 918. Relocate Depot Systems Command to Rock Island Arsenal, Illinois, and consolidate with the Armament, Munitions, and Chemical Command into the Industrial Operations Command, as approved by the 1991 Commission.

The Commission finds this recommendation is consistent with the force structure plan and final criteria.

Motion made by: Cox
Motion seconded by: Stuart
Vote for: Unanimous (7)
Vote against: (0)

15. **Tooele Army Depot, UT**
I move that the Commission find that the Secretary of Defense did not deviate substantially from the force structure plan and final criteria and, therefore, that the Commission adopt the following recommendation of the Secretary of Defense: Realign Tooele Army Depot (TEAD) by reducing it to a depot activity and placing it under the command and control of Red River Army Depot, TX. Retain conventional ammunition storage and the chemical demilitarization mission. The depot workload will move to other depot maintenance activities, including the private sector. The activities of the depot not associated with the remaining mission will be inactivated, transferred or eliminated, as appropriate.

Motion made by: McPherson
Motion seconded by: Byron
Vote for: Unanimous (7)
Vote against: (0)

16. **McGuire AFB, NJ**
I move that the Commission find that the Secretary of Defense deviated substantially from final criteria 1, 2, 3, and 4 and, therefore, that the Commission reject the Secretary's recommendation on McGuire AFB, and, instead, adopt the following recommendation: Retain McGuire AFB as an active installation. The 438th and 514th Airlift Wings, the 170th Air Refueling Group (ANG), and the 108th Air Refueling Wing (ANG) will remain at McGuire AFB. Move the 19 KC-10 aircraft from Barksdale AFB to McGuire AFB. Move the requisite number of KC-135 aircraft to establish the East Coast Mobility Base at McGuire AFB. The C-130 913th Airlift Group (AFRES) remains at Willow Grove NAS, PA. The Commission finds this recommendation is consistent with the force structure plan and final criteria.

Motion made by: Johnson
Motion seconded by: Stuart
Vote for: Bowman, Cox, McPherson, Courter, Stuart, Johnson (6)
Vote against: Byron (1)

17. **Grand Forks AFB, ND**
I move to withdraw Grand Forks AFB, ND, from further consideration by the Commission.

Motion made by: Johnson
Motion seconded by: Byron
Vote for: Unanimous (7) [voice vote]
Vote against: (0)

18. **Griffiss AFB, NY**

I move that the Commission find that the Secretary of Defense did not deviate substantially from the force structure plan and final criteria and, therefore, that the Commission adopt the following recommendation of the Secretary of Defense: Griffiss AFB, New York, is recommended for realignment. The 416th Bomb Wing will inactivate. The B-52H aircraft will transfer to Minot AFB, North Dakota, and Barksdale AFB, Louisiana. The KC-135 aircraft from Griffiss AFB will transfer to Grand Forks AFB, North Dakota. The 485th Engineering Installation Group at Griffiss AFB will relocate to Hill AFB, Utah.

The Northeast Air Defense Sector will remain at Griffiss in a cantonment area pending the outcome of a NORAD sector consolidation study. If the sector remains it will be transferred to the Air National Guard (ANG). Rome Laboratory will remain at Griffiss AFB in its existing facilities as a stand-alone Air Force laboratory. A minimum essential airfield will be maintained and operated by a contractor on an "as needed, on call" basis. The ANG will maintain and operate necessary facilities to support mobility/contingency/training of the 10th Infantry (Light) Division located at Ft. Drum, New York, and operate them when needed. Only the stand-alone laboratory and the ANG mission will remain.

Motion made by: McPherson
Motion seconded by: Byron
Vote for: Unanimous (7)
Vote against: (0)

19. **Fairchild AFB, WA**

I move to withdraw Fairchild AFB, WA, from further consideration by the Commission.

Motion made by: Byron
Motion seconded by: Stuart
Vote for: Unanimous (7) [voice vote]
Vote against: (0)

20. **March AFB, CA**
I move that the Commission find that the Secretary of Defense did not deviate substantially from the force structure plan and final criteria and, therefore, that the Commission adopt the following recommendation of the Secretary of Defense: March AFB, California, is recommended for realignment. The 22nd Air Refueling Wing will inactivate. The KC-10 (Active and Associate Reserve) aircraft will be relocated to Travis AFB, California. The Southwest Air Defense Sector will remain at March in a cantonment area pending the outcome of a NORAD sector consolidation study. If the sector remains it will be transferred to the Air National Guard (ANG). The 445th Airlift Wing Air Force Reserve (AFRES), 452nd Air Refueling Wing (AFRES), 163rd Reconnaissance Group (ANG) (becomes an Air Refueling Group), the Air Force Audit Agency, and the Media Center (from Norton AFB, California) will remain and the base will convert to a reserve base. Additionally, the Army Corps of Engineers Unit, the US Customs Aviation Operation Center West, and the Drug Enforcement Agency aviation unit will remain.

Motion made by: Johnson
Motion seconded by: McPherson
Vote for: Unanimous (7)
Vote against: (0)

21. **Plattsburgh AFB, NY**
I move that the Commission find that the Secretary of Defense deviated substantially from criteria 2 and 4 and, therefore, the Commission adopt the following recommendation: Close Plattsburgh AFB and transfer the KC-135s to McGuire AFB, New Jersey. The Commission finds that this recommendation is consistent with the force structure plan and final criteria.

Motion made by: McPherson
Motion seconded by: Stuart
Vote for: Bowman, Cox, McPherson, Courter, Stuart, Johnson (6)
Vote against: Byron (1)

22. **K.I. Sawyer AFB, MI**
I move that the Commission find that the Secretary of Defense did not deviate substantially from the force structure plan and final criteria and, therefore, that the Commission adopt the following recommendation of the Secretary of Defense: K.I. Sawyer AFB, Michigan, is recommended for closure. The 410th Wing will inactivate. B-52H aircraft will transfer to Barksdale AFB, Louisiana. The Air Force will retire its B-52G aircraft instead of implementing the previous Base Closure Commission recommendation to transfer those aircraft from Castle AFB, California, to K.I. Sawyer AFB.

Motion made by: Stuart
Motion seconded by: Bowman
Vote for: Unanimous (7)
Vote against: (0)

23. **Homestead AFB, FL**
I move that the Commission find that the Secretary of Defense deviated substantially from final criteria 1 and 3 for the military value of this strategically located base and criterion 4 for costs to move the 482d Fighter Wing and operate MacDill AFB and criterion 6 for economic impact, and, therefore, that the Commission reject the Secretary's recommendation on Homestead AFB, Florida, and, instead, adopt the following recommendation: Realign Homestead AFB with the following actions. Inactivate the 31st Fighter Wing; all F-16s from the 31st Fighter Wing will remain temporarily assigned to Moody AFB, Georgia, and Shaw AFB, South Carolina; move the Inter-American Air Forces Academy to Lackland AFB, Texas; temporarily relocate the Air Force Water Survival School to Tyndall AFB, Florida. Future disposition of the Water Survival School is dependent upon efforts to consolidate its functions with the United States Navy. Relocate the 726th Air Control Squadron to Shaw AFB. Consolidate the Naval Security Group with other US Navy units. Close all DoD activities and facilities, including family housing, the hospital, commissary, and base-exchange facilities. All essential cleanup and restoration activities associated with Hurricane Andrew will be completed. The 482d F-16 Fighter Wing and the 301st Rescue Squadron (AFRES) and the North American Air Defense alert activity will remain in cantonment areas. The Commission finds this recommendation is consistent with the force structure plan and final criteria.

Motion made by: Johnson
Motion seconded by: McPherson
Vote for: Unanimous (7)
Vote against: (0)

24. **MacDill AFB, FL**
(a) I move that the Commission find that the Secretary of Defense deviated substantially from final criteria 1, 3 and 4 and, therefore, that the Commission reject the Secretary's recommendation on MacDill AFB, Florida, and, instead, adopt the following recommendation: Retain the Joint Communication Support Element at MacDill as long as the airfield is non-DoD operated. Retain the 482nd at Homestead AFB, FL. Operation of the airfield at MacDill will be taken over by the Department of Commerce or another Federal agency. The Commission finds this recommendation is consistent with the force structure plan and final criteria.

Motion made by: Johnson
Motion seconded by: Byron
Vote for: Unanimous (7)
Vote against: (0)

(b) Motion, second and unanimous voice vote to suspend voting after Cox voted. Resumed after McPherson returned to room and completed.

25. **Chanute AFB, IL**
Motion to defer voting until discussion on NAS Memphis.

Motion made by: Courter
Motion seconded by: Bowman/Stuart
Vote for: Unanimous (7) [voice vote]
Vote against: (0)

26. **Castle AFB, CA**
I move that the Commission find that the Secretary of Defense did not deviate substantially from the force structure plan and final criteria and, therefore, that the Commission adopt the following recommendation of the Secretary of Defense: Redirect the B-52 and KC-135 Combat Crew Training mission from Fairchild AFB, Washington to Barksdale AFB, Louisiana (B-52) and Altus AFB, Oklahoma (KC-135).

Motion made by: Johnson
Motion seconded by: Bowman
Vote for: Unanimous (7)
Vote against: (0)

27. **O'Hare International Airport, Air Reserve Station, Chicago, IL**
(a) First motion:
I move that the Commission find that the Secretary of Defense deviated substantially from final criteria 2 and 4 and, therefore, that the Commission reject the Secretary's recommendation on O'Hare and, instead, adopt the following recommendation: Close O'Hare ARS as proposed by the City of Chicago and relocate the assigned Air Reserve component (ARC) units to the Greater Rockford Airport, or another location acceptable to the Secretary of the Air Force (in consultation and agreement with the receiving location), provided the City of Chicago can demonstrate that it has the financing in place to cover the full cost of replacing facilities (except for FAA grants for airfield facilities open to the public), environmental impact analyses, moving, and any added costs of environmental cleanup resulting from higher standards or a faster schedule than DoD would be obliged to meet if the base did not close, without any cost whatsoever to the federal government, and further provided that the closure/realignment must begin by July 1995 and be completed by July 1997. Chicago would also have to fund the cost of relocating the Army Reserve activity, or leave it in place. If these conditions are not met, the units should remain at O'Hare International Airport. The Commission finds this recommendation is consistent with the force structure plan and final criteria.

Motion made by: Stuart
Motion seconded by: McPherson

(b) Motion to amend to change second date to "1998":

Motion made by: McPherson
Motion seconded by: Byron
Vote for: Unanimous (7) [voice vote]
Vote against: (0)

(c) Vote on motion, as amended:
I move that the Commission find that the Secretary of Defense deviated substantially from final criteria 2 and 4 and, therefore, that the Commission reject the Secretary's recommendation on O'Hare and, instead, adopt the following recommendation: Close O'Hare ARS as proposed by the City of Chicago and relocate the assigned Air Reserve component (ARC) units to the Greater Rockford Airport, or another location acceptable to the Secretary of the Air Force (in consultation and agreement with the receiving location), provided the City of Chicago can demonstrate that it has the financing in place to cover the full cost of replacing facilities (except for FAA grants for airfield facilities open to the public), environmental impact analyses, moving, and any added costs of environmental cleanup resulting from higher standards or a faster schedule than DoD would be obliged to meet if the base did not close, without any cost whatsoever to the federal government, and further provided that the closure/realignment must begin by July 1995 and be completed by July 1998. Chicago would also have to fund the cost of relocating the Army Reserve activity, or leave it in place. If these conditions are not met, the units should remain at O'Hare International Airport. The Commission finds this recommendation is consistent with the force structure plan and final criteria.

Vote for: Bowman, Cox, McPherson, Courter, Stuart, Johnson (6)
Vote against: Byron

(d) Later motion to revise:
[**Intro:** On Friday, we voted to recommend that O'Hare Air Reserves Station be closed and relocated provided the City of Chicago demonstrated that it had the financing to cover, among other things, the full cost of replacing facilities "except for FAA grants for airfield facilities open to the public." We included that exception to make clear that we did not intend to deprive a community to which O'Hare ARS is relocated of FAA grants for which it would otherwise be entitled. To ensure that our intent is clear:

I move that the phrase "(except for FAA grants for airfield facilities open to the public)" be revised to read as follows: "(except for FAA grants for airport planning and development that would otherwise be eligible for Federal financial assistance to serve the needs of civil aviation at the receiving location)."

[The entire recommendation now reads:
I move that the Commission find that the Secretary of Defense deviated substantially from final criteria 2 and 4 and, therefore that the Commission reject the Secretary's recommendation on O'Hare and, instead, adopt the following recommendation: Close O'Hare ARS as proposed by the City of Chicago and relocate the assigned Air Reserve Component (ARC) units to the Greater Rockford Airport, or another location acceptable to the Secretary of the Air Force (in consultation and agreement with the receiving location), provided the City of Chicago can demonstrate that it has the financing in place to cover the full cost of replacing facilities (except for FAA grants for airport planning and development that would otherwise be eligible for Federal financial assistance to serve the needs of civil aviation at the receiving location), environmental impact analyses, moving, and any added costs of environmental cleanup resulting from higher standards or a faster schedule than DoD would be obliged to meet if the base did not close, without any cost whatsoever to the federal government, and further provided that the closure/realignment must begin by July 1995 and be completed by July 1998. Chicago would also have to fund the cost of relocating the Army Reserve activity, or leave it in place. If these conditions are not met, the units should remain at O'Hare International Airport. The Commission finds this recommendation is consistent with the force structure plan and final criteria.]

Motion made by: Johnson
Motion seconded by: Cox
Vote for: Unanimous (7) [voice vote]
Vote against: (0)

28. **Rickenbacker Air National Guard Base, OH**
I move that the Commission find that the Secretary of Defense did not deviate substantially from the force structure plan and final criteria and, therefore, that the Commission adopt the following recommendation of the Secretary of Defense: The 121st Air Refueling Wing (ANG) and the 160th Air Refueling Group (ANG) will move into a cantonment area on the present Rickenbacker ANGB, and operate as a tenant of the Rickenbacker Port Authority (RPA) on RPA's airport. The 907th Airlift Group (AFRES) will realign to Wright-Patterson AFB, Ohio as originally recommended. The 4950th Test Wing will still move to Edwards AFB, California. There is no recommendation by the Secretary of Defense or the Commission to move the 178th Figher Group; it will stay at Springfield Municipal Airport, Ohio.

Motion made by: Johnson
Motion seconded by: Cox
Vote for: Unanimous (7)
Vote against: (0)

29. **Newark AFB, OH**
I move that the Commission find that the Secretary of Defense did not deviate substantially from the force structure plan and final criteria and, therefore, that the Commission adopt the following recommendation of the Secretary of Defense: Newark AFB, Ohio, is recommended for closure. The Aerospace Guidance and Metrology Center (AGMC) depot will be closed; some workload will move to other depot maintenance activities including the private sector.

Motion made by: Stuart
Motion seconded by: Byron
Vote for: Unanimous (7)
Vote against: (0)

30. **McClellan AFB, CA; Kelly AFB, TX; Tinker AFB, OK and Warner-Robins AFB, GA**
(a) I move that the Commission withdraw, McClellan AFB, California; Kelly AFB, Texas; Tinker AFB, Oklahoma; and Warner-Robins AFB, Georgia, from further consideration by the Commission.

Motion made by: Byron
Motion seconded by: McPherson
No vote.

(b) I move to amend the motion to delete the names Kelly, Tinker and Warner-Robins. Amended motion reads: I move that the Commission withdraw McClellan, AFB, CA, from further consideration by the Commission.

Motion made by: Johnson
Motion seconded by: Cox
Vote for: Bowman, Cox, McPherson, Courter, Byron, Johnson (6)
Vote against: Stuart (1)

(c) I move that the Commission withdraw Kelly AFB, Texas, from further consideration by the Commission.

Motion made by: Johnson
Motion seconded by: Cox
Vote for: Unanimous (7)
Vote against: (0)

(d) I move that the Commission withdraw Tinker AFB, Oklahoma, from further consideration by the Commission.

Motion made by: Johnson
Motion seconded by: Byron
Vote for: Unanimous (7)
Vote against: (0)

(e) I move that the Commission withdraw Warner-Robins AFB, Georgia, from further consideration by the Commission.

Motion made by: Johnson
Motion seconded by: Stuart
Vote for: Unanimous (7)
Vote against: (0)

31. **Mather AFB, CA**
I move that the Commission find that the Secretary of Defense did not deviate substantially from the force structure plan and final criteria and, therefore, that the Commission adopt the following recommendation of the Secretary of Defense: Redirect the 940th Air Refueling Group (AFRES) with its KC-135 aircraft to Beale AFB, California vice McClellan AFB, California. Because of the rapidly approaching closure of Mather AFB, the 940th will temporarily relocate to McClellan AFB, while awaiting permanent beddown at Beale AFB.

Motion made by: Johnson
Motion seconded by: Bowman
Vote for: Unanimous (7)
Vote against: (0)

32. **Carswell AFB, TX**
I move that the Commission find that the Secretary of Defense did not deviate substantially from the force structure plan and final criteria and, therefore, that the Commission adopt the following recommendation of the Secretary of Defense: Transfer the fabrication function of the 436th Training Squadron (formerly 436th Strategic Training Squadron) to Luke AFB, Arizona and the maintenance training function to Hill AFB, Utah. The remaining functions of the 436th Training Squadron will still relocate to Dyess AFB, Texas. Final disposition of the base exchange and commissary will depend on the outcome of the Congressionally mandated base exchange and commissary test program.

Motion made by: Johnson
Motion seconded by: Byron
Vote for: Unanimous (7)
Vote against: (0)

33. **Norfolk Naval Shipyard, VA**
I move that the Commission remove Norfolk Naval Shipyard, Virginia, from further consideration by the Commission.

Motion made by: Byron
Motion seconded by: Stuart
Vote for: Cox, McPherson, Courter, Stuart, Byron, Johnson (6)
Vote against: (0)
Recused: Bowman (1)

34. **Portsmouth Naval Shipyard, NH**
I move that the Commission remove Portsmouth Naval Shipyard, New Hampshire, from further consideration by the Commission.

Motion made by: Byron
Motion seconded by: McPherson
Vote for: Cox, McPherson, Courter, Stuart, Byron, Johnson (6)
Vote against: (0)
Recused: Bowman (1)

35. **Naval Shipyard Charleston, SC**
I move that the Commission find that the Secretary of Defense deviated substantially from final criterion 1 and, therefore, that the Commission reject the Secretary's recommendation on Naval Shipyard Charleston, and, instead, adopt the following recommendation: close Naval Shipyard Charleston, but maintain the option for the 1993 Defense Base Closure and Realignment Commission later to recommend the retention of Charleston Naval Shipyard facilities that are deemed necessary to establish or support naval commands that are retained at, realigned to, or relocated to Charleston, South Carolina. The Commission finds that this recommendation is consistent with the force structure plan and final criteria.

Motion made by: Johnson
Motion seconded by: Stuart
Vote for: Unanimous (6)
Vote against: (0)
Recused: Bowman (1)

36. **Mare Island Naval Shipyard, CA**
I move that the Commission find that the Secretary of Defense did not deviate substantially from the force structure plan and final criteria and, therefore, that the Commission adopt the following recommendation of the Secretary of Defense: Close the Mare Island Naval Shipyard (NSY). Relocate the Combat Systems Technical Schools Command activity to Dam Neck, Virginia. Relocate one submarine to the Naval Submarine Base, Bangor, Washington. Family housing located at Mare Island NSY will be retained as necessary to support Naval Weapons Station Concord.

Motion made by: Johnson
Motion seconded by: Stuart
Vote for: Unanimous (7)
Vote against: (0)

37. **Long Beach Naval Shipyard, CA**
I move that the Commission find that the Secretary of Defense deviated substantially from the force structure plan and final criterion 4 and, therefore, that the Commission adopt the following recommendation: Close Long Beach Naval Shipyard, retaining parcel R, which contains drydock #1, for future emergent use. The Navy may lay-up or GOOCU drydock #1, as it sees fit to best maintain the dock. The Commission finds that this recommendation is consistent with the force structure plan and final criteria.

Motion made by: Stuart
Motion seconded by: Johnson
Vote for: Stuart, Byron, Johnson (3)
Vote against: Bowman, Cox, McPherson, Courter (4)

38. **Naval Submarine Base, New London, CT**
(a) I move that the Commission find that the Secretary of Defense deviated substantially from final criterion 2 and, therefore, that the Commission reject the Secretary's recommendation on Naval Submarine Base, New London, and, instead, adopt the following recommendation: Realign Naval Submarine Base, New London by terminating its mission to homeport ships. Relocate berthed ships, their personnel, associated equipment and other support to Naval Station Charleston, South Carolina.

Piers, waterfront facilities, and related property shall be retained by the Navy at New London, Connecticut. Realign or relocate the Nuclear Submarine Support Facility to Charleston, South Carolina. Retain Charleston Naval Shipyard facilities deemed necessary to establish a nuclear submarine support facility at Charleston, South Carolina, including at least one graving dock. Disestablish the Nuclear Power Training Unit. The Commission finds this recommendation is consistent with the force structure plan and final criteria.

Motion made by: Johnson
Motion seconded by: N/A

(b) I move that the Commission find that the Secretary of Defense deviated substantially from final criteria 2, 4, and 5 and, therefore, that the Commission reject the Secretary's recommendation on Naval Submarine Base, New London, and, instead, adopt the following recommendation: Naval Submarine Base, New London remains open and does not realign. The Commission finds this recommendation is consistent with the force structure plan and final criteria.

Motion made by: McPherson
Motion seconded by: Bowman
Vote for: Unanimous (7)
Vote against: (0)

39. **Naval Education and Training Center (NETC) Newport, RI**
I move that the Commission find that the Secretary of Defense did not deviate substantially from the force structure plan and final criteria and, therefore, that the Commission adopt the following recommendation of the Secretary of Defense: Realign the Naval Education and Training Center (NETC) Newport and terminate the Center's mission to berth ships. Relocate the ships to Naval Station Mayport, Florida and Naval Station Norfolk, Virginia. Piers, waterfront facilities and related property shall be retained by NETC Newport. The Education and Training Center will remain to satisfy its education and training mission.

Motion made by: Bowman
Motion seconded by: Byron
Vote for: Unanimous (7)
Vote against: (0)

40. **Naval Station Staten Island, NY**

(a) I move that the Commission find that the Secretary of Defense did not deviate substantially from the force structure plan and final criteria and, therefore, that the Commission adopt the following recommendation of the Secretary of Defense: Close Naval Station Staten Island. Relocate its ships along with their dedicated personnel, equipment and support to Naval Stations, Norfolk, Virginia and Mayport, Florida. Disposition of minor tenants is as follows: Ship intermediate Maintenance Activity, New York relocates to Earle, New Jersey and Norfolk, Virginia; Supervisor of Shipbuilding, Conversion and Repair (SUPSHIP), Brooklyn Detachment disestablishes.

Motion made by: Johnson
Motion seconded by: Stuart
Not voted on.

(b) Motion to amend Motion on NS Staten Island to include: "Retain family housing located at Naval Station, Staten Island, as necessary to support Naval Weapons Station, Earle, New Jersey."

Motion made by: Johnson
Motion seconded by: Stuart
Voted for: Unanimous (7) [voice vote]
Voted against: (0)

(c) Amended Motion reads as follows:
I move that the Commission find that the Secretary of Defense did not deviate substantially from the force structure plan and final criteria and, therefore, that the Commission adopt the following recommendation of the Secretary of Defense: close Naval Station Staten Island. Relocate its ships along with their dedicated personnel, equipment and support to Naval Stations, Norfolk, Virginia and Mayport, Florida. Disposition of minor tenants is as follows: Ship intermediate Maintenance Activity, New York, relocates to Earle, New Jersey and Norfolk, Virginia; Supervisor of Shipbuilding, Conversion and Repair (SUPSHIP), Brooklyn Detachment disestablishes. Retain family housing located at Naval Station, Staten Island, as necessary to support Naval Weapons Station, Earle, New Jersey.

Vote for: Unanimous (7)
Vote against: (0)

41. **Naval Station Charleston, SC**
I move that the Commission find that the Secretary of Defense deviated substantially from final criterion 1 and, therefore, that the Commission reject the Secretary's recommendation on Naval Station Charleston, and, instead, adopt the following recommendation of the Secretary of Defense: Close Naval Station (NS), Charleston, but maintain the option for the 1993 Defense Base Closure and Realignment Commission later to recommend the retention of Naval Station Charleston facilities that are deemed necessary to establish or support naval commands that are retained at, realigned to, or relocated to Charleston, South Carolina. The Commission finds this recommendation is consistent with the force structure plan and final criteria.

Motion made by: McPherson
Motion seconded by: Stuart
Vote for: Bowman, Cox, McPherson, Courter, Stuart (5)
Vote against: Byron, Johnson (2)

42. **Naval Station Ingleside, TX**
I move that the Commission withdraw Naval Station Ingleside, Texas, from further consideration by the Commission.

Motion made by: Johnson
Motion seconded by: Cox
Vote for: Unanimous (7)
Vote against: (0)

43. **Naval Stations Pascagoula, MS**
I move that the Commission withdraw Naval Stations Pascagoula, Mississippi, from further consideration by the Commission.

Motion made by: Stuart
Motion seconded by: McPherson
Vote for: Unanimous (7)
Vote against: (0)

44. **Naval Station, Mobile, AL**
I move that the Commission find that the Secretary of Defense did not deviate substantially from the force structure plan and final criteria and, therefore, that the Commission adopt the following recommendation of the Secretary of Defense: Close Naval Station, Mobile and relocate assigned ships to Naval Stations Pascagoula, Mississippi, and Ingleside, Texas, along with dedicated personnel, equipment and appropriate other support.

Motion made by: Stuart
Motion seconded by: McPherson
Vote for: Unanimous (7)
Vote against: (0)

45. **Naval Station Alameda, CA**
I move that the Commission find that the Secretary of Defense deviated substantially from final criteria 1 and 2 and, therefore, that the Commission reject the Secretary's recommendation on Naval Air Station Alameda, and, instead, adopt the following recommendation: Close Naval Air Station, Alameda, California and relocate its aircraft along with the dedicated personnel, equipment and support to NAS North Island. In addition, those ships currently berthed at NAS Alameda will be relocated to the Fleet concentrations at San Diego and Bangor/Puget Sound/Everett. Disposition of major tenants is as follows: reserve aviation assets relocate to NASA Ames/Moffett Field, California, NAS Whidbey Island, and NAS Willow Grove; Navy Regional Data Automation Center, San Francisco realigns to NAS North Island; Ship Intermediate Maintenance Department disestablishes; the Naval Air Reserve Center and the Marine Corps Reserve Center relocate to leased space at NASA/Ames. The Commission finds this recommendation is consistent with the force structure plan and final criteria.

Motion made by: Stuart
Motion seconded by: Johnson
Vote for: Bowman, Courter, Stuart, Johnson (4)
Vote against: Cox, McPherson, Byron (3)

46. **Naval Station, Treasure Island, CA**
I move that the Commission find that the Secretary of Defense did not deviate substantially from the force structure plan and final criteria and, therefore, that the Commission adopt the following recommendation of the Secretary of Defense: Close Naval Station, Treasure Island and relocate personnel, as appropriate to the Naval Station, San Diego, California; Naval Amphibious Base, Little Creek, Virginia; Naval Training Center, Great Lakes, Illinois and various Naval Reserve sites in California. Major tenants are impacted as follows: Naval Reserve Center San Francisco relocates to the Naval/Marine Corps Reserve Center, Alameda, California and REDCOM 20 relocates to the Naval Reserve Center, San Bruno, California. Naval Technical Training Center relocates to Fleet Training Center San Diego, Naval Amphibious School, Little Creek and Naval Training Center Great Lakes.

Motion made by: Johnson
Motion seconded by: Stuart
Vote for: Unanimous (7)
Vote against: (0)

47. **Naval Station, Everett, WA**
I move that the Commission withdraw Naval Station, Everett, from further consideration by the Commission.

Motion made by: Johnson
Motion seconded by: McPherson
Vote for: Unanimous (7)
Vote against: (0)

48. **Naval Air Station, Meridian, MS**
I move that the Commission find that the Secretary of Defense deviated substantially from final criteria 1, 2, and 3 and, therefore, that the Commission reject the Secretary's recommendation on Naval Air Station, Meridian, and, instead, adopt the following recommendation: Naval Air Station, Meridian will remain open. The Commission finds this recommendation is consistent with the force structure plan and final criteria.

Motion made by: McPherson
Motion seconded by: Byron
Vote for: Unanimous (7)
Vote against: (0)

49. **Naval Air Station, Corpus Christi, TX**
I move that the Commission withdraw Naval Air Station, Corpus Christi, Texas, from further consideration by the Commission.

Motion made by: Cox
Motion seconded by: Stuart
Vote for: Unanimous (7)
Vote against: (0)

50. **MCAS Beaufort, SC**
I move that the Commission withdraw MCAS Beaufort, South Carolina, from further consideration by the Commission.

Motion made by: Johnson
Motion seconded by: Byron
Vote for: Unanimous (7)
Vote against: (0)

51. **Naval Air Station, Cecil Field, FL**
I move that the Commission find that the Secretary of Defense did not deviate substantially from the force structure plan and final criteria and, therefore, that the Commission adopt the following recommendation of the Secretary of Defense: Close Naval Air Station, Cecil Field and relocate its aircraft along with dedicated personnel, equipment and support to Marine Corps Air Station, Cherry Point, North Carolina; Naval Air Station, Oceana, Virginia; and Marine Corps Air Station, Beaufort, South Carolina. Disposition of major tenants is as follows: Marine Corps Security Force Company relocates to MCAS Cherry Point; Aviation Intermediate Maintenance Department relocates to MCAS Cherry Point; Air Maintenance Training Group Detachment, Fleet Aviation Support Office Training Group Atlantic, and Sea Operations Detachment relocate to MCAS Cherry Point and NAS Oceana.

Motion made by: McPherson
Motion seconded by: Byron
Vote for: Unanimous (7)
Vote against: (0)

52. **MCAS El Toro, CA**
I move that the Commission find that the Secretary of Defense deviated substantially from the force structure plan and final criteria and, therefore, that the Commission reject the Secretary's recommendation on MCAS El Toro, CA, and, instead, adopt the following recommendation: Close Marine Corps Air Station (MCAS) El Toro, California. Relocate its aircraft along with their dedicated personnel, equipment and support to other naval air stations, primarily Naval Air Station (NAS), Miramar, California and MCAS Camp Pendleton, California. In an associated action, the squadrons and related activities at NAS Miramar will move to other naval air stations, primarily NAS Lemoore and NAS Fallon in order to make room for the relocation of the MCAS El Toro squadrons. Relocate Marine Corps Reserve Center to NAS Miramar, California. Additionally, change the recommendation of the 1991 Commission, which was to close MCAS Tustin and relocate its helicopter assets to Marine Corps Air Reserve Ground Combat Center at Twentynine Palms, California, as follows: relocate MCAS Tustin helicopter assets to NAS North Island, NAS Miramar and MCAS Camp Pendleton, California. The Commission finds this recommendation is consistent with the force structure plan and final criteria.

Motion made by: Johnson
Motion seconded by: McPherson
Vote for: Bowman, McPherson, Courter, Stuart, Byron, Johnson (6)
Vote against: (0)
Recused: Cox (1)

53. **NAS Barbers Point, HI**
I move that the Commission find that the Secretary of Defense deviated substantially from the force structure plan and final criteria and, therefore, that the Commission reject the Secretary's recommendation on NAS Barbers Point, Hawaii, and, instead, adopt the following recommendation: Close the Naval Air Station (NAS) Barbers Point and relocate its aircraft, along with their dedicated personnel, equipment and

support to other naval air stations, including Marine Corps Air Station (MCAS), Kaneohe Bay, Hawaii and NAS Whidbey Island, Washington. Disestablish the Naval Air Reserve Center. Retain the family housing as needed for multi-service use. The Commission finds this recommendation is consistent with the force structure plan and final criteria.

Motion made by: Johnson
Motion seconded by: Cox
Vote for: Unanimous (7)
Vote against: (0)

54. **Naval Air Station (NAS) Agana, Guam**
I move that the Commission find that the Secretary of Defense deviated substantially from the force structure plan and final criteria and, therefore, that the Commission adopt the following recommendation: Close Naval Air Station (NAS) Agana. Move aircraft, personnel and associated equipment to Anderson AFB, Guam. Retain housing at NAS Agana necessary to support Navy personnel who have relocated to Anderson AFB. The Commission finds this recommendation is consistent with the force structure plan and final criteria.

Motion made by: Stuart
Motion seconded by: Johnson
Vote for: Bowman, McPherson, Courter, Stuart, Byron, Johnson (6)
Vote against: (0)
Recused: Cox (1)

55. **Naval Air Facility (NAF), Midway Island**
I move that the Commission find that the Secretary of Defense did not deviate substantially from the force structure plan and final criteria and, therefore, that the Commission adopt the following recommendation of the Secretary of Defense: Close Naval Air Facility (NAF), Midway Island.

Motion made by: McPherson
Motion seconded by: Johnson
Vote for: Unanimous (7)
Vote against: (0)

56. **Naval Aviation Depot (NADEP), Alameda, CA**
I move that the Commission find that the Secretary of Defense did not deviate substantially from the force structure plan and final criteria and, therefore, that the Commission adopt the following recommendation of the Secretary of Defense: Close Naval Aviation Depot (NADEP), Alameda and relocate repair capability as necessary to other depot maintenance activities. This relocation may include personnel, equipment and support. The depot workload will move to other depot maintenance activities, including the private sector.

Motion made by: Byron
Motion seconded by: Johnson
Vote for: Unanimous (7)
Vote against: (0)

57. **Naval Aviation Depot (NADEP), Pensacola, FL**
(a) I move that the Commission find that the Secretary of Defense deviated substantially from final criteria 4 and 5 and, therefore, that the Commission reject the Secretary's recommendation on Naval Aviation Depot (NADEP), Pensacola, and, instead, adopt the following recommendation: Completely close the Naval Aviation Depot (NADEP), Pensacola. Relocate repair and maintenance capabilities for H-1 and H-60 helicopters to Corpus Christi and the remaining repair and maintenance activities to the NADEP at Cherry Point. This relocation will include the personnel and equipment needed to accommodate the new work. Move the whirl tower and dynamic component facility to Cherry Point NADEP, or the private sector, in lieu of the Navy's plan to retain it as a stand alone facility. The Commission finds this recommendation is consistent with the force structure plan and final criteria.

Motion made by: McPherson
Motion seconded by: Johnson

(b) Motion to amend Motion on NADEP, Pensacola, by inserting: "Corpus Christi Army Depot." The amended Motion reads as follows:
I move that the Commission find that the Secretary of Defense deviated substantially from final criteria 4 and 5 and, therefore, that the Commission reject the Secretary's recommendation on Naval Aviation Depot (NADEP), Pensacola, and, instead, adopt the following recommendation: Completely close the Naval Aviation Depot

(NADEP), Pensacola. Relocate repair and maintenance capabilities for H-1 and H-60 helicopters to Corpus Christi and the remaining repair and maintenance activities to the NADEP at Cherry Point. This relocation will include the personnel and equipment needed to accommodate the new work. Move the whirl tower and dynamic component facility to Cherry Point NADEP, Corpus Christi Army Depot, or the private sector, in lieu of the Navy's plan to retain it as a stand alone facility. The Commission finds this recommendation is consistent with the force structure plan and final criteria.

Motion made by: McPherson
Motion seconded by: Johnson
Vote for: Unanimous (7)
Vote against: (0)

58. **Naval Aviation Depot (NADEP), Norfolk, VA**
I move that the Commission find that the Secretary of Defense did not deviate substantially from the force structure plan and final criteria and, therefore, that the Commission adopt the following recommendation of the Secretary of Defense: Close Naval Aviation Depot (NADEP), Norfolk and relocate repair capability as necessary to other depot maintenance activities. This relocation may include personnel, equipment and support. The Depot workload will move to other depot maintenance activities, including the private sector.

Motion made by: Johnson
Motion seconded by: Bowman
Vote for: Cox, McPherson, Courter, Stuart, Johnson (5)
Vote against: Bowman, Byron (2)

59. **NOS Louisville, KY**
I move that the Commission withdraw NOS Louisville, Kentucky, from further consideration by the Commission.

Motion made by: Courter
Motion seconded by: Johnson
Vote for: Unanimous (7) [voice vote]
Vote against: (0)

60. **Naval Air Station (NAS), Glenview, IL**
I move that the Commission find that the Secretary of Defense did not deviate substantially from the force structure plan and final criteria and, therefore, that the Commission adopt the following recommendation of the Secretary of Defense: Close the Naval Air Station (NAS), Glenview and relocate its aircraft and associated personnel, equipment and support to Navy Reserve, National Guard and other activities. Family housing located at NAS Glenview will be retained to meet existing and new requirements of the nearby Naval Training Center (NTC), Great Lakes. The Recruiting District, Chicago will be relocated to NTC Great Lakes. The Marine Corps Reserve Center activities will relocate as appropriate to Dam Neck, Virginia; Green Bay, Wisconsin; Stewart Army National Guard Facility, New Windsor, New York and NAS, Atlanta, Georgia.

Motion made by: Stuart
Motion seconded by: Johnson
Vote for: Unanimous (7)
Vote against: (0)

61. **Naval Air Station (NAS), Dallas, TX**
I move that the Commission find that the Secretary of Defense did not deviate substantially from the force structure plan and final criteria and, therefore, that the Commission adopt the following recommendation of the Secretary of Defense: Close the Naval Air Station (NAS), Dallas and relocate its aircraft and associated personnel, equipment and support to Carswell, Fort Worth, Texas. The following Navy and Marine Corps Reserve Centers relocate to Carswell: Naval Reserve Center, Dallas; Marine Corp Reserve Center, Dallas; Marine Corps Reserve Center (Wing) Dallas and REDCOM 11. Carswell AFB, Texas, will become a navy operated Carswell Joint Reserve Center to receive and accommodate the reserve units currently there and being relocated there by this 1993 Commission.

Motion made by: Johnson
Motion seconded by: Byron
Vote for: Unanimous (7)
Vote against: (0)

62. **Naval Air Facility (NAF), Detroit, MI**

(a) I move that the Commission find that the Secretary of Defense did not deviate substantially from the force structure plan and final criteria and, therefore, that the Commission adopt the following recommendation of the Secretary of Defense: Close Naval Air Facility (NAF), Detroit and relocate its aircraft and associated personnel, equipment and support to the Naval Air Station Jacksonville, Florida and Carswell Air Force Base, Fort Worth, Texas. The Mt. Clemons, Michigan Marine Corps Reserve Center will relocate to the Marine Corps Reserve Center, Twin Cities, Minnesota.

Motion made by: Stuart
Motion seconded by: Johnson

(b) Motion to table motion 64(a).

Motion made by: Johnson
Motion seconded by: Stuart
Vote for: Unanimous (7) [voice vote]
Vote against: (0)

(c) Motion to amend tabled motion 64(a) by adding the language: "or NAS South Weymouth, Massachusetts."

Motion made by: Johnson
Motion seconded by: Stuart
Vote for: Unanimous (7) [voice vote]
Vote against: (0)

(d) Amended motion: I move that the Commission find that the Secretary of Defense did not deviate substantially from the force structure plan and final criteria and, therefore, that the Commission adopt the following recommendation of the Secretary of Defense: Close Naval Air Facility (NAF), Detroit and relocate its aircraft and associated personnel, equipment and support to the Naval Air Station Jacksonville, Florida; or NAS South Weymouth, Massachusetts; and Carswell Air Force Base, Fort Worth, Texas. The Mt. Clemons, Michigan Marine Corps Reserve Center will relocate to the Marine Corps Reserve Center, Twin Cities, Minnesota.

Vote for: Unanimous (7)
Vote against: (0)

63. **Naval Air Station, South Weymouth, MA**

(a) I move that the Commission find that the Secretary of Defense deviated substantially from the force structure plan and final criteria in making his recommendation on Naval Air Station, South Weymouth, MA. Therefore, the Commission rejects and does not make the following recommendation of the Secretary: Close Naval Air Station (NAS), South Weymouth and relocate its aircraft and associated personnel, equipment and support to Naval Air Stations Brunswick, Maine, New Orleans, Louisiana, and Naval Station Mayport, Florida. The Marine Corps Reserve Center activities will relocate to Dam Neck, Virginia; Johnstown, Pennsylvania; Camp Pendleton, California, and NAS Willow Grove, Pennsylvania.

Motion made by: Stuart
Motion seconded by: Cox

(b) Motion to amend motion 65(a) by adding, at the end, the following language: "The Commission finds this recommendation is consistent with the force structure plan and final criteria."

Motion made by: Johnson
Motion seconded by: Stuart
Vote for: Unanimous (7) [voice vote]
Vote against: (0)

(c) Amended motion: I move that the Commission find that the Secretary of Defense deviated substantially from the force structure plan and final criteria in making his recommendation on Naval Air Station, South Weymouth, MA. Therefore, the Commission rejects and does not make the following recommendation of the Secretary: Close Naval Air Station (NAS), South Weymouth and relocate its aircraft and associated personnel, equipment and support to Naval Air Stations Brunswick, Maine, New Orleans, Louisiana, and Naval Station Mayport, Florida. The Marine Corps Reserve Center activities will relocate to Dam Neck, Virginia; Johnstown, Pennsylvania; Camp Pendleton, California, and NAS Willow Grove, Pennsylvania. The Commission finds this recommendation is consistent with the force structure plan and final criteria.

Vote for: Unanimous (7)
Vote against: (0)

64. **Naval Air Station (NAS) Memphis, TN (flying mission/reserve squadron)**
I move that the Commission find that the Secretary of Defense deviated substantially from the force structure plan and final criteria and, therefore, that the Commission reject the portion of the Secretary's recommendation relating to the flying mission/reserve squadron and, instead, adopt the following: Realign Naval Air Station (NAS) Memphis by terminating the flying mission and relocating its reserve squadrons to Carswell, Texas. Disestablish the Naval Air Reserve Center and relocate the Marine Corps (Wing) Reserve Center Millington to Carswell. This recommendation is consistent with the force structure plan and final criteria.

Motion made by: Johnson
Motion seconded by: Cox
Vote for: Unanimous (7)
Vote against: (0)

65. **Naval Air Facility Johnstown, PA**
I move that the Commission find that the Secretary of Defense deviated substantially from final criteria 4 and 5 and, therefore, that the Commission adopt the following recommendation: Close the Naval Air Facility Johnstown, Pennsylvania. The Commission finds this recommendation is consistent with the force structure plan and final criteria.

Motion made by: Stuart
Motion seconded by: Bowman
Vote for: Unanimous (7)
Vote against: (0)

66. **Naval Air Facility, Martinsburg, WV**
I move that the Commission find that the Secretary of Defense deviated substantially from final criteria 1, 3, 4 and 5 and, therefore, that the Commission adopt the following recommendation: Close Naval Air Facility, Martinsburg, West Virginia. The Commission finds this recommendation is consistent with the force structure plan and final criteria.

Motion made by: Bowman
Motion seconded by: Stuart
Vote for: Unanimous (7)
Vote against: (0)

67. **Bergstrom AFB, TX**
(a) I move that the Commission find that the Secretary of Defense deviated substantially from the force structure plan and final criteria 1, 2 and 4, and, therefore, that the Commission reject the Secretary's recommendation on Bergstrom AFB, Texas, and, instead, adopt the following recommendation: Bergstrom cantonment area will remain open and the 704th Fighter Squadron (AFRES) with its F-16 aircraft and the 924th Fighter Group (AFRES) support units (AFRES) remain at the Bergstrom cantonment area until at least the end of 1996.

Motion made by: Johnson
Motion seconded by: McPherson
Motion to withdraw motion made by: Johnson
Vote for withdrawal: Unanimous (7) [voice vote]
Vote against withdrawal: (0)

(b) I move that the Commission find that the Secretary of Defense deviated substantially from the force structure plan and final criteria 1, 2 and 4, and, therefore, that the Commission reject the Secretary's recommendation on Bergstrom AFB, Texas, and, instead, adopt the following recommendation: Bergstrom cantonment area will remain open and the 704th Fighter Squadron (AFRES) with its F-16 aircraft and the 924th Fighter Group (AFRES) support units (AFRES) remain at the Bergstrom cantonment area until at least the end of 1996. Close or relocate the Regional Corrosion Control Facility at Bergstrom by September 30, 1994, unless a civilian airport authority assumes the responsibility for operating and maintaining the

facility before that date. The Commission finds this recommendation is consistent with the force structure plan and final criteria.

Motion made by: Johnson
Motion seconded by: McPherson
Vote for: Unanimous (7)
Vote against: (0)

68. **Naval Training Center (NTC), Orlando, FL, and Naval Hospital Orlando, FL**
I move that the Commission find that the Secretary of Defense deviated substantially from final criterion 2 and 4 and, therefore, that the Commission reject the Secretary's recommendation on NTC Orlando, and, instead, adopt the following recommendation: NTC Orlando will remain open. The Commission finds this recommendation is consistent with the force structure plan and final criteria.

Motion made by: Byron
Motion seconded by: No second

69. **Naval Training Center (NTC), Orlando, FL**
I move that the Commission find that the Secretary of Defense did not deviate substantially from the force structure plan and final criteria and, therefore, that the Commission adopt the following recommendation of the Secretary of Defense: Close the Naval Training Center (NTC), Orlando, and relocate certain personnel, equipment and support to NTC Great Lakes and other locations, consistent with DoD training requirements. Disposition of major tenants is as follows: Recruit Training Command relocates to NTC Great Lakes; the Nuclear Power School and the Nuclear "A" School relocate to the Submarine School at the Naval Submarine Base (NSB), New London; Personnel Support Detachment relocates to NTC Great Lakes; Service School Command relocates to Great Lakes; Naval Dental Clinic relocates to Great Lakes; Naval Education and Training Program Management Support Activity disestablishes.

Motion made by: Johnson
Motion seconded by: McPherson
Vote for: Bowman, Cox, McPherson, Courter, Byron, Johnson (6)
Vote against: (0)
Recused: Stuart (1)

70. **Naval Training Center (NTC), San Diego, CA**
I move that the Commision find that the Secretary of Defense deviated substantially from the force structure plan and final criteria and, therefore, that the Commission reject the Secretary's recommendation on NTC San Diego, and, instead, adopt the following: Close Naval Training Center (NTC), San Diego. Relocate certain personnel, equipment and support to NTC Great Lakes, and other locations, consistent with training requirements. Disposition of major tenants is as follows: Recruit Training Command relocates to NTC, Great Lakes; Branch Medical Clinic relocates to Submarine Base, San Diego; Naval Recruiting District relocates to Naval Air Station North Island; Service School Command (Electronic Warfare) relocates to Naval Training Center, Great Lakes; Service School Command (Surface) relocates to NTC Great Lakes; the remainder of the Service School Command relocates to NTC Great Lakes, naval Air Station Pensacola, and Fleet Training Center, San Diego. The co-generation plant and the bachelor quarters and adjacent non-appropriated fund activities (marinas) located aboard NTC San Diego property will be retained by the Navy to support other naval activities in the San Diego area. The Commission finds this recommendation is consistent with the force structure plan and final criteria.

Motion made by: Johnson
Motion seconded by: McPherson
Vote for: Bowman, Cox, McPherson, Courter, Byron, Johnson (6)
Vote against: (0)
Recused: Stuart (1)

71. **Naval Hospital, Orlando, FL**
I move that the Commission find that the Secretary of Defense did not deviate substantially from the force structure plan and final criteria and, therefore, that the Commission adopt the following recommendation of the Secretary of Defense: Close the Naval Hospital, Orlando and relocate certain military and civilian personnel to other Naval Hospitals.

Motion made by: Johnson
Motion seconded by: Bowman
Vote for: Bowman, Cox, McPherson, Courter, Byron, Johnson (6)
Vote against: (0)
Recused: Stuart (1)

72. **Electronics Systems Engineering Activity (NESEA) St. Inigoes, Maryland, NESEA Charleston, South Carolina, Naval Electronics Security Systems Engineering Center (NESSEC), Washington, DC, and NESEA Portsmouth**
I move that the Commission find that the Secretary of Defense deviated substantially from final criteria 1, 2, 5, and 6 and, therefore, that the Commission reject the Secretary's recommendation on Electronics Systems Engineering Activity (NESEA) St. Inigoes, Maryland, NESEA Charleston, South Carolina, Naval Electronics Security Systems Engineering Center (NESSEC), Washington, DC, and NESEA Portsmouth, and, instead, adopt the following recommendation: Naval Electronic Systems Engineering Activity (NESEA), Charleston remains open and becomes the new East Coast lead facility. NESSEC, Washington closes and moves to NESEA, Charleston. NESEA, Portsmouth closes and moves to NESEA, Charleston, except for a detachment of fewer than 60 people. NESEA, St. Inigoes closes and moves to NESEA, Charleston. Module Maintenance Facility moves from Charleston Naval Shipyard to NESEA Charleston. The ATC/ACLS facility at St. Inigoes, the Aegis Radio Room Laboratory, IFF, LAMPS and special warfare will remain in place and will be transferred to Naval Air Systems Command. The Commission finds this recommendation is consistent with the force structure plan and final criteria.

Motion made by: Courter
Motion seconded by: Stuart
Vote for: Unanimous (7)
Vote against: (0)

73. **Naval Air Warfare Center-Aircraft Division, Trenton, New Jersey**
I move that the Commission find that the Secretary of Defense did not deviate substantially from the force structure plan and final criteria and, therefore, that the Commission adopt the following recommendation of the Secretary of Defense: Close the Aircraft Division of the Naval Air Warfare Center (NAWC) Trenton, New Jersey and relocate appropriate functions, personnel, equipment and support to the Arnold Engineering Development Center, Tullahoma, Tennessee, and the Naval Air Warfare Center, Patuxent River, Maryland.

Motion made by: Stuart
Motion seconded by: McPherson
Vote for: Unanimous (7)
Vote against: (0)

74. **Naval Undersea Warfare Center, Norfolk Detachment, Norfolk, VA**
I move that the Commission find that the Secretary of Defense deviated substantially from final criteria 1 and 5, and, therefore, that the Commission reject the Secretary's recommendation on the Naval Undersea Warfare Center, Norfolk Detachment, and, instead, adopt the following recommendation: The Naval Undersea Warfare Center, Norfolk Detachment, Norfolk, Virginia, remains open. The Commission finds this recommendation is consistent with the force structure plan and final criteria.

Motion made by: McPherson
Motion seconded by: Byron
Vote for: McPherson, Courter, Byron (3)
Vote against: Bowman, Cox, Stuart, Johnson (4)
[Therefore, the Secretary's recommendation is adopted.]

75. **Naval Surface Warfare Center, Annapolis, MD**
I move that the Commission find that the Secretary of Defense deviated substantially from final criteria 4 and 5 and, therefore, that the Commission reject the Secretary's recommendation on the Naval Surface Warfare Center, Annapolis, Maryland, and, instead, adopt the following recommendation: The Naval Surface Warfare Center, Annapolis, Maryland, remains open and is not disestablished. The Commission finds this recommendation is consistent with the force structure plan and final criteria.

Motion made by: Byron
Motion seconded by: McPherson
Vote for: Unanimous (7)
Vote against: (0)

76. **Naval Mine Warfare Engineering Activity (now the Naval Surface Warfare Center-Port Hueneme, Yorktown Detachment)**
I move that the Commission find that the Secretary of Defense did not deviate substantially from the force structure plan and final criteria and, therefore, that the Commission adopt the following recommendation of the Secretary of Defense: Relocate the Naval Mine Warfare Engineering Activity (now the Naval Surface Warfare Center-Port Hueneme, Yorktown Detachment) to the Naval Surface Warfare Center-Dahlgren, Coastal Systems Station, Panama City, Florida.

Motion made by: Johnson
Motion seconded by: Stuart
Vote for: Unanimous (7)
Vote against: (0)

77. **Naval Technical Services Facility, Philadelphia, PA**
I move that the Commission find that the Secretary of Defense deviated substantially from final criterion 1 and, therefore, that the Commission reject the Secretary's recommendation on the Naval Technical Services Facility, Philadelphia, Pennsylvania, and, instead, adopt the following recommendation: The Naval Technical Services Facility, Philadelphia, Pennsylvania, remains open. The Commission finds this recommendation is consistent with the force structure plan and final criteria.

Motion made by: Johnson
Motion seconded by: McPherson
Vote for: Unanimous (7)
Vote against: (0)

78. **Naval Surface Warfare Center -- Port Hueneme, Virginia Beach, VA**
I move that the Commission find that the Secretary of Defense did not deviate substantially from the force structure plan and final criteria and, therefore, that the Commission adopt the following recommendation of the Secretary of Defense: Disestablish the Virginia Beach Detachment of the Naval Surface Warfare Center, Port Hueneme and relocate its functions, personnel, equipment and support to the Fleet Combat Training Center, Dam Neck, Virginia.

Motion made by: McPherson
Motion seconded by: Bowman
Vote for: Unanimous (7)
Vote against: (0)

79. **Naval Surface Warfare Center (NSWC) (Dahlgren), White Oak, MD**
I move that the Commission find that the Secretary of Defense deviated substantially from the force structure and final criterion 1 and, therefore, that the Commission reject the Secretary's recommendation on the Naval Surface Warfare Center (NSWC) (Dahlgren), White Oak, Maryland, and, instead, adopt the following recommendation: Disestablish the White Oak Detachment of the Naval Surface Warfare Center (NSWC) (Dahlgren), located at White Oak, Maryland. Relocate its functions, personnel, equipment and support to NSWC-Dahlgren, Virginia, NSWC-Indian Head, Indian Head, Maryland, and NSWC-Dahlgren, Coastal Systems Station, Panama City, Florida. The property and facilities at White Oak will be retained for use by the Navy so that it may, among other things, relocate the Naval Sea Systems (NAVSEA) Command from leased space in Arlington, Virginia. The Commission finds that this recommendation is consistent with the force structure plan and final criteria.

Motion made by: Johnson
Motion seconded by: Stuart
Vote for: Unanimous (7)
Vote against: (0)

80. **Sea Automated Data Systems Activity (SEAADSA), Indian Head, MD**
I move that the Commission find that the Secretary of Defense did not deviate substantially from the force structure plan and final criteria and, therefore, that the Commission adopt the following recommendation of the Secretary of Defense: Disestablish the Sea Automated Data Systems Activity (SEAADSA) and relocate necessary functions, personnel, equipment, and support at Naval Surface Warfare Center (NSWC) Indian Head, Maryland.

Motion made by: McPherson
Motion seconded by: Stuart
Vote for: Unanimous (7)
Vote against: (0)

81. **Naval Weapons Evaluation Facility (NWEF), Albuquerque, NM**
I move that the Commission find that the Secretary of Defense did not deviate substantially from the force structure plan and final criteria and, therefore, that the Commission adopt the following recommendation of the Secretary of Defense: Permit a small detachment of the Weapons Division to remain after the closure of the Naval Weapons Evaluation Facility (NWEF), Albuquerque, NM, in order to provide liaison with the Sandia Laboratory of the Department of Energy.

Motion made by: Johnson
Motion seconded by: McPherson
Vote for: Unanimous (7)
Vote against: (0)

82. **Naval Electronic Systems Engineering Activity (NESEA) San Diego, CA, and the NESEA Vallejo, CA**
I move that the Commission find that the Secretary of Defense did not deviate substantially from the force structure plan and final criteria and, therefore, that the Commission adopt the following recommendation of the Secretary of Defense: Change the receiving location of the Naval Electronic Systems Engineering Activity (NESEA) San Diego, California and the NESEA Vallejo, California to be Air Force Plant #19 in San Diego vice new construction at Point Loma, San Diego, California.

Motion made by: Johnson
Motion seconded by: Byron
Vote for: Unanimous (7)
Vote against: (0)

83. **Submarine Maintenance, Engineering, Planning and Procurement (SUBMEPP), NH**
I move that the Commission find that the Secretary of Defense did not deviate substantially from the force structure plan and final criteria and, therefore, that the Commission adopt the following recommendation of the Secretary of Defense: Disestablish the Submarine Maintenance, Engineering, Planning and Procurement (SUBMEPP), New Hampshire and relocate the necessary functions, personnel, equipment, and support at Supervisor of Shipbuilding, Conversion and Repair, Portsmouth Naval Shipyard, Kittery, Maine.

Motion made by: McPherson
Motion seconded by: Cox
Vote for: Unanimous (7)
Vote against: (0)

84. **(PERA)-(CV), Bremerton, WA, (PERA)-(Surface) Atlantic, Norfolk, VA, (PERA)-(Surface) Pacific, San Francisco, CA, (PERA)-(Surface) (HQ), Philadelphia, PA**
I move that the Commission find that the Secretary of Defense did not deviate substantially from the force structure plan and final criteria and, therefore, that the Commission adopt the following recommendation of the Secretary of Defense: Disestablish the following four technical centers and relocate necessary functions, personnel, equipment, and support at the Supervisor of Shipbuilding, Conversion and Repair, San Diego, California; Portsmouth, Virginia and Newport News, Virginia:

(PERA)-(CV), Bremerton, Washington,
(PERA)-(Surface) Atlantic, Norfolk, Virginia,
(PERA)-(Surface) Pacific, San Francisco, California,
(PERA)-(Surface) (HQ), Philadelphia, Pennsylvania.

Motion made by: Bowman
Motion seconded by: Johnson
Vote for: Unanimous (7)
Vote against: (0)

85. **Naval Civil Engineering Laboratory (NCEL), Port Hueneme, CA**
I move that the Commission find that the Secretary of Defense did not deviate substantially from the force structure plan and final criteria and, therefore, that the Commission adopt the following recommendation of the Secretary of Defense: Close the Naval Civil Engineering Laboratory (NCEL), Port Hueneme, CA, and realign necessary functions, personnel, equipment, and support at the Construction Battalion Center, Port Hueneme, California.

Motion made by: Byron
Motion seconded by: Bowman
Vote for: Unanimous (7)
Vote against: (0)

86. **Naval Aviation Supply Office, Philadelphia, PA**
I move that the Commission find that the Secretary of Defense deviated substantially from final criteria 4, 5, and 6 and, therefore, that the Commission reject the Secretary's recommendation on the Naval Aviation Supply Office, Philadelphia, Pennsylvania, and, instead, adopt the following recommendation: The Naval Aviation Supply Office, Philadelphia, Pennsylvania, remains open. The Commission finds these recommendations are consistent with the force structure plan and final criteria.

Motion made by: Bowman
Motion seconded by: Stuart
Vote for: Unanimous (7)
Vote against: (0)

87. **SPCC Mechanicsburg, PA**
I move that the Commission withdraw SPCC Mechanicsburg, Pennsylvania, from further consideration by the Commission.

Motion made by: Johnson
Motion seconded by: Bowman
Vote for: Unanimous (7)
Vote against: (0)

88. **Defense Personnel Support Center, Philadelphia, PA**
(a) I move that the Commission find that the Secretary of Defense deviated substantially from final criteria 4 and 5, and, therefore, that the Commission reject the Secretary's recommendation on the Defense Personnel Support Center, Philadelphia, Pennsylvania, and, instead, adopt the following recommendation: Relocate the Defense Personnel Support Center, Philadelphia, Pennsylvania, to the Aviation Supply Office compound in North Philadelphia, Pennsylvania. The Commission finds this recommendation is consistent with the force structure plan and final criteria.

Motion made by: McPherson
Motion seconded by: Stuart

(b) Motion to amend Motion 90(a) by adding the following language: "and 6" (as an additional final criterion the Secretary of Defense deviated substantially from).

Motion made by:
Motion seconded by:
Vote for: Unanimous (7) [voice vote]
Vote against: (0)

(c) Amended motion: I move that the Commission find that the Secretary of Defense deviated substantially from final criteria 4, 5, and 6, and, therefore, that the Commission reject the Secretary's recommendation on the Defense Personnel Support Center, Philadelphia, Pennsylvania, and, instead, adopt the following recommendation: Relocate the Defense Personnel Support Center, Philadelphia, Pennsylvania, to the Aviation Supply Office compound in North Philadelphia, Pennsylvania. The Commission finds this recommendation is consistent with the force structure plan and final criteria.

Vote for: Unanimous (7)
Vote against: (0)

89. **Defense Industrial Supply Center, Philadelphia, PA**
I move that the Commission find that the Secretary of Defense deviated substantially from final criteria 4, 5, and 6 and, therefore, that the Commission reject the Secretary's recommendation on Defense Industrial Supply Center, Philadelphia, Pennsylvania, and, instead, adopt the following recommendation: Defense Industrial Supply Center, Philadelphia, Pennsylvania, remains open and located within the ASO compound in Philadelphia, Pennsylvania. The Commission finds this recommendation is consistent with the force structure plan and final criteria.

Motion made by: Bowman
Motion seconded by: McPherson
Vote for: Unanimous (7)
Vote against: (0)

90. **Defense Electronics Supply Center (DESC) (Gentile AFS), Dayton, OH**
I move that the Commission find that the Secretary of Defense did not deviate substantially from the force structure plan and final criteria and, therefore, that the Commission adopt the following recommendation of the Secretary of Defense: Close the Defense Electronics Supply Center (DESC) (Gentile AFS), Dayton, Ohio, and relocate its mission to the Defense Construction Supply Center (DCSC), Columbus, Ohio.

Motion made by: Stuart
Motion seconded by: Byron
Vote for: Unanimous (7)
Vote against: (0)

91. **Gentile Air Force Station, Dayton, OH**
I move that the Commission find that the Secretary of Defense deviated substantially from final criterion 1 and, therefore, that the Commission adopt the following recommendation: Close Gentile Air Force Station, Dayton, Ohio, except for space required to operate the AUTODIN Switching Center. The Commission finds this recommendation is consistent with the force structure plan and final criteria.

Motion made by: Johnson
Motion seconded by: McPherson
Vote for: Unanimous (7)
Vote against: (0)

92. **Defense Clothing Factory, Philadelphia, PA**
I move that the Commission find that the Secretary of Defense did not deviate substantially from the force structure plan and final criteria and, therefore, that the Commission adopt the following recommendation of the Secretary of Defense: Close the Defense Clothing Factory, relocate the personnel supporting the flag mission, and use existing commercial sources to procure the Clothing Factory products.

Motion made by: Byron
Motion seconded by: McPherson
Vote for: Unanimous (7)
Vote against: (0)

93. **Defense Logistics Services Center and Defense Reutilization and Marketing Service, Battle Creek, MI**
I move that the Commission find that the Secretary of Defense deviated substantially from final criterion 4 and, therefore, that the Commission reject the Secretary's recommendation on the Defense Logistics Services Center and Defense Reutilization and Marketing Service, Battle Creek, Michigan, and, instead, adopt the following recommendation: The Defense Logistics Services Center and Defense Reutilization and Marketing Service, Battle Creek, Michigan, remains open and located in Battle Creek. The Commission finds this recommendation is consistent with the force structure plan and final criteria.

Motion made by: Byron
Motion seconded by: Stuart
Vote for: Unanimous (7)
Vote against: (0)

94. **Defense Contract Management District Midatlantic (DCMDM) and Defense Contract Management District Northcentral (DCMDN)**
I move that the Commission find that the Secretary of Defense did not deviate substantially from the force structure plan and final criteria and, therefore, that the Commission adopt the following recommendation of the Secretary of Defense: Disestablish Defense Contract Management District Midatlantic (DCMDM) and Defense Contract Management District Northcentral (DCMDN), and relocate the missions to DCMD Northeast, DCMD South and DCMD West.

Motion made by: Cox
Motion seconded by: Bowman
Vote for: Unanimous (7)
Vote against: (0)

95. **Defense Contract Management District West, El Segundo, CA**
I move that the Commission find that the Secretary of Defense deviated substantially from final criterion 2. Therefore, the Commission rejects the Secretary's recommendation on Defense Contract Management District West, El Segundo, CA, and, instead, adopts the following recommendation: Relocate the Defense Contract Management District West, El Segundo, CA, to Long Beach Naval Shipyard, Los Angeles, CA, or Navy space obtained from exchange of land for space between the Navy and the Port Authority/City of Long Beach. The Commission finds this recommendation is consistent with the force structure plan and final criteria.

Motion made by: Johnson
Motion seconded by: Stuart
Vote for: Unanimous (7)
Vote against: (0)

96. **Defense Distribution Depot Letterkenny, PA**
I move that the Commission find that the Secretary of Defense deviated substantially from final criterion 1 and, therefore, that the Commission reject the Secretary's recommendation on the Defense Distribution Depot Letterkenny, Pennsylvania, and, instead, adopt the following recommendation: The Defense Distribution Depot Letterkenny, Chambersburg, Pennsylvania remains open. The Commission finds this recommendation to be consistent with the force structure plan and final criteria.

Motion made by: Cox
Motion seconded by: Johnson
Vote for: Unanimous (7)
Vote against: (0)

97. **Defense Distribution Depot Charleston, SC**
I move that the Commission find that the Secretary of Defense did not deviate substantially from the force structure plan and final criteria and, therefore, that the Commission adopt the recommendations of the Secretary of Defense on Defense Distribution Depots in Charleston, South Carolina (DDCS); Oakland, California (DDOC); and Pensacola, Florida (DDPF).

Motion made by: McPherson
Motion seconded by: Johnson
Vote for: Unanimous (7)
Vote against: (0)

[The Secretary's recommendations are as follows:

(a) DDCS: Disestablish Defense Distribution Depot Charleston, SC (DDCS), and relocate the mission to Defense Distribution Depot Jacksonville, FL (DDJF). Slow moving and/or inactive materiel remaining at DDCS at the time of the realignment will be relocated to available storage space within the DoD Distribution System.

(b) DDOC: Disestablish Defense Distribution Depot Oakland, CA (DDOC), and relocate the primary mission to Defense Distribution Depot Tracy, CA (DDTC), Defense Distribution Depot Sharpe, CA (DDSC), and Defense Distribution Depot San Diego, CA (DDDC). Slow moving or inactive materiel remaining at DDOC at the time of closure will be relocated to other available storage space within the DoD Distribution System.

(c) DDPF: Disestablish Defense Distribution Depot Pensacola, FL (DDPF), and relocate the mission to Defense Distribution Depot Jacksonville, FL (DDJF). Slow moving and/or inactive materiel remaining at DDPF at the time of the disestablishment will be relocated to available storage space within the DoD Distribution System.]

98. **Defense Distribution Depot Tooele, UT**

I move that the Commission find that the Secretary of Defense deviated substantially from final criterion 2 and, therefore, that the Commission reject the Secretary's recommendation on the Defense Distribution Depot Tooele, Utah, and, instead, adopt the following recommendation: Disestablish Defense Distribution Depot Tooele, Utah (DDTU). Relocate the depot's function/materiel to Defense Distribution Depot Red River, Texas (DDRT). Any remaining materiel will be placed in available space in the DoD Distribution System. Change the recommendation of the 1988 Commission regarding Pueblo Army Depot, CO, as follow: instead of sending the supply mission to Tooele Army Depot, UT, as recommended by the 1988 Commission, relocate the mission to a location to be determined by the Defense Logistics Agency. The Commission finds this recommendation is consistent with the force structure plan and final criteria.

Motion made by: Cox
Motion seconded by: Johnson
Vote for: Unanimous (7)
Vote against: (0)

99. **Naval Air Station (NAS), Memphis, TN (re: NATTC)**
I move that the Commission find that the Secretary of Defense did not deviate substantially from the force structure plan and final criteria and, therefore, that the Commission adopt the following recommendation of the Secretary of Defense: Relocate the Naval Air Technical Training Center to NAS Pensacola, Florida.

Motion made by: Johnson
Motion seconded by: Stuart
Vote for: Cox, McPherson, Courter, Stuart, Byron, Johnson (6)
Vote against: Bowman (1)

100. **Chanute AFB, IL**
I move that the Commission find that the Secretary of Defense deviated substantially from final critera 4 and, therefore, that the Commission reject the Secretary's recommendation on Chanute AFB, Illinois, and, instead, adopt the following recommendation: As part of the closure of Chanute AFB, Illinois, consolidate the Air Force's 16 Metals Technology, Non-Destructive Inspection, and Aircraft Structural Maintenance training courses with the Navy at Naval Air Station (NAS) Memphis, Tennessee, and then move with the Navy to Pensacola. The Commission finds this recommendation is consistent with the force structure plan and final criteria.

Motion made by: Bowman
Motion seconded by: Stuart
Vote for: Unanimous (7)
Vote against: (0)

101. **National Capital Region**
I move that the Commission find that the Secretary of Defense did not deviate substantially from the force structure plan and final criteria and, therefore, that the Commission adopt the recommendation of the Secretary of Defense to realign and relocate Navy National Capital Region activities.

Motion made by: McPherson
Motion seconded by: Johnson
Vote for: Unanimous (7)
Vote against: (0)

102. **Naval Supply Center (NSC) Charleston, SC**
I move that the Commission find that the Secretary of Defense deviated substantially from final criteria 1 and, therefore, that the Commission reject the Secretary's recommendation on Naval Supply Center (NSC) Charleston, and, instead, adopt the following recommendation: Partially disestablish Naval Supply Center (NSC) Charleston, South Carolina, and retain the facilities and personnel appropriate for the continued support of Navy activities in the Charleston, South Carolina, area. The Commission finds this recommendation is consistent with the force structure plan and final criteria.

Motion made by: Johnson
Motion seconded by: Bowman
Vote for: Unanimous (7)
Vote against: (0)

103. **Naval Supply Center (NSC) Oakland, CA**
I move that the Commission find that the Secretary of Defense deviated substantially from final criteria 1, 3 and 6 and, therefore, that the Commission reject the Secretary's recommendation on Naval Supply Center (NSC) Oakland, and, instead, adopt the following recommendation: Naval Supply Center (NSC) Oakland, California, remains open. The Commission finds this recommendation is consistent with the force structure plan and final criteria.

Motion made by: Byron
Motion seconded by: McPherson
Vote for: Unanimous (7)
Vote against: (0)

104. **Naval Supply Center (NSC) Pensacola, FL**
I move that the Commission find that the Secretary of Defense did not deviate substantially from the force structure plan and final criteria and, therefore, that the Commission adopt the following recommendation of the Secretary of Defense: Disestablish the Naval Supply Center (NSC) Pensacola.

Motion made by: Byron
Motion seconded by: Johnson
Vote for: Unanimous (7)
Vote against: (0)

105. **Naval Hospital, Beaufort, SC; Naval Hospital, Corpus Christi, TX; Naval Hospital, Great Lakes, IL; and Naval Hospital, Millington, TN**
I move that the Commission withdraw Naval Hospital, Beaufort, South Carolina; Naval Hospital, Corpus Christi, Texas; Naval Hospital, Great Lakes, Illinois; and Naval Hospital, Millington, Tennessee, from further consideration by the Commission.

Motion made by: Johnson
Motion seconded by: Bowman
Vote for: Unanimous (7) [voice vote]
Vote against: (0)

106. **Naval Hospital, Charleston, SC**
I move that the Commission find that the Secretary of Defense deviated substantially from final criteria 1, and 6 and, therefore, that the Commission reject the Secretary's recommendation on Naval Hospital, Charleston, South Carolina, and, instead, adopt the following recommendation: The Naval Hospital, Charleston, South Carolina, remains open. The Commission finds this recommendation is consistent with the force structure plan and final criteria.

Motion made by: Johnson
Motion seconded by: Byron
Vote for: Unanimous (7)
Vote against: (0)

107. **Naval Hospital, Oakland, CA**
I move that the Commission find that the Secretary of Defense did not deviate substantially from the force structure plan and final criteria and, therefore, that the Commission adopt the following recommendation of the Secretary of Defense: Close the Naval Hospital, Oakland and relocate certain military and civilian personnel to other Naval hospitals, and certain military personnel to the Naval Air Stations at Lemoore and Whidbey Island. The Deployable Medical Unit, Northwest Region, will relocate to Naval Hospital, Bremerton, Washington.

Motion made by: Bowman
Motion seconded by: Byron
Vote for: Unanimous (7)
Vote against: (0)

108. **Navy and Marine Corps Reserve Centers**
I move that the Commission find that the Secretary of Defense deviated substantially from the force structure plan and final criterion 4 and, therefore, that the Commission reject the Secretary's recommendation on Stand-Alone Navy and Marine Corps Reserve Centers, and, instead, adopt the following recommendation: Close the following reserve centers:

Navy/Marine Corps Reserve Centers at:

Fort Wayne, Indiana
Abilene, Texas

Naval Reserve Centers at:

Gadsden, Alabama
Montgomery, Alabama

Naval Reserve Centers at: (continued)

Fayetteville, Arkansas
Fort Smith, Arkansas
Pacific Grove, California
Macon, Georgia
Terre Haute, Indiana
Hutchinson, Kansas
Monroe, Louisiana
New Bedford, Massachusetts
Pittsfield, Massachusetts
Joplin, Missouri
St. Joseph, Missouri
Great Falls, Montana
Missoula, Montana
Atlantic City, New Jersey
Perth Amboy, New Jersey
Jamestown, New York
Poughkeepsie, New York
Altoona, Pennsylvania
Kingsport, Tennessee
Memphis, Tennessee
Ogden, Utah
Staunton, Virginia
Parkersburg, West Virginia

Naval Reserve Facilities at:

Alexandria, Louisiana
Midland, Texas

Readiness Command Districts at:

Olathe, Kansas (REDCOM 18)
Scotia, New York (REDCOM 2)
Ravenna, Ohio (REDCOM 5)

The Commission finds this recommendation is consistent with the force structure plan and final criteria.

Motion made by: Johnson
Motion seconded by: Stuart
Vote for: Unanimous (7)
Vote against: (0)

109. **Navy and Marine Corps Reserve Centers**
I move that the Commission find that the Secretary of Defense deviated substantially from the force structure plan and final criteria 2 and 3 and, therefore, that the Commission reject the Secretary's recommendations on Stand-Alone Navy and Marine Corps Reserve Centers, and, instead, adopt the following recommendation: Close the following reserve centers:

Navy and Marine Corps Reserve Center at:

Lawrence, Massachusetts

Naval Reserve Center at:

Chicopee, Massachusetts
Quincy, Massachusetts

and consolidate these activities at the existing facilities at NAS South Weymouth, Massachusetts. The Commission finds this recommendation is consistent with the force structure plan and final criteria.

Motion made by: Johnson
Motion seconded by: Bowman
Vote for: Unanimous (7) [voice vote]
Vote against: (0)

110. **DoD Family Housing Office, Niagra Falls, NY**
I move that the Commission find that the Secretary of Defense did not deviate substantially from the force structure plan and final criteria and, therefore, that the Commission adopt the following recommendation of the Secretary of Defense: Close the DoD Family Housing Office and the 111 housing units it administers.

Motion made by: Johnson
Motion seconded by: McPherson
Vote for: Unanimous (7) [voice vote]
Vote against: (0)

111. **1st Marine Corps District, Garden City, NY**
I move that the Commission find that the Secretary of Defense deviated substantially from the force structure plan and final criterion 4 in making his recommendation on 1st Marine Corps District, Garden City, NY. Therefore, the Commission rejects and does not make the following recommendation of the Secretary: Close the 1st Marine District, Garden City, New York and relocate necessary personnel, equipment and support to the Defense Distribution Region East, New Cumberland, Pennsylvania. The Defense Contract Management Area Office, a present tenant in the facility occupied by this activity as its host, will remain in place and assume responsibility for this facility. The Marine Corps Reserve Center, Garden City will relocate to Fort Hamilton, New York. The Commission finds this recommendation is consistent with the force structure plan and final criteria. [Therefore 1st Marine Corps District, Garden City, NY, remains open.]

Motion made by: Johnson
Motion seconded by: McPherson
Vote for: Unanimous (7) [voice vote]
Vote against: (0)

112. **Navy Radio Transmission Facility (NRTF), Driver, VA**
I move that the Commission find that the Secretary of Defense did not deviate substantially from the force structure plan and final criteria and, therefore, that the Commission adopt the following recommendation of the Secretary of Defense: Close the Navy Radio Transmission Facility (NRTF), Driver, Virginia.

Motion made by: Johnson
Motion seconded by: Cox
Vote for: Unanimous (7) [voice vote]
Vote against: (0)

[Note: Motions 114 and 115 were voted on together.]

113. **Navy Radio Transmission Facility (NRTF), Annapolis, MD**
I move that the Commission find that the Secretary of Defense did not deviate substantially from the force structure plan and final criteria and, therefore, that the Commission adopt the following recommendation of the Secretary of Defense: Disestablish the Navy Radio Transmission Facility (NRTF), Annapolis. The Navy shall retain the real property on which this facility resides.

Motion made by: Johnson
Motion seconded by: Cox
Vote for: Unanimous (7) [voice vote]
Vote against: (0)

114. **Hunters Point Annex to Naval Station Treasure Island, CA**
I move that the Commission find that the Secretary of Defense did not deviate substantially from the force structure plan and final criteria and, therefore, that the Commission adopt the following recommendation of the Secretary of Defense: Permit the Navy to dispose of Hunters Point Annex to Naval Station Treasure Island, San Francisco, California, in any lawful manner, including outleasing.

Motion made by: Johnson
Motion seconded by: McPherson
Vote for: Unanimous (7) [voice vote]
Vote against: (0)

[Note: Motions 116 and 117 were voted on together.]

115. **Public Works Center (PWC) San Francisco, CA**
I move that the Commission find that the Secretary of Defense did not deviate substantially from the force structure plan and final criteria and, therefore, that the Commission adopt the following recommendation of the Secretary of Defense: Disestablish the Public Works Center (PWC) San Francisco.

Motion made by: Johnson
Motion seconded by: McPherson
Vote for: Unanimous (7) [voice vote]
Vote against: (0)

116. **Western Engineering Field Division, Naval Facilities Engineering Command (NAVFAC), San Bruno, CA**
I move that the Commission find that the Secretary of Defense did not deviate substantially from the force structure plan and final criteria and, therefore, that the Commission adopt the following recommendation of the Secretary of Defense: Realign the Western Engineering Field Division, Naval Facilities Engineering Command (NAVFAC), San Bruno, California. Retain in place necessary personnel, equipment and support as a Base Realignment and Closure (BRAC) Engineering Field Activity under the management of the Southwestern Field Division, NAVFAC, San Diego, California.

Motion made by: Johnson
Motion seconded by: Stuart
Vote for: Unanimous (7) [voice vote]
Vote against: (0)

117. **O'Hare International Airport, Air Reserves Station, Chicago, IL**
[See Motion 27(d).]

118. **Data Center Consolidation Plan**
I move that the Commission find that the Secretary of Defense deviated substantially from criteria 2 and 3 and, therefore, that the Commission reject the Secretary's recommendation on the DoD-wide Data Center Consolidation Plan, and, instead, adopt the following recommendation: Disestablish the 43 DISA information processing centers listed below:

Navy Sites

NSC Charleston, SC
ASO Philadelphia, PA
NCTS Pensacola, FL
NAWC WD China Lake, CA
FISC San Diego, CA
FACSO Port Hueneme, CA
TRF Bangor, WA
NAS Brunswick, ME
NAS Mayport, FL
EPMAC New Orleans, LA
BUPERS Washington, DC
NCTS Washington, DC
NCTAMS EASTPAC Pearl Harbor, HI
NAVDAF Corpus Christi, TX
NSC Puget Sound, WA
NSC Norfolk, VA
NAWC AD Patuxent River, MD
NAWC WD Point Mugu, CA
NSC Pearl Harbor, HI
NAS Whidbey Island, WA
TRF Kings Bay, GA
NAS Key West, FL
NAS Oceana, VA
NCTAMSLANT Norfolk, VA
NCTS New Orleans, LA
CRUITCOM Arlington, VA
NARDAC San Francisco, CA
NCCOSC San Diego, CA

Marine Corps Sites

MCAS Cherry Point, NC
RASC Camp Pendleton, CA
RASC Camp Lejeune, NC
MCAS El Toro, CA

Air Force Sites

CPSC San Antonio, TX
AFMPC Randolph AFB, TX
7th CG, Pentagon, VA

Defense Logistics Agency Sites

IPC Battle Creek, MI
IPC Philadelphia, PA
IPC Ogden, UT
IPC Richmond, VA

Defense Information Systems Agency Sites

DITSO Indianapolis IPC, IN
DITSO Kansas City IPC, MO
DITSO Columbus Annex (Dayton), OH
RMBA Cleveland, OH

Consolidate the information processing center workload at the following 16 megacenters:

Recommended Megacenter Locations

- Columbus, Ohio
- Ogden, Utah
- San Antonio, Texas
- Rock Island, Illinois
- Montgomery, Alabama
- Denver, Colorado
- Warner-Robins, Georgia
- Huntsville, Alabama
- Mechanicsburg, Pennsylvania
- Dayton, Ohio
- St. Louis, Missouri
- Oklahoma City, Oklahoma
- Jacksonville, Florida
- Chambersburg, Pennsylvania
- San Diego, California
- Sacramento, California

The Commission finds this recommendation is consistent with the force structure plan and final criteria.

Motion made by: Johnson
Motion seconded by: McPherson
Vote for: Unanimous (7) [voice vote]
Vote against: (0)