THE UNDER SECRETARY OF DEFENSE
3010 DEFENSE PENTAGON
WASHINGTON DC 20301-3010

ACQUISITION,
TECHNOLOGY
AND LOGISTICS

APR 16 2003

MEMORANDUM FOR SECRETARIES OF THE MILITARY DEPARTMENTS
CHAIRMAN OF THE JOINT CHIEFS OF STAFF
UNDER SECRETARIES OF DEFENSE
DIRECTOR, DEFENSE RESEARCH AND ENGINEERING
ASSISTANT SECRETARIES OF DEFENSE
GENERAL COUNSEL OF THE DEPARTMENT OF DEFENSE
INSPECTOR GENERAL OF THE DEPARTMENT OF DEFENSE
DIRECTOR, OPERATIONAL TEST AND EVALUATION
ASSISTANTS TO THE SECRETARY OF DEFENSE
DIRECTOR, ADMINISTRATION AND MANAGEMENT
DIRECTORS OF THE DEFENSE AGENCIES

SUBJECT: Transformation Through Base Realignment and Closure (BRAC 2005) Policy Memorandum One - - Policy, Responsibilities, and Procedures

Background

The Secretary of Defense memorandum of November 15, 2002, established the authorities, organizational structure, goals, and objectives for the Department's implementation of the Defense Base Closure and Realignment Act of 1990 (Sections 2901-2914 of Public Law 101-510, as amended (Appendix A))(BRAC). With few exceptions, BRAC establishes the exclusive procedures under which the Secretary of Defense may pursue realignment or closure of military installations inside the United States until April 15, 2006.

Purpose

This memorandum is the first in a series of Under Secretary of Defense for Acquisition, Technology and Logistics (USD(AT&L)) policy memoranda implementing the Secretary's memorandum. Except as noted below, this guidance supersedes all other Office of the Secretary of Defense Guidance for prior rounds of

base realignments and closures. The guidance herein establishes a foundation of policy, responsibilities, and procedures for developing the Secretary's realignment and closure recommendations for submission to the 2005 Defense Base Closure and Realignment Commission (2005 Commission). USD(AT&L) will periodically publish additional policy memoranda throughout the BRAC process, as necessary.

Policy Guidance

This guidance applies to the Military Departments and Defense Agencies (DoD Components) and Joint Cross-Service Groups (JCSGs) in developing the Secretary's base realignment and closure recommendations for submission to the 2005 Commission for its review.

Thresholds for BRAC Actions

As provided in section 2909 of BRAC, the BRAC process is the exclusive means for selecting for closure or realignment, or for carrying out any closure or realignment of, a military installation inside the United States until April 15, 2006. Only those closures and realignments to which Section 2687 of title 10 does not apply may proceed outside the BRAC process, and then only after approval on the basis of guidance issued by the USD(AT&L). If, based on information existing on December 28, 2001, Section 2687 would apply to a proposed closure or realignment, BRAC will be the exclusive means for selecting for closure or realignment, or for carrying out that closure or realignment. However, even if Section 2687 does not apply to a proposed closure or realignment, Components may elect to evaluate that closure or realignment within the BRAC process.

Section 2687 applies to the closure of any military installation at which 300 or more DoD direct hire permanent civilians are authorized to be employed. Section 2687 defines a military installation as "a base, camp, post, station, yard, center, homeport facility for any ship, or other activity under the jurisdiction of the Department of Defense, including any leased facility, which is located within any of the several States, the District of Columbia, the Commonwealth of Puerto Rico, American Samoa, the Virgin Islands, or Guam. Such term does not include any facility used primarily for civil works, rivers and harbors projects, or flood control projects."

Section 2687 also applies to the realignment of any military installation at which 300 or more DoD direct hire permanent civilians are authorized to be employed if that realignment will result in the reduction by more than 1000, or by more than 50 percent, in the number of DoD direct hire permanent civilians authorized to be employed at that installation. A realignment is "any action that both reduces and relocates functions and civilian personnel positions, but does not include a reduction

in force resulting from workload adjustments, reduced personnel or funding levels, skill imbalances, or other similar causes."

Section 2687 does not apply to the closure or realignment of a military installation if the President certifies to the Congress that such closure or realignment must be implemented for reasons of national security or military emergency.

Basis for Recommendations

Base realignment, closure, or consolidation studies that could result in a recommendation to the 2005 Commission of a base realignment or closure must:

- Be based on the Force Structure Plan and Infrastructure Inventory required by Section 2912 of BRAC and the final Selection Criteria required by Section 2913 of that Act;

- Use data that is certified accurate and complete in accordance with Section 2903(c)(5) of BRAC to analyze the base structure by like functional categories;

- Not take into account for any purpose any advance conversion planning undertaken by an affected community with respect to an anticipated closure or realignment;

- Consider any notice received from a local government in the vicinity of a military installation that the government would approve of the closure or realignment of the installation in accordance with Section 2914(b) of BRAC; and

- Consider all military installations inside the United States equally without regard to whether it has been previously considered or proposed for closure or realignment by the Department.

Responsibilities

Report to Congress Certifying the Need for BRAC 2005

Section 2912 of BRAC requires the Secretary to submit a report to Congress with the FY 2005 budget. This report will include a 20-year force structure plan, a comprehensive infrastructure inventory, and the Secretary's certification of the need for further realignments and closures. The USD(AT&L) will issue specific taskings

to the Joint Staff and DoD Components for information required to meet this reporting mandate. Absent such reports and certification, the BRAC process is terminated.

Interim and Final Selection Criteria

The BRAC 2005 Infrastructure Steering Group (ISG) will issue interim selection criteria consistent with Section 2913(b)-(d) of BRAC. Pending approval of final selection criteria for BRAC 2005, all DoD Components and JCSGs shall use these interim selection criteria in their analyses. Should changes in these interim selection criteria develop during the review and approval process, the interim selection criteria shall be amended by the ISG. Approved changes to the selection criteria must be incorporated in all prior analyses. Prior to December 13, 2003, the ISG, through the Infrastructure Executive Council (IEC), will recommend to the Secretary of Defense whether any changes to the interim selection criteria are appropriate. No later than December 31, 2003, the Secretary must publish in the Federal Register the proposed criteria to be used by the Secretary in making recommendations for the realignment and closure of military installations inside the United States and to announce a 30-day public comment period. At the same time, the Secretary must transmit these proposed criteria to the congressional defense committees.

At the end of the public comment period, the ISG will review all public comments received and incorporate appropriate suggestions. The ISG, through the IEC, will recommend final criteria to the Secretary of Defense. No later than February 16, 2004, the Secretary must publish in the Federal Register and transmit to the congressional defense committees the final criteria to be used by the Secretary in making recommendations for the realignment and closure of military installations in 2005.

Force Structure Plan

The Department's long-term force structure plan is a critical foundation of BRAC 2005. The Chairman of the Joint Chiefs of Staff shall develop the force structure plan in accordance with Section 2912(a)(1)(A) of BRAC and submit the plan to the Secretary of Defense. This plan will be coordinated with the Military Departments and relevant agencies and offices to include: the Under Secretary of Defense for Policy; the Under Secretary of Defense for Acquisition, Technology and Logistics; the Under Secretary of Defense (Comptroller); the Under Secretary of Defense (Personnel and Readiness); the General Counsel; and the Director, Program Analysis and Evaluation. Pending issuance of the final force structure plan by the Secretary of Defense, DoD Components shall use an interim force structure plan to be developed and issued in accordance with the above coordination procedures by

the Chairman of the Joint Chiefs of Staff. The interim force structure plan shall be issued no later than October 1, 2003. The final force structure plan shall be issued as soon as possible after final force decisions are made during preparation of the FY 2005 budget, but no later than February 2, 2004. Additional revisions to the final force structure plan may be made prior to submission of the FY 2006 budget. If revisions are made, DoD Components and JCSGs will ensure that all BRAC 2005 recommendations are based on the revised force structure plan.

Commissioner Nominations

BRAC requires that the President nominate commissioners no later than March 15, 2005, or the BRAC 2005 process will be terminated. The Special Assistant to the Secretary of Defense and Deputy Secretary of Defense will coordinate all matters relating to the Secretary's recommendations to the President regarding appointments to the 2005 Commission. All inquiries from individuals interested in serving on the Commission should be referred to the Special Assistant.

Commission Support

The USD (AT&L), assisted by the Director of Administration and Management (D, A&M) and supported by the Military Departments, will provide the Department's support to the 2005 Commission required by Section 2902 of BRAC.

Primary Point of Contact

The USD (AT&L) shall be the primary point of contact for the Department of Defense with the 2005 Commission and the General Accounting Office (GAO). Each DoD Component shall designate to USD (AT&L) one or more points of contact with the 2005 Commission and the GAO. The USD (AT&L) will establish procedures for interaction with the 2005 Commission and GAO.

Procedures

BRAC 2005 Analytical Tools

Execution of the BRAC 2005 process will be facilitated by use of lead Services for selected areas. The first such assignments follow:

Optimization Methodology
During the BRAC 1995 process, a general optimization methodology was developed for use by the JCSGs. Each JCSG applied the methodology to develop an optimization model specific to the characteristics of the facilities under its purview. Each JCSG then used its model to generate alternatives

for consideration. The Department of the Navy will lead a tri-Departmental effort to review and update this methodology for use by the JCSGs during BRAC 2005. The review and update will ensure that the methodology not only addresses functional commonality to enhance cross-service analyses, but also reflects the policies and procedures developed for BRAC 2005.

Installation Visualization Tool (IVT)
The IVT is a planned capability to enhance the Department's overall ability to manage its infrastructure. This same capability can and should be used as a tool during the BRAC 2005 process. The ISG will develop requirements and priorities for developing the IVT through an integrated product team (IPT) established by USD (AT&L). The purpose of this application of IVT is to assist the JCSGs, the IEC and ISG, and DoD Components in their BRAC 2005 analyses. The Department of the Air Force will be the lead Service for this effort.

Cost of Base Realignment Actions (COBRA)
The COBRA model used in previous BRAC rounds will be upgraded and loaded with revised standard cost assumptions. DoD Components and the JCSGs must use the COBRA model to calculate the costs, savings, and return on investment of proposed realignment and closure actions. The Department of the Army will be the lead Service for this effort.

Record Keeping

DoD Components and JCSGs participating in the BRAC 2005 analysis process shall, from the date of receipt of this memorandum, develop and keep:

- Descriptions of how base realignment and closure policies, analyses and recommendations were made, including minutes of all deliberative meetings;

- All policy, data, information, and analyses considered in making base realignment and closure recommendations;

- Descriptions of how recommendations met the final selection criteria and were based on the final force structure plan and infrastructure inventory; and

- Documentation for each recommendation to the Secretary of Defense to realign or close a military installation under the law.

Internal Control Plan (ICP)

DoD Components empowered to participate in the BRAC 2005 analysis process must develop and implement an internal control plan for base realignment, closure or consolidation studies to ensure the accuracy of data collection and analyses. Appendix B is the Department's ICP that will be the ICP for all JCSGs and will guide and regulate the DoD Component ICPs.

Data Certification

Section 2903(c)(5) of BRAC requires specified DoD personnel to certify to the best of their knowledge and belief that information provided to the Secretary of Defense or the 2005 Commission concerning the realignment or closure of a military installation is accurate and complete.

DoD Components and JCSGs shall establish procedures and designate appropriate personnel to certify that data and information collected for use in BRAC 2005 analyses are accurate and complete to the best of that person's knowledge and belief. DoD Components' and JCSGs' certification procedures should be incorporated within the required internal control plan and must be consistent with DoD certification procedures. Both are subject to audit by the General Accounting Office.

Inspector General of the Department of Defense

The Inspector General of the Department of Defense (IG DoD) shall be available to assist the DoD Components and JCSGs by providing advice on the development and implementation of the internal control plans, as well as reviewing and making recommendations related to the internal control plans. In addition, the IG DoD will assist by reviewing the accuracy of BRAC data and the certification process. The DoD Components and JCSGs are encouraged to make use of these IG DoD services as well as consultation with their audit agencies.

Criteria Measures/Factors

DoD Components and JCSGs must develop one or more measures/factors for applying each of the final selection criteria to base structure analyses. Measures/factors may vary for different categories of bases. DoD Components and JCSGs must document the measures/factors used for each of the final selection criteria.

Reserve Component Impacts

Considerable overall DoD savings can be realized through the joint use of Active and Reserve Component facilities, irrespective of Service affiliations. DoD Components and JCSGs shall evaluate opportunities to consolidate or relocate Active and Reserve Components onto any base that is retained in the base structure, and on any enclave of realigning and closing bases where such relocations make operational and economic sense to the Department.

In developing BRAC 2005 recommendations affecting Reserve component activities, DoD Components and JCSGs must complete Reserve component recruiting demographic studies required by DoD Directive 1225.7 to ensure that the impact on the Reserve components of specific realignments and closures are considered.

Release of Information/Guidance

Data and analyses used by the DoD Components and the JCSGs to evaluate military installations for realignment and closures will not be released until the Secretary has forwarded his recommendations to the 2005 Commission no later than May 16, 2005, unless specifically required by law.

The General Accounting Office (GAO), however, has a special role in assisting the Commission in its review and analysis of the Secretary's recommendations. Once the Secretary has submitted the Department's BRAC recommendations, the GAO must prepare a report detailing the Department of Defense's selection process. For these reasons, the GAO will be provided free and open access to the BRAC 2005 process except for deliberative sessions. Approved minutes of these deliberative sessions will be provided, upon request, to the GAO. DoD Components and JCSGs must keep records of all data/access provided to the GAO.

All participants in the BRAC 2005 process must sign a non-disclosure agreement before they are allowed access to the BRAC 2005 process. A copy of the DoD standard BRAC 2005 non-disclosure agreement is at Appendix C. The DoD Components may include additional information in their non-disclosure agreements, but the information included in the standard agreement must be included as a minimum.

Community Preference

Section 2914(b)(2) of BRAC requires the Secretary of Defense to consider any notice received from a local government in the vicinity of a military installation that the government would approve of the closure or realignment of the installation.

DoD Components and JCSGs shall document any written correspondence or meetings with local government officials regarding such requests. In making any recommendations to the Secretary that do not support such community requests, the DoD Components and JCSGs shall explain the reasons for such a recommendation. This documentation will be provided to the Commission and congressional defense committees along with the Secretary's recommendations for base realignments and closures.

Timelines

The timelines, described in this memorandum, as well as key BRAC 2005 dates are depicted at Appendix D.

DoD Components shall disseminate this guidance and subsequent policy memoranda as widely as possible throughout their organizations.

E.C. Aldridge, Jr.
USD (Acquisition, Technology & Logistics)
Chairman, Infrastructure Steering Group

Attachments (4)
Appendix A BRAC 90 as amended
Appendix B OSD Internal Control Plan
Appendix C BRAC 2005 Non-Disclosure Agreement
Appendix D BRAC 2005 Timeline

OFFICE OF THE SECRETARY OF DEFENSE INTERNAL CONTROL PLAN FOR THE 2005 BASE REALIGNMENT AND CLOSURE PROCESS

PURPOSE

This guidance establishes the policies and responsibilities that constitute the Office of the Secretary Defense (OSD) Base Realignment and Closure Internal Control Plan (ICP). It is to be used to implement the Defense Base Closure and Realignment Act of 1990 (P.L. 101-510 as amended) (BRAC) and the Secretary's November 15, 2002, "Transformation Through Base Realignment and Closure" memorandum and all subsequent policy memoranda outlining the DoD BRAC 2005 process. It is designed to delineate broad lines of authority and responsibilities of the OSD approach to BRAC 2005, ensure that base realignment and closure analysis and recommendations are based on accurate and complete data, and ensure that the process is properly documented and auditable. Each Military Department and Defense Agency is responsible for developing specific Internal Control Plans to supplement this guidance. This guidance supersedes all other Office of the Secretary of Defense ICP guidance issued in previous BRAC rounds.

AUTHORITY

With few exceptions, BRAC establishes the exclusive procedures under which the Secretary of Defense may pursue realignment or closure of military installations within the United States. The law authorizes the establishment of an independent Commission to review the Secretary of Defense's recommendations for realigning and closing military installations. The Secretary's recommendations must be based on the force structure plan and final selection criteria required by Sections 2912 and 2913 of BRAC. When developing recommendations, the Secretary of Defense must consider all military installations on an equal basis without regard to prior consideration for realignment or closure. The Secretary of Defense has established and chartered the Infrastructure Executive Council (IEC) and the Infrastructure Steering Group (ISG) as the BRAC 2005 deliberative bodies responsible for leadership, direction, and guidance. These two groups will ensure that the policies, procedures, and responsibilities set forth in this ICP support and produce comprehensive analyses to form the basis for the Secretary's recommendations to the Commission.

General

The responsibilities assigned by this ICP are designed to provide an "unbroken chain" of accountability for each subelement of information used by DoD in the BRAC process. This systematic approach provides:

- Uniform guidance defining data requirements and sources
- Systems for verifying accuracy of data at all levels of command
- Procedures to check the accuracy of the analyses made from the data
- Protection of data to prevent premature dissemination

In addition to the requirements above, the ICP defines the certification requirements prescribed in Section 2903(c)(5) of BRAC. This plan also specifies the process and required documentation to be used in developing the BRAC 2005 recommendations. Finally, the Military Departments, Defense Agencies, and OSD will incorporate comprehensive auditor participation to ensure a thorough assessment of the data and process. Also, audits will assess specific applications of data calls and the accuracy of the data collection process.

The BRAC 2005 process is designed to provide a structured, systematic approach for developing base realignment and closure recommendations for submittal to the Commission in May 2005. Throughout the process, all military installations shall be considered equally, without regard to prior consideration for realignment or closure. The base realignment and closure recommendations resulting from this process will be based on the force structure plan, infrastructure inventory, and selection criteria. Although an interim force structure plan and selection criteria may be used initially, the final DoD BRAC 2005 recommendations shall be based on the force structure plan and infrastructure inventory developed and submitted to Congress in accordance with Section 2912 of BRAC, and the final published selection criteria.

INTERNAL CONTROL MECHANISMS

The objective of the internal control mechanisms is to ensure the accuracy, completeness, and integrity of the information upon which the Secretary of Defense recommendations for base realignments and closures will be based. The two principal control mechanisms are organization and documentation.

Organization Controls

Under the oversight and guidance of the Secretary, there are two groups within the DoD which have primary responsibilities for assisting the Secretary: the IEC, chaired by the Deputy Secretary of Defense and the ISG, chaired by the Under Secretary of Defense for Acquisition, Technology and Logistics (USD(AT&L)).

To ensure the integrity of the BRAC process, these two groups are separated by distinct functional boundaries and levels of authority. The Chair and membership of the IEC/ISG have already been determined and approved by the Secretary. The attachment to the

Secretary's November 15, 2002, memorandum depicts the organizational relationship between these oversight groups, the Joint Cross-Service Groups (JCSGs), and the Military Departments.

> **Infrastructure Executive Council:** The IEC is the policy making and oversight body for the entire BRAC process, chaired by the Deputy Secretary of Defense. The IEC is the approval authority for all base realignment and closure recommendations to the Secretary of Defense. The IEC is responsible for forwarding approved JCSG recommendations to the Military Departments and Defense Agencies. In addition, the IEC also provides guidance to the Military Departments, JCSGs, and Defense Agencies on complex issues referred directly to them.

> **Infrastructure Steering Group:** The ISG is the group responsible for overseeing the joint cross-service analyses of common business oriented functions and ensuring the integration of those processes with the Military Departments' and Defense Agencies' specific analyses of all other functions. Additionally, the ISG will provide progress reports to the IEC. This group will be chaired by the USD(AT&L). It should also be noted that the USD(AT&L) has been assigned the authority and responsibility for issuing the operating policies and detailed direction necessary to conduct the BRAC 2005 analyses by the Secretary of Defense.

The Inspector General of the Department of Defense (IG DoD) will advise the IEC and ISG on the implementation of this ICP. IG DoD auditors will review the activities of the IEC/ISG, and designated JCSGs to ensure such activities comply with the requirements of the ICP.

Documentation Controls for the IEC, ISG, and JCSGs

The following outlines document controls for the IEC, ISG, and JCSGs to ensure accuracy and auditablity of the information used in the BRAC 2005 analyses. The Military Departments and Defense Agencies will establish similar document controls for their BRAC processes.

The BRAC 2005 process will be recorded and clearly documented to ensure the integrity of the process performed by the IEC, ISG, JCSGs, Military Departments and Defense Agencies. Furthermore, controls will be implemented to ensure that the information used by the JCSGs in their analysis is certified for accuracy and completeness, and that the information is used consistently by OSD, the Military Departments, and the Defense Agencies throughout the BRAC 2005 process. To protect the integrity of the BRAC 2005 documentation prepared, handled, or processed by the JCSGs, the JCSGs will adhere to the following control elements:

> **Data Collection:** Information used for analyses and/or decision making will be obtained from the Military Departments and the Defense Agencies. The mechanism for requesting JCSG data from the Military Departments and the

Defense Agencies will be in the form of electronic and/or hard copy information requests issued to the Military Departments and Defense Agencies. The Military Departments and Defense Agencies will use their BRAC 2005 internal control mechanisms for collecting the requested information and ensuring such information is certified for accuracy and completeness before it is forwarded to the respective JCSG. Only certified information will be used to develop BRAC 2005 recommendations.

Certification: Section 2903(c)(5) of BRAC requires that all information used to develop and make realignment and closure recommendations submitted to the Secretary of Defense and/or the 2005 Defense Base Closure and Realignment Commission must be certified as accurate and complete to the best of the certifier's knowledge and belief. The preparation of responses to the information requests by the Military Departments and Defense Agencies will adhere to the BRAC 2005 certification procedures and the internal control plans implemented for those entities.

Any data file forwarded to the JCSGs by the Military Departments or Defense Agencies must be certified. Data and information gathered from authoritative or official sources external to DoD (such as the Bureau of Labor Statistics national employment data) need only be certified as to the source if the sources' accuracy can be determined by the audit community in accordance with U.S. General Accounting Office (GAO) guidance. Additional instructions regarding data certification will be issued in subsequent policy guidance.

Record Keeping: Minutes will be maintained of all deliberative meetings of the IEC, ISG, JCSGs, Military Departments, and Defense Agencies. Each group will record attendance, provide a synopsis of items discussed and include all decisions and recommendations. To assist in this effort, individuals with BRAC experience will be available to support each JCSG. The Chairs of each designated group will be responsible for overseeing and enforcing attendance at each meeting as well as approving substitutions on a case by case basis. The Chairs will also be responsible for ensuring that only certified data provided by the Military Departments and Defense Agencies is used in the deliberative process. The overall responsibility for safeguarding BRAC 2005 data and information rests with the Chairs of each group. However, this does not relieve each and every individual involved in the BRAC 2005 process from the responsibility to protect internal/deliberative information involved in the BRAC 2005 process. Records of non-deliberative meetings are not required.

Oral Briefings: On occasion, the IEC, ISG and JCSGs may receive formal and informal briefings from inside and outside the Federal Government. To ensure a record of all information provided to these groups is maintained, the content of all oral briefings must be captured in the minutes prepared for the meeting at which a particular briefing was presented. All briefing slides and electronic presentations will be attached to the minutes recorded for the meeting. While these briefings

may be useful in developing policies or suggesting methods for making measurements or evaluations, no data from such briefings may be accepted by the groups, unless such data is independently validated and certified in accordance with these procedures.

Outside Studies: During the BRAC 2005 process, studies and reports that originated outside the process may be brought to the attention of any designated BRAC group. While these studies may be useful in developing policies and/or suggesting methods for making measurements or evaluations, no data from such briefings may be accepted by the groups, unless such data is independently validated and certified in accordance with these procedures.

Technical Experts: Technical experts may be used to support the development and/or the refinement of the analytical efforts of the JCSGs. The Military Departments and Defense Agencies will identify such technical experts to the JCSGs and each individual will be briefed on the sensitivity of BRAC data. Each JCSG that utilizes technical experts will maintain a list of individuals authorized to access their data. When technical experts provide information, expertise, or data that a JCSG considers relevant and appropriate for analyses, the experts shall be requested to submit that information or data in writing with the required certification. Technical experts will be granted only limited access to BRAC 2005 data and information that will allow them to assist the JCSGs in the development and/or refinement of analytical efforts. The use of technical experts will be communicated, either orally or in writing, to the ISG.

Non-Disclosure Agreements: Each IEC, ISG and JCSG member will sign a BRAC 2005 non-disclosure agreement. Additionally, all other individuals working within the process or providing support to the process (including IG DoD, technical experts, contractors, etc.) will be required to sign non-disclosure agreements (The DoD standard agreement is at Appendix C to "Transformation Through Base Realignment and Closure (BRAC 2005) Policy Memorandum One -- Policy, Responsibilities, and Procedures" memorandum).

ACCESS TO BRAC 2005 INFORMATION

To protect the integrity of the BRAC 2005 process, all files, data, and materials relating to that process are deemed deliberative and internal to DoD. All requests for release of BRAC 2005 data and materials, including those under the Freedom of Information Act, received prior to the Secretary forwarding his realignment and closure recommendations to the Defense Base Closure and Realignment Commission shall be forwarded to the Military Department BRAC authority concerned, or the DUSD(I&E) with respect to JCSGs. All BRAC 2005 documents, including electronic media, will have the following statements either as a header or footer, as appropriate:

The members of the IEC, ISG, JCSGs, and the OSD BRAC office are entrusted to have access to BRAC 2005 data and information that originated from either the Military Departments or the Defense Agencies. Consistent with the organization controls set forth in this ICP, access will not be granted to any individual, to include technical experts or outside consultants, without the consent of the Chairs of the designated JCSGs that control the data. Such access carries a responsibility for ensuring that BRAC 2005 data and information is treated as sensitive and predecisional The members of the IEC, ISG, and JCSGs are required to protect the BRAC 2005 process from either improper or unofficial disclosures. The Chair of each designated BRAC group will ensure all assigned and substitute members of his or her group are informed that no internal deliberations or data will be discussed or shared with anyone outside their group without specific Chair approval. The group members must also take precautions to prevent the acceptance of information that is not certified or may be forwarded to a JCSG through channels other than those identified in this document and BRAC 2005 policy guidance.

AUDIT ACCESS TO RECORDS

The Comptroller General is required to submit a report to Congress and the Commission containing a detailed analysis of the Secretary's recommendations and selection process shortly after the Secretary provides his BRAC recommendations to the Commission. To facilitate this review, the Department will allow the GAO auditors full and open access to all elements of the DoD process, except for deliberative meetings, and to all data supporting the Secretary's final recommendations as it is being developed and implemented. Copies of the deliberative meeting minutes will be made available to the GAO as they are signed by the Chair.

Full and open access to the BRAC 2005 process and data will be granted to the Inspector General of the Department of Defense. Furthermore, the audit agencies of the Military Departments and Defense Agencies participating in BRAC 2005 will review and validate data collected and analyzed by their Departments and Agencies. GAO, the DoD Inspector General, and the relevant audit agencies will coordinate their efforts to avoid duplication of effort.

DISSEMINATION

All members of the IEC, ISG, JCSGs, Military Departments, and Defense Agencies must use every precaution to prevent the improper release of and/or access to BRAC 2005 data

and information. Not only is access restricted to those individuals officially approved to take part in the BRAC 2005 process, care must also be taken to avoid inadvertent dissemination through telephone conversation, facsimile "FAX", or electronic "E-mail" transmission. Dissemination of information that is not discussed in this ICP will only be made with the expressed documented approval of the USD(AT&L).

The USD(AT&L) will disseminate this ICP to the applicable JCSGs, Military Departments, and Defense Agencies. The Military Departments and Defense Agencies will incorporate this guidance in their ICPs for use within their Departments or Agencies. The USD(AT&L) will be advised of any control violations or weaknesses that are identified through application of this ICP or of any modifications that may be needed.

COMMUNITY RELATIONS/INTERACTIONS

The BRAC 2005 round will motivate local communities to solicit information from the DoD on the process and data used to develop recommendations. Protecting the integrity of the DoD BRAC 2005 process requires OSD, Military Departments, and Defense Agencies to designate key individuals and processes that will address community and congressional inquiries.

CHANGES TO ICP

As the USD(AT&L) issues supplemental guidance that affects this ICP, Military Departments and Defense Agencies will incorporate this guidance into their respective ICPs.

Nondisclosure Agreement

My duties include work assignments and responsibilities in which I may acquire personal knowledge of or access to information concerning the development of recommendations relating to potential closure or realignment of military installations in the Base Realignment and Closure (BRAC) 2005 process. I understand and agree that it is my duty and obligation to comply with the provisions of this agreement respecting such information, and that my violation of this agreement may result in disciplinary action.

1. I understand that the development of any BRAC 2005 information, written or oral, pursuant to the Defense Base Closure and Realignment Act of 1990, as amended, is an official, sensitive, and deliberative process. "Written" information includes all electronic and hard copy forms of communication. I further understand that the development of such information is not limited to final documents or products, but also includes all draft and feeder documents, briefings and notes, as well as any other related oral or written communication.

2. The public and all levels of federal, state, and local government have a right to expect and trust that the BRAC 2005 process will be conducted objectively and impartially. Any unauthorized disclosure of BRAC information undermines that expectation and trust and is therefore prohibited. Unauthorized disclosures may also constitute a violation of law and DoD or Military Department directives, regulations, instructions, policies, or guidance. I promise not to disclose any BRAC information, except as specifically authorized.

3. I further understand that any document or any other written communication, whether draft or final, is the official property and record of the Department of Defense and shall be retained, disseminated, released, and destroyed in accordance with requirements of law and applicable DoD or Military Department directives, regulations, instructions, policies or guidance.

4. I understand that the provision of this agreement bind me personally until the Secretary of Defense transmits BRAC recommendations to the Commission and Congress even if I am reassigned to other duties or stations, retire, or otherwise cease employment or any contract, agency, or other relationship or association with the Department of Defense.

_____ _____

Signature Date

FY 2002 National Defense Authorization Act
BRAC 2005 Timeline

Now thru May 16, 05 — DoD Deliberative Process. DoD undertakes internal data gathering and analytic process necessary to formulate recommendations and meet the statutory reporting requirements outlined below.

Dec 31, 03 — Draft Selection Criteria. Not later than this date the Secretary of Defense "shall publish in the Federal Register and transmit to the congressional defense committees the criteria proposed to be used by the Secretary in making recommendations for the closure or realignment of military installations inside the United states." There is a 30 day public comment period.

Feb ~, 04 — Force Structure Plan & Infrastructure Inventory to Congress. As part of the FY 05 Budget justification documents submitted to Congress, the Secretary shall include the following:

- A "force-structure plan for the Armed Forces based on an assessment by the Secretary of the probable threats to the national security during the 20-year period beginning with fiscal year 2005, the probable end-strength levels and major military force units (including land force divisions, carrier and other major combatant vessels, air wings, and other comparable units) needed to meet these threats, and the anticipated levels of funding that will be available for national defense purposes during such period."
- A "comprehensive inventory of military installations world-wide for each military department, with specifications of the number and type of facilities in the active and reserve forces of each military department."
- A "description of infrastructure necessary to support the force structure described in the force structure plan."
- A "discussion of excess categories of excess infrastructure and infrastructure capacity."
- An "economic analysis of the effect of the closure or realignment of military installations to reduce excess infrastructure."
- A "certification regarding whether the need exists for the closure or realignment of additional military installations; and if such need exists, a certification that the additional round of closures and realignments would result in annual net savings for each of the military departments beginning not later than fiscal year 2011."

Feb 16, 04 — Final Selection Criteria. Not later than this date the Secretary of Defense shall "publish in the Federal Register and transmit to the congressional defense committees the final criteria to be used in making recommendations for the closure and realignment of military installations inside the United States."

Mar 15, 04 — Deadline for Congressional disapproval of Final Selection Criteria

Apr ~, 04 Comptroller General Evaluation. Not later than 60 days after the date on which the force-structure plan and infrastructure inventory are submitted to Congress, the Comptroller General shall prepare an evaluation of the force-structure plan, infrastructure inventory, selection criteria, and the need for the closure and realignment of additional military installations

Feb ~, 05 Revisions to Force-Structure Plan and Infrastructure Inventory. If the Secretary has made any revisions to the force-structure plan and infrastructure inventory, the Secretary shall submit those revisions to Congress as part of the FY 06 Budget justification documents

Mar 15, 05 Nomination of Commissioners. Not later than this date, the President must transmit to the Senate nominations for the appointment of new members to the Defense Base Closure and Realignment Commission.

May 16, 05 Secretary of Defense Recommendations. Not later than this date, the Secretary must publish in the Federal Register and transmit to the congressional defense committees and the Commission, a list of the military installations that the Secretary recommends for closure or realignment.

Jul 1, 05 Comptroller General Analysis. Not later than this date, the Comptroller General shall transmit to the congressional defense committees, a report containing a detailed analysis of the Secretary's recommendations and selection process.

Sep 8, 05 Commission's Recommendations. Not later than this date, the Commission must transmit to the President "a report containing its findings and conclusions based on a review and analysis of the Secretary's recommendations."

Sep 23, 05 President's Approval or Disapproval of Commission Recommendations. Not later than this date, the President shall transmit to the Commission and to the Congress, "a report containing the President's approval or disapproval of the Commission's recommendations."

If the President approves the recommendations, the recommendations are binding 45 "legislative" days after Presidential transmission or adjournment sine die, unless Congress enacts joint resolution of disapproval.

Oct 20, 05 Commission's Revised Recommendations. If the President disapproves the Commission's initial recommendations, the Commission must submit revised recommendations to the President not later than this date.

Nov 7, 05 President's Approval or Disapproval of Revised Recommendations. The President must approve the revised recommendations and transmit approval to Congress by this date or the process ends. The recommendations become binding 45 "legislative" days after Presidential transmission or adjournment sine die, unless Congress enacts joint resolution of disapproval.

Apr 15, 06 Commission terminates