

DCN 8130

BRAC Commission

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Received

facsimile transmittal

To: Base Realignment and Closure  
Commission

Fax: 703-699-2735

From: NISPPAC Industry Members

Date: 8/23/2005

Re: Consolidation of DOHA

Pages: 3 (including cover)

CC:

Urgent

For Review

Please Comment

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Notes

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**VIA FAX: 703.699.2735**

22 August 2005

Base Realignment and Closure Commission  
2521 South Clark St., Suite 600  
Arlington, Va. 22202

Re: Consolidation of the Defense Office of Hearings and Appeals (DOHA)

Dear Commission Members,

By way of introduction, we are the industry members to the National Industrial Security Program Policy Advisory Committee (NISPPAC). The NISPPAC was established under Executive Order 12829, Section 103. In this capacity the undersigned are the designated .... "nongovernmental representatives of contractors, licensees, or grantees involved with classified contracts, licenses, or grants"....<sup>1</sup> In this capacity we are writing to request your assistance in removing the DOHA administrative judges and department counsel from the proposed consolidation and closure of regional offices. Although we understand the arguments made in the proposal by the Department of Defense, we are concerned that public access to due process will be severely hampered by the proposed move to Ft. Meade, and will derail the progress made by DOHA over the past few years with the resulting unintended consequence of critical staff leaving DOHA due to this move.

In the past few years since the national tragedy of 9-11, there has been an increased burden on the security clearance process of the U.S. Government, and a greater scrutiny given to those granted access to National Security Information (NSI). The aforementioned scrutiny has caused a spike in the number of applicants referred to DOHA for adjudication and/or due process hearings. These hearings are costly and stressful events for the applicants as they almost always either defend themselves or secure counsel out of their own pockets to represent them. Moving these regional DOHA centers and the current DOHA main office will greater burden these already over extended applicants by requiring them to incur travel costs for themselves and counsel, and make the whole process of accessing Ft. Meade (with the heightened base security instituted over the past few years) far more burdensome than accessing the current Arlington offices of DOHA and their regional sites. Furthermore, and as mentioned above, the relocation may well result in a loss of critical staff from DOHA due to the inconvenience of a move from Arlington to Ft. Meade. As many of the members of the Commission know, the metropolitan DC area is a myriad of congested roadways, making even a 25 to 30 mile commute an almost unpredictable event. It would not be outside the realm of logic that many of DOHA's dedicated staff could leave government service for more lucrative assignments in the private sector rather than assume this major inconvenience.

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<sup>1</sup>Excerpt from Executive Order 12829, January 26, 1993, National Industrial Security Program as amended by Executive Order 12885, Vol. 58, No. 240, Thursday, December 16, 1993.

The undersigned respectfully request that the distinguished members of the BRAC give this proposal all due consideration. The mission of DOHA is a unique one in the Department of Defense, and their exemplary performance and commitment to excellence over these past few years is testimony to one of the most successful programs within the NISP, and one of due process that provides a compassionate and reasoned forum for applicants under scrutiny for access to NSI.

We thank you in advance for your consideration of this proposal, and we remain available to answer any questions you might have. We can be reached at the address below or via telephone at 301-838-6930.

Respectfully submitted  
NISPPAC Industry Members



*For:*

Thomas J. Langer  
Daniel Schlehr  
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cc:

General David C. Hague (USMC, Ret), General Counsel