

**BRAC AND BEYOND: AN EXAMINATION OF THE
RATIONALE BEHIND FEDERAL SECURITY
STANDARDS FOR LEASED SPACE**

HEARING

BEFORE THE

COMMITTEE ON

GOVERNMENT REFORM

HOUSE OF REPRESENTATIVES

ONE HUNDRED NINTH CONGRESS

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BRAC AND BEYOND: AN EXAMINATION OF THE RATIONALE BEHIND FEDERAL SECURITY STANDARDS FOR LEASED SPACE

WEDNESDAY, JULY 27, 2005

HOUSE OF REPRESENTATIVES,
COMMITTEE ON GOVERNMENT REFORM,
Washington, DC.

The committee met, pursuant to notice, at 10 a.m., in room 2154, Rayburn House Office Building, Hon. Tom Davis (chairman of the committee) presiding.

Present: Representatives Davis, Gutknecht, LaTourette, Brown-Waite, Porter, Foxx, Waxman, Maloney, Kucinich, Watson, Higgins, and Norton.

Also present: Representatives Moran of Virginia and Jones of Ohio.

Staff present: David Marin, deputy staff director/communications director; Keith Ausbrook, chief counsel; Rob White, press secretary; Drew Crockett, deputy director of communications; Victoria Procter, senior professional staff member; Teresa Austin, chief clerk; Leneal Scott, computer systems manager; Karen Lightfoot, minority senior policy advisor and communications director; Mark Stephenson, minority professional staff member; Earley Green, minority chief clerk; and Cecelia Morton, minority office manager.

Chairman TOM DAVIS. The committee will come to order. I am going welcome everybody to today's hearing on security standards for Federal-leased space.

The Federal Government owns or leases approximately 3.4 billion square feet of space. As the Federal Government's primary property management, GSA is responsible for a large percentage of that space, while other agencies, such as DOD have independent land holding and leasing authorities. These agencies are responsible for ensuring the safety and security of the sites they own and lease. In light of foreign and domestic terrorist attacks against U.S. targets over the past 10 years, Federal agencies have been at a heightened state of alert. In fact, the threat of terrorist attacks against Federal facilities was one of several factors that prompted GAO to include Federal property on its January 2003 high risk list. We need to take every possible measure to secure and protect Federal facilities, employees and visitors.

Now, immediately following the Oklahoma City bombing in 1995, the President directed the Department of Justice to assess the vulnerabilities of Federal facilities to terrorist attacks and recommend minimum security standards for federally occupied space.

The result was the categorization of Federal buildings into five levels based on several factors such as building size, agency mission and function, tenant population, and volume of public access. The Department of Justice also published its vulnerability assessment of Federal facilities report in June 1995, which proposed minimum securities for Federal buildings, the first time government-wide security standards were established.

In 1995, the Interagency Security Committee [ISC], was established by Executive order and is currently chaired by the Department of Homeland Security. The ISC was tasked with developing and evaluating security standards for Federal facilities and overseeing the implementation of appropriate security measures for those sites. However, these standards weren't readily applicable to leased space. So the ISC established a committee to develop its security standards for leased space which was approved by OMB in September 2004.

Meanwhile, the Department of Defense created the antiterrorism force protection standards. These standards still apply to new construction and new leased space beginning October of this year, and beginning in October 2009 they will apply to the rollover of existing leased space. We are here today because it is unclear to many of us why DOD needs its own security standards separate from those developed by the ISC. I am concerned that DOD not only developed leased space criteria that are inconsistent with the ISC standards, but does not apply them appropriately. For example, DOD used its standards to justify seemingly arbitrary recommendations to base realignment and closure commission, including a recommendation to vacate a significant percentage of its leased space in the National Capital region. I don't think any of that was in my district, for the record. I understand that other members of the committee have similar concerns in their own districts arising from DOD's inconsistent applications of its standards. DOD insists that leased space security standards and the BRAC recommendations are unrelated issues. Frankly I disagree and I anticipate we are going to hear from several members today who don't share DOD's stovepipe outlook.

Technological advances have led to improvements in the procedures machines and devices that can be employed to protect employees and visitors in public buildings, to restrict access, and to detect intruders. Part of the challenge of securing space comes from the desire to balance critical security needs with cost efficiency. While certain security technologies such as x-ray machines, magnetometers, access cards and biometrics may help ensure protection of people and buildings, they may also prove inconvenient or intrusive. Furthermore, none of these measures can be implemented in a leased site without the owner's agreement.

Given the government's reliance on leased space and the unique challenges of securing privately owned sites, the committee is interested in learning more about the development and implementation of security standards for leased space. Today we will evaluate the rationale behind the different leased space standards and how they are implemented by agencies. We are going to hear from Congressman Jim Moran and three agencies that have been actively in-

volved in the development and implementation of security standards for leased spaces, DHS, GSA and DOD.

[The prepared statement of Chairman Tom Davis follows:]

Oversight Hearing**“BRAC and Beyond: An Examination of the Rationale Behind Federal Security Standards for Leased Space”****Wednesday, July 27, 2005
10:00 a.m.****Room 2154 Rayburn House Office Building****Opening Statement**

Good morning. I would like to welcome everyone to today’s hearing on security standards for Federal leased space.

The federal government owns or leases approximately 3.4 billion square feet of space. As the federal government’s primary property manager, the General Services Administration is responsible for a large percentage of that space, while other agencies, such as DOD, have independent landholding and leasing authorities. These agencies are responsible for ensuring the safety and security of the sites they own and lease. In light of foreign and domestic terrorist attacks against U.S. targets over the past ten years, federal agencies have been at a heightened state of alert. In fact, the threat of terrorist attacks against federal facilities was one of several factors that prompted GAO to include federal property on its January 2003 High-Risk Series. We need to take every possible measure to secure and protect Federal facilities, employees, and visitors.

Immediately following the Oklahoma City bombing in 1995, the President directed the Department of Justice (DOJ) to assess the vulnerabilities of federal facilities to terrorist attacks and recommend minimum security standards for federally occupied space. The result was the categorization of federal buildings into five levels based on several factors, such as building size, agency mission and function, tenant population, and volume of public access. DOJ also published its *Vulnerability Assessment of Federal Facilities* report in June 1995, which proposed minimum security standards for federal buildings – the first time government-wide security standards were established.

In 1995, the Interagency Security Committee (ISC) was established by executive order and is currently chaired by the Department of Homeland Security. The ISC was tasked with developing and evaluating security standards for Federal facilities and overseeing the implementation of appropriate security measures for those sites. However, these standards were not readily applicable to leased space. So the ISC established a committee to develop its *Security Standards for Leased Space*, which were approved by OMB in September 2004.

Meanwhile, the Department of Defense (DOD) created the Anti-Terrorism Force Protection standards. These standards will apply to new construction and new leased space beginning in October of this year; and beginning in October 2009, they will apply to the rollover of an existing lease. We are here today because it is unclear to many of us

why DOD needs its own security standards separate from those developed by the ISC. I am concerned that DOD not only developed leased space criteria that are inconsistent with the ISC standards, but it does not apply them appropriately. For instance, DOD used its standards to justify seemingly arbitrary recommendations to the Base Realignment and Closure (BRAC) Commission, including a recommendation to vacate a significant percentage of its leased space in the National Capital Region. I understand that other Members of the Committee have similar concerns in their own districts arising from DOD's inconsistent application of its standards. DOD insists that leased space, security standards, and the BRAC recommendations are unrelated issues. Frankly, I disagree and I anticipate we will hear from several Members today who do not share DOD's stovepipe outlook.

Technological advances have led to improvements in the procedures, machines, and devices that can be employed to protect employees and visitors in public buildings, restrict access, or detect intruders. Part of the challenge in securing space comes from the desire to balance critical security needs with cost-efficiency. While certain security technologies, such as x-ray machines, magnetometers, access cards, and biometrics, may help ensure the protection of people and buildings, they may also prove inconvenient or intrusive. Furthermore, none of these measures can be implemented in a leased site without the owner's agreement.

Given the government's reliance on leased space and the unique challenges of securing privately owned sites, the Committee is interested in learning more about the development and implementation of security standards for leased space. Today, we will evaluate the rationale behind the different leased space standards and how they are implemented by agencies. We will hear from Congressman Jim Moran (VA-8) and three agencies that have been actively involved in the development and implementation of security standards for leased space: DHS, GSA, and DOD.

Chairman TOM DAVIS. Mr. Waxman.

Mr. WAXMAN. Thank you, Mr. Chairman. Today's hearing will examine the differing security standards used by the Department of Defense and by the General Service Administration for leased space. Much of the space needed for Federal office buildings, particularly in the National Capital region, is in buildings leased from the private sector. The Defense Department requires leased space to meet the security requirements used for federally owned buildings. This includes the standards for setbacks and blast protection required when the government is building new buildings.

GSA's government-wide security standards for leased space do not include the same setback and blast protection requirements. We all want Federal employees adequately protected in their place of work. While higher security standards for bases and other military installations are probably appropriate, creating separate minimum security standards for different agencies including the Defense Department civilian workforce could create unnecessary confusion. Today's hearing will provide important information on our efforts to assess the most appropriate security standards for our Federal space and I look forward to hearing from our witnesses today. Thank you.

[The prepared statement of Hon. Henry A. Waxman follows:]

Statement of
Rep. Henry A. Waxman, Ranking Minority Member
Committee on Government Reform
Hearing on
BRAC and Beyond: An Examination of the Rationale Behind
Federal Security Standards for Leased Space

July 27, 2005

Thank you Mr. Chairman.

Today's hearing will examine the differing security standards used by the Department of Defense and by the General Services Administration for leased space. Much of the space needed for federal office buildings, particularly in the National Capital Region, is in buildings leased from the private sector.

The Defense Department requires leased space to meet the security requirements used for federally owned buildings. This includes the standards for setbacks and blast protection required when the government is building new buildings. GSA's government-side security standards for leased space do not include the same setback and blast protection requirements.

We all want federal employees adequately protected in their place of work. While higher security standards for bases and other military installations are probably appropriate, creating separate minimum security standards for different agencies, including the Defense Department's civilian workforce, could create unnecessary confusion.

Today's hearing will provide important information for our effort to assess the most appropriate security standards for our federal space. I look forward to hearing from our witnesses today.

Chairman TOM DAVIS. Well, thank you very much. Members will have 7 days to submit opening statements for the record. We now recognize our first panel. It is Congressman Jim Moran from the 8th district of Virginia. Jim, welcome. Thank you very much for being with us. I know this is a hearing you have given a lot of thought to and a lot of study, and this impacts, I know, a lot of your constituents and mine in terms of convenience, cost. And you sit on the Appropriations Subcommittee on DOD, so you are going to have some say about this in the future, but we are very anxious to hear your thoughts today and thanks for being with us.

**STATEMENT OF HON. JAMES P. MORAN, A REPRESENTATIVE
IN CONGRESS FROM THE STATE OF VIRGINIA**

Mr. MORAN. Thank you very much, Chairman Davis and Ranking Member Waxman. I appreciate the opportunity to appear today and before this oversight hearing to examine DOD's building security standards for leased space and the rationale behind using those standards in the BRAC process. I would like to address the problems I foresee with the Department of Defense's approach in both the BRAC process and the larger building security standards for leased space. No. 1, the adoption of these standards were done without any public process. Second, there is a strong bias against leased space without supporting data and documentation.

And third, there is an arbitrary nature to the standards. What the message these standards sends to the Nation is troubling. And the lack, finally, unlike any other government agency of performance-based standards that would take advantage of the extraordinary wealth of innovation and technology that we have in northern Virginia and in other metropolitan areas, but particularly here around the Pentagon, that we have this available to us the opportunity to provide incentives for producing better building security methods that will make all Americans safer by using that innovation and technology, and I also say judgment because that is lacking in some of these prescriptive base standards that we are faced with.

The Department of Defense's minimum antiterrorism standards for buildings and leased space, they represent a prescriptive-based approach that deviates from the performance standards that most government agencies follow today. The new standards overlook the work of the interagency security committee security standards, it is called the ISC. They have standards for leased space that were approved less than a year ago and these DOD standards don't allow alternative means to achieve maximum security, at leased office space. They overlook how to prevent other forms of terrorist threats such as suicide bombings and chem/bio contamination and would have done nothing to prevent the attacks of September 11th.

These building standards are designed to protect against one primary threat, a truck bomb, basically a truck bomb that would hold approximately 200 pounds of TNT. It is a prescription based standard requiring all DOD agencies, military command centers, and even some private DOD contractors, to abandon their present locations in favor of new sites on military bases or in locations without underground parking and that are set back at least 82 feet from the street. It will be difficult, if not impossible, for military facili-

ties in leased space in an urban area, such as Washington or its heavily developed suburbs or any other major metropolitan area, to meet this demand. It makes no economic sense and there are better ways of doing it.

So what is at stake is more than the region's economic well-being? Fighting international terrorism requires a far greater reliance on communications between the FBI, our intelligence community, the Defense Department and the new Department of Homeland Security. These installations are based in this region for military enhancement to ensure ready access to the Pentagon, the White House and Congress, but also, to a growing public and private web of creative software development and intelligence that are critical to the 21st century threats that this Nation confronts.

It is an extraordinary assumption to believe that the kind of intelligent minds critical to this new mission will want to relocate so far from our countries high tech corridors as some of these recommendations require them to. Secured communication lines and infrastructure will be disrupted and they will take years to re-establish at the new locations. Contractors will experience fewer opportunities to collaborate and work hand in hand with the military and the weapons systems enhanced response capabilities and software innovation. Congress and key policy advisors throughout the government will be denied the direct feedback and contacts that have fostered a highly productive relationship between the military and other parts of the Federal Government and private industry.

The National Capital region has more than 8.3 million square feet of leased space, 3.9 million square feet of which is in Arlington County alone. That will be affected by these proposed BRAC recommendations. More than 8 million square feet are affected by the BRAC recommendations, and most of that is in my congressional district in northern Virginia. The BRAC recommendations on leased space approved will reduce total DOD leased space within our region by 80 percent, virtually gutting entire buildings in our region. An additional 4 million square feet of leased office space in northern Virginia that is not affected by BRAC but will also be affected though by DOD's minimum antiterrorism standards for building security.

These combined proposals represent a double punch to our region that will not only reduce available Federal lease space, but will have a devastating impact on our region's government workforce and the tens of thousands of contractors and businesses that are collocated near these agencies. The symbiotic relationship that has been created in this region has helped make our military the strongest, most technically innovative in the world. The irony is that the Defense Department's master plan for its own headquarters affirms that the Pentagon cannot meet the prescriptive building standard it seeks to impose on its satellite offices and facilities.

Its setback is not sufficient and a metro public transit center, although it was recently moved, is still less than 148 feet from the building. DOD's proposed changes will also adversely affect our military readiness if our highly trained personnel do not move with their agencies and leave the Federal workforce. Chairman Davis and I did some surveys and we found that in some cases, 50 to 75

percent of the workforce has said they will not move out of this area. Their wives are employed in other jobs here, their children are in the school system and they want to stay here.

In light of the costs and minimum added security offered by these standards, it is difficult to understand why the Department of Defense would unilaterally impose such standards and then expect the Congress and the country to foot the bill which is going to come to billions of dollars. At a meeting that Chairman Davis and I convened last week with representatives from northern Virginia's business community, and Ralph Newton, who is the principal deputy of Washington headquarters, serves as the Director of Defense Facilities, we raised several concerns with DOD's minimum antiterrorism building security standards.

And it was clear from this briefing that many questions remain unanswered concerning the Department's rationale behind its stand and why such limited criteria were used over other methods of achieving maximum building security. So I hope that today's officials will be able to shed some much needed light on the development of these standards and why they were applied to the BRAC process, which never included building security standards among its criteria.

The DOD building security standard was unfairly applied in the BRAC process in a manner that disadvantaged leased space. It seemed to be a back-door attempt by the Secretary of Defense to eliminate leased space in the National Capital region, a move which is not going to produce cost savings and could result in the loss of thousands of our most talented personnel if they do not move when their agencies relocate outside the metro corridor.

So Mr. Chairman, as you and your colleagues on this committee examine possible legislative measures, I would like to call to your attention that report language that you alluded to that I put in the 2006 Defense appropriations bill that will require DOD to issue a report by the end of the year on the cost for implementing the antiterrorism standards and which compare DOD and GSA antiterrorism standards for buildings. As a member of that subcommittee on defense, we required the Secretary of Defense to provide a report to "explain differences in criteria used by the two agencies and propose alternatives for reconciling any conflicts between the standards to ensure that managers have one set of rules for meeting Federal Government antiterrorism criteria."

I encourage this committee to also consider legislation that will further underscore this congressional intent and to examine alternative security approaches and technologies that are available to help achieve enhanced security consistently across government agencies in leased buildings.

So in conclusion, I believe the Secretary of Defense's process set out to eliminate leased space in northern Virginia. It failed to collect and compare actual data and as a result, is neither sufficiently accurate—it is not accurate in fact, nor sufficient to meet the requirements of the law. And similarly, Defense Department's minimum antiterrorism standards reflect narrow approaches to building security and do not consider the kind of technology and performance-based criteria that is readily available and could bring many more agencies into compliance for a fraction of the cost that DOD

will incur if agencies are moved out of leased space in the National Capital region.

Again, Mr. Chairman, I applaud your committee for holding today's hearings. I am happy to respond to any questions. I know that you know a great deal about this, that the two of us have worked to understand the process, understand the motivation and to represent our constituencies, many of whom are very adversely affected by this. So thanks again, Mr. Chairman.

[The prepared statement of Hon. James P. Moran follows:]

**Testimony by Congressman Jim Moran
before the House Government Reform Committee
“BRAC and Beyond: An Examination of the Rationale Behind Federal Security
Standards for Leased Space”
July 27, 2005**

Chairman Davis and Ranking Member Waxman, thank you for the opportunity to appear today and for holding this oversight hearing to examine DoD’s building security standards for leased space and the rationale behind using these standards in the BRAC process. I’d like to address the problems I foresee with the Department of Defense’s approach in both the BRAC process and the larger building security standards for leased space:

- The adoption of these standards without any public process;
- The strong bias against leased space without supporting data and documentation;
- The arbitrary nature of the standards;
- The message these standards send to the nation;
- The lack of—unlike any other government agency—performance-based standards that would take advantage of the extraordinary wealth of innovation and technology we have in Northern Virginia to provide incentives for producing better building security methods that will make all Americans safer.

Issued on October 8, 2003, the Department of Defense’s Minimum Anti-terrorism Standards for buildings and leased space represent a prescriptive approach that deviates from the performance-based standards that most government agencies currently follow. Furthermore, these standards overlook how to prevent other forms of terrorist threats, such as suicide bombings and chem-bio contamination, and would have done nothing to prevent the attacks of 9/11. They have not been subjected to public comment and, until now, have not undergone any Congressional hearings.

Effective on October 1st of this year, these standards will apply to any new construction and any new leased space, as well as any rollover of existing lease terms effective October 1, 2009. These DoD building standards are designed to protect against one primary threat - a truck bomb - but are poorly conceived. The standard is prescription-based, requiring all DoD agencies - military command centers and even some private DoD contractors - to abandon their present locations in favor of new sites on bases, or in locations without underground parking and that are set back at least 82 feet from the street. It will be difficult, if not impossible, for military facilities in leased space in an urban area such as Washington (and its heavily developed suburbs), New York, Dallas, San Diego, Miami, Boston, or any other of our metropolitan areas to meet this demand.

What kind of a message are we sending to our citizens with these kinds of security measures? That it is less safe to live in urban areas? That civilian employees of the Defense Department must have a different level of protection than CIA employees or the President or elementary school children in our communities?

What's at stake is more than this region's economic well being. Fighting international terrorism requires a far greater reliance on communications between the FBI, our intelligence community, the Defense Department and our new Department of Homeland Security. That is, these installations are based in this region for military enhancement—to ensure ready access to the Pentagon, the White House and Congress, but also to a growing public-private web of creative software development and intelligence that are critical to the 21st century threats the nation confronts.

In addition, the nature of our terrorism challenge overseas has changed. Today we rely as never before on the design of new software and technology. That imposes greater demands on critical synergies between the defense community and knowledge-based contractors and workers in the private sector. It is an extraordinary assumption to believe that the kinds of intelligent minds critical to this new mission will want to relocate far from our country's high-tech corridors. Secured communication lines and infrastructure will be disrupted and take years to re-establish at the new locations.

Contractors will experience fewer opportunities to collaborate and work hand-in-hand with the military on new weapons systems, enhanced response capabilities and software innovation. Congress and key policy advisors throughout the government will be denied the direct feedback and contacts that have traditionally fostered a highly productive relationship between the military and the other parts of federal government and private industry.

Mr. Chairman, the National Capital Region has more than 8.3 million square feet of leased space – 3.9 million square feet of which is in Arlington County alone - that will be affected by the proposed BRAC recommendations, most of which is in my Congressional district in Northern Virginia. The BRAC recommendations on leased space, if approved, will reduce total DoD leased space within our region by 80 percent, virtually gutting entire buildings in our region.

An additional 4 million square feet of leased office space in Northern Virginia not affected by BRAC, will be affected by DoD's minimum anti-terrorism standards for building security. These combined proposals represent a double punch to our region that will not only reduce available federal leased space but will also have a devastating impact on our region's government workforce and the tens of thousands of contractors and businesses who are co-located near these agencies. The symbiotic relationship that has been created in this region has helped make our military the strongest, most technically innovative in the world.

The irony is that the Defense Department's master plan for its own headquarters affirms that the Pentagon cannot meet the prescriptive building standard it seeks to impose on its satellite facilities and offices. Its setback is not sufficient and a Metro public transit center is less than 148 feet from the building.

DoD's proposed changes will not only displace tens of thousands of our nation's top military and civilian personnel located at these vital defense agencies, but will also

adversely affect our military readiness if our highly trained personnel do not move with their agencies and leave the federal workforce. In light of the costs and minimal added security offered by these standards, it is difficult to understand why the Department of Defense would unilaterally impose such standards and then expect the Congress, and the country, to foot the bill.

At a meeting that Chairman Davis and I convened last week with representatives from Northern Virginia's business community and Ralph Newton, Principal Deputy of the Washington Headquarters Service and the Director of Defense Facilities, we raised several concerns with DoD's minimum anti-terrorism building security standards. It was clear from this briefing that many questions remain unanswered concerning the Department's rationale behind its standard and why such limited criteria were used over other methods of achieving maximum building security.

I hope that today's officials will be able to shed some much needed light on the development of these standards and why they were applied to the BRAC process, which never included building security standards among its criteria. The DoD building security standard was unfairly applied in the BRAC process in a manner that disadvantaged leased space. It seemed to be a back door attempt by the Secretary of Defense to eliminate leased space in the National Capital Region, a move which is not going to produce cost savings and could result in the loss of too many of our most talented personnel, many of whom have indicated they will not move if their agencies relocate outside the Metro corridor.

Reasonable efforts toward security should be encouraged and continually reviewed. But they should be subjected to Congressional review, third-party analysis, and a formal public comment period. The management of the agencies and leased office buildings that will be affected by the Department's proposed building security standards were not approached for comment or input on what should be considered in designing more stringent security standards or how they could be reasonably met.

In addition, almost no other leased space in the country was targeted, and the Department made no effort to even determine whether the facilities they recommended for closure were compliant with those proposed building standards or could comply with minimal costs. While we can all agree that the security of our government facilities and workforce should be paramount, these standards base building security merely in terms of perimeter stand-off but fail to address the broader security challenges our nation confronts.

The Department's new standards overlook the work of the Interagency Security Committee's (ISC) security standards for leased space approved less than a year ago, and do not allow alternative means to achieve maximum security at leased office space.

Furthermore, the architects of these new building standards have never been in a meeting to defend their actions. Despite repeated attempts by Senator Warner, myself and the distinguished Chairman before me, we still cannot get anyone at DoD to acknowledge who drafted these standards and why the Secretary of Defense used them in

his BRAC recommendations despite the fact that they were not part of the BRAC criteria. Rather, it seems that there was a bias against leased space and the BRAC process provided a convenient means for the Secretary to eliminate leased space in Northern Virginia.

Mr. Chairman, as you and your colleagues on this Committee examine possible legislative measures, I would like to call your attention to report language included in the FY2006 Defense Appropriations Bill that will require DoD to issue a report by the end of the year on the costs for implementing the Anti-terrorism standards and which compares DoD and GSA Anti-terrorism standards for buildings. As a member of the House Appropriations Subcommittee on Defense, I worked to include this language that requires the Secretary of Defense to provide a report to “explain differences in criteria used by the two agencies and propose alternatives for reconciling any conflicts between the standards to ensure that managers have one set of rules for meeting federal government anti-terrorism criteria.” This report should identify DoD advanced anti-terrorism technology capabilities that can be adopted, particularly anti-blast technologies.”

I encourage this Committee to also consider legislation that will further underscore this Congressional intent and to examine alternative security approaches and technologies that are available to help achieve enhanced security consistently across government agencies and leased buildings.

In conclusion, I believe the Secretary of Defense’s selection process set out to eliminate leased space in Northern Virginia, failed to collect and compare actual data, and as a result is neither accurate nor sufficient to meet the requirements of the law. Similarly, the Defense Department’s Minimum Anti-terrorism Standards reflect narrow approaches to building security and do not consider the kind of technology and performance-based criteria that are readily available and could bring many more agencies into compliance for a fraction of the costs that DoD will incur if it moves agencies out of leased space in the National Capital Region.

Mr. Chairman, I applaud your Committee for holding today’s hearing and I look forward to hearing from the other witnesses you have invited. I am happy to respond to any questions you or members of the Committee may wish to ask.

Chairman TOM DAVIS. Thanks for being here and sharing your thoughts. Let me ask a question. As I understand the DOD guidelines, underground parking is a taboo; is that correct? Is that an absolute, as far as you're concerned?

Mr. MORAN. Well, it has to be very limited as I understand it, so that—of course, you can't have public access for underground parking. And while some employees, I believe, would be able to go through a screened process to use that underground parking, it substantially reduces the amount of parking that would be available in a metropolitan area.

Chairman TOM DAVIS. I mean, we have underground parking here in the Rayburn Building. We have it in Cannon. We have it in Longworth. And you can screen it perfectly well. But I am not sure that DOD allows this kind of flexibility. It just seems very prescriptive in its nature instead of taking a look at the overall safeguarding of the building.

Mr. MORAN. Thank you, Mr. Chairman, for making that, pointing that fact out with regard to our own security here at the Capitol which is, you would think, would be ground zero in terms of a possible threat from terrorists.

Chairman TOM DAVIS. Well, let me ask you this: You look at Rayburn, which trucks can drive right by currently. Under DOD, if we were DOD employees, they would be getting rid of Rayburn at the end of this lease, and we would have to find other space, just to draw the analogy in this case.

Mr. MORAN. We have employed judgment. You can't move the Capitol. You can't move the House offices.

Chairman TOM DAVIS. How about the Supreme Court? You can drive by the Supreme Court. But the brass gets a different standard.

Mr. MORAN. These are very important observations, Mr. Chairman, and I don't blame the professionals in the Department of Defense who are carrying this out. They are doing what they are asked to do and they are trying to provide for as much judgment and flexibility as they can. But their orders, I think, are too limiting.

Chairman TOM DAVIS. Well, let me just ask another thing. I mean, you have limited amounts of dollars. If you had unlimited amounts of dollars, I guess you could say we can go ahead and do this. But when you're spending money on this, and if you take a look at the terrorist attacks that have happened in other places and so on, and like it, I mean, you have to put everything into an appropriate context. These are dollars that you can't spend on getting, you know, protective gear for our troops in Iraq, that you can't spend on getting the best scientific equipment in some other areas, that you can't use for military pay. I mean, this is, to some extent, a zero sum gain. It's not like we have a lot of additional dollars.

So you have to be prudent. And what concerns me about this is by being so prescriptive they are basically saying just in northern Virginia and in other parts of the country, 4 million square feet has to be re-leased, obviously at higher rents. And over the long term this is billions and billions of dollars.

Mr. MORAN. It is going to be extraordinarily expensive to build these new buildings, to set aside the amount of land that will be

required for the setbacks. And they will have no use subsequently, because no private owner is ever going to want to use these buildings because of the construction premium. I don't know how long we are going to be fighting this war on terrorism, but we do need to look to the future and be cost conscious. And you made a very good point. Specifically, the money for this construction is going to have to come from the Veterans Affairs Subcommittee, the Military Quality of Life Appropriations Subcommittee.

So, in effect, it is going to be coming from compensation for our military enlistees and veterans. And I have to say it is going to be difficult for the Congress to justify spending billions on new buildings when we have a less expensive alternative. And again, what we are dealing with is only one form of terrorism, the possibility of a truck bomb. Now the General Services Administration has to build buildings in metropolitan areas. They have just built a building for the American delegation to the United Nations in New York City. New York City, you can't have an 82-foot, let alone 148-foot setback. But they built a building that, where the perimeter around it was used as a lobby, but it—they understood that a blast might go through that. But the interior was hardened with few windows, the sensitive activities were in the core of the building. The traffic management was organized so that trucks couldn't stop in front. They exercised judgment and technology and they come up with approaches that are cost efficient, but are pragmatic and nevertheless achieve the desired objective of security.

And that is what we are asking. We think that a combination of GSA's approach and DOD's concern, they are working together, the professionals themselves, if you put aside some of the people that may be—well, let me just say the professionals. If the professionals were to sit down together, the folks from DOD, who are terrific and the people from GSA I think they would come up with standards that we could not argue with. But right now, I think we have arbitrary prescriptive standards that don't accomplish a whole lot for DOD and they certainly cause very adverse economic consequences for the metropolitan Washington region.

Chairman TOM DAVIS. Well, thank you. I mean, what you end up with are buildings that are going to have the thickness and maybe the longevity of the pyramids, but it's also going to have about the same occupancy rate over the long term. I mean, you are not going to have anybody there.

Mr. MORAN. I wish I would have thought of that. I would have put it in my statement if it had occurred to me.

Chairman TOM DAVIS. Mr. Waxman.

Mr. WAXMAN. I want to thank Mr. Moran for his presentation. I think you have given us many issues to consider quite carefully. Thank you.

Chairman TOM DAVIS. Mr. LaTourette.

Mr. LATOURETTE. Thank you, Mr. Chairman. Mr. Moran, I want to thank you too. And I want to reference a hearing that happened over in the Senate when your Senator and Mr. Davis' Senator, Senator Warner, testified on this issue. And my understanding from reading the newspaper is that he was one of the authors of the BRAC legislation. And he opined that giving a bias, DOD giving a

bias to get out of leased space violated at least the spirit of the law if not the intent. Do you agree with that assessment?

Mr. MORAN. I strongly agree with that, Mr. LaTourette. I appreciate the fact of your bringing it up. Senator Warner said before the BRAC Commission that as an author of the legislation, he believed that the implementation as it is, as it affects leased space in northern Virginia, is inconsistent with the underlying BRAC law, the authority that they had. Basically they were carrying out a directive they were given, but it was not a directive consistent with BRAC's objectives which are to save money and enhance military operations to effectiveness.

Mr. LATOURETTE. I happen to agree with you. And when we receive our second panel, we have actually discovered a document from February of this year where the answer is given by the BRAC red team that yes, there was a specific DOD directive to get out of leased space. And I will have some questions about that. The other thing that I just want to comment on, I don't want to hold you. I agree completely with you and Chairman Davis.

I had a Federal employee come up to me. We have a DFAS facility in the Cleveland area near Congressman Kucinich's district and mine. And it is scheduled for closure; 1,100 jobs scheduled to go. But the Federal worker that came up to me works for the Social Security Department and the question is, why, if we have these minimum terrorism standards, is it OK for the accountants that are issuing paychecks and payroll checks for members of the Defense, a very important function, why do we have to have force protection for them, but for the Social Security, Coast Guard, Department of Labor and Veterans Affairs, they can be in this "dangerous building?" I find that to be hypocritical and I assume you would as well.

Mr. MORAN. I do. I think that is an important observation, the inconsistencies here, and the assumption that terrorists are going after bureaucrats who are doing their lives—we don't refer to them as bureaucrats, but I think they would see them as bureaucrats. I don't see that there is a whole lot accomplished by going after some of these leased office buildings. In fact, I can't imagine many terrorists knew where they were located until the BRAC Commission reported on their addresses. But it is much to do about very minimum security enhancement as far as I can say. That's an important observation, the inconsistency across the government.

Mr. LATOURETTE. I appreciate that. We just have one more piece of leverage in Cleveland, Congressman Kucinich and Tubbs Jones and I, and that is that apparently President Bush's paycheck is cut in Cleveland, and so we are thinking of stopping payment after September 8. We'll see how that works. I thank you Mr. Chairman.

Chairman TOM DAVIS. Mr. Kucinich.

Mr. KUCINICH. I want to thank Mr. Moran and associate myself with Congressman LaTourette's remarks. One of the things I think we will need to get into in the next panel is this question of the relationship between BRAC's objective of saving money, and since BRAC has determined to spread out so many functions into relatively new areas, it will be interesting to see if they took into account the increased costs of securing those areas as compared to what the costs were in the first locations.

So I want to thank my colleague for expressing his concern about the security issues involved. But security issues inevitably have a price tag, and so we have to see where the price tag comes into play on a security factor with respect to BRAC. And of course, that is what this hearing is about. So thank you, Mr. Moran.

Chairman TOM DAVIS. Any questions, Ms. Brown-Waite?

Ms. BROWN-WAITE. No.

Chairman TOM DAVIS. Mr. Porter, any questions? Ms. Norton. Jim, thank you very much. You've laid a good predicate here for the hearing and we'll take about a 1-minute recess as we move our next panel forward.

OK. Our second panel, we have Mr. Dwight Williams, the Chief Security Officer of the Department of Homeland Security; Mr. Joe Moravec, who is the Commissioner of Public Buildings Service at the General Services Administration. I just want to thank Mr. Moravec for appearing today. I am going to—I'd say congratulate you on your retirement. Let me congratulate you on a job well done. I just wish you well as you leave GSA. You have been a very bright star over there. We are going to miss you. Dr. Get Moy, the Director, Installations Resource Management, Office of the Deputy Undersecretary of Defense for Installations and Environment at the Department of Defense. And John Jester, the Chief of the Pentagon Force Protection Agency, Department of Defense. Mr. Jester testified before the subcommittee, which I chaired in 2002, and we want to thank you for being here as well. As you know it is our policy to swear in witnesses before you testify so if you would just rise and raise your right hands with me.

[Witnesses sworn.]

Chairman TOM DAVIS. Mr. Williams, we will start with you.

STATEMENTS OF DWIGHT WILLIAMS, CHIEF SECURITY OFFICER, DEPARTMENT OF HOMELAND SECURITY; F. JOSEPH MORAVEC, COMMISSIONER, PUBLIC BUILDINGS SERVICE, GENERAL SERVICES ADMINISTRATION; GET MOY, DIRECTOR, INSTALLATION REQUIREMENTS AND MANAGEMENT, OFFICE OF THE DEPUTY UNDERSECRETARY OF DEFENSE FOR INSTALLATIONS AND ENVIRONMENT, DEPARTMENT OF DEFENSE; AND JOHN JESTER, DIRECTOR, PENTAGON FORCE PROTECTION AGENCY, DEPARTMENT OF DEFENSE

STATEMENT OF DWIGHT WILLIAMS

Mr. WILLIAMS. Mr. Chairman, Ranking Member Waxman and members of the committee, thank you for the opportunity to address you today and for your ongoing support for the Department of Homeland Security. My name is Dwight Williams. I am the Chief Security Officer of the Department, and as such, I am also the new Chair of the Interagency Security Committee. Prior to this, I spent 4 years at Customs and Border Protection as the Director of the Security Programs Division, and I was director of the Office of Professional Responsibility at the Washington, DC, Metropolitan Police Department. I am pleased to appear before you today to discuss the ISC security standards for leased space. Following the bombing of the Murrah Federal Building in Oklahoma City in April 1995, the President established the Interagency Security Commit-

tee to enhance the security of Federal facilities for non-military activities. The ISC has 21 primary members, including the Departments of Justice, Defense, State, the General Services Administration, as well as 14 associate members and officials from other key agencies.

The President also directed DOJ at the time to conduct a vulnerability study assessing Federal office buildings. This study set forth specific security requirements regarding perimeter entry and interior security as well as general security planning considerations. In 1997, GSA drafted security criteria based on the DOJ study and these criteria were updated in 2001. This document, however, primarily applied to new buildings and construction. Although the DOD standards were intended for use in all federally occupied facilities, they were not readily adaptable to most leased facilities. Building owners were often reluctant to make the significant alterations in order to comply with stringent security standards.

The situation led to a double standard for owned buildings and leased buildings. As a result, the ISC established a lease security subcommittee that combined the expertise of security specialists, design professionals, engineers, architects and fire and safety specialists from member agencies. To maintain consistency, the subcommittee started with the 1995 DOJ study and the 2001 ISC standards as the basis for compiling standards for leased space. The ISC subcommittee also sought input from the real estate private sector. Subsequently, the subcommittee issued a proposed draft in July 2003. Following an analysis of the costs involved, the full committee approved the lease standards and they were issued in February 2005. It is important to recognize that the security standards for leased space establish the recommended minimum security requirements for protecting Federal facilities while providing the agency the ability to tailor security to their mission as well as threats and vulnerabilities. They do not prohibit an agency from imposing more stringent security requirements.

The ISC security standards do not establish a single one-size-fits-all standard for every leased Federal facility. Our goal is to ensure that we have an effective program for securing lease space utilizing a risk management approach based on three primary factors as recently articulated by the Secretary. That is threat, vulnerability and consequences. The ISC recognized that resources are limited within the government and therefore, the ISC aimed to strike a balance between security and feasibility. One purpose is to educate Federal agencies regarding what minimum standards are prudent in order to make informed security decisions. They are not intended to substitute ISC's judgment for the agency's own. These security standards represent a living document that will be reviewed regularly at ISC meetings and updated as threats evolve and additional issues are identified.

Further, DHS is pursuing ways to implement these standards at its own facilities. The Department is working with other stakeholders to communicate these standards, and the Federal Protective Service is already using the lease standards in conducting vulnerability assessments of Federal buildings.

In closing, I would like to thank the committee, again, for the opportunity to appear before you today. The security of Federal em-

ployees is of paramount importance to the Department of Homeland Security, and we will continue to ensure that every effort is made to provide them with government facilities that are designed and constructed with their security in mind. I would now be pleased to answer any questions that you may have.

Chairman TOM DAVIS. Thank you very much.

[The prepared statement of Mr. Williams follows:]

**Statement of Dwight Williams
Chief Security Officer
Department of Homeland Security
Before the House Committee on Government Reform
July 27, 2005**

Mr. Chairman, Ranking Minority Member Waxman, and members of the Committee: Thank you for the opportunity to address you today and for your ongoing support of the Department of Homeland Security's efforts to keep America secure.

I am Dwight Williams, the Chief Security Officer for the Department of Homeland Security, and, as such, I am also the Chair of the Interagency Security Committee (ISC). I am honored and pleased to appear before the House Government Reform Committee today to discuss the ISC's "Security Standards for Leased Space," our process for developing these standards, and our efforts to implement them.

Background on the Interagency Security Committee

The bombing of the Federal building in Oklahoma City on April 19, 1995, painfully illustrated the need for effective and consistent standards for the security of our Federal facilities. In the aftermath of the attack, an Executive Order was issued to establish the Interagency Security Committee to enhance the quality and effectiveness of security and protection of Federal buildings and facilities for nonmilitary activities, and to provide a permanent body to address Government-wide security issues for these Federal facilities.

Specifically, the duties and responsibilities of the ISC are to:

- Establish policies for security and protection of Federal facilities;
- Develop and evaluate security standards for Federal facilities;
- Develop a strategy for ensuring compliance with such standards;

- Oversee the implementation of appropriate security measures in Federal facilities; and
- Take actions to enhance the quality and effectiveness of security and protection at Federal facilities.

There are 21 primary members of the ISC and 14 associate members. The ISC is composed of representatives from every Federal department (including the Departments of Justice, Defense, State, and the Treasury), as well as officials from other agencies with key roles in setting security policy for the Federal Government. Executive Order 13286 transferred the functions and responsibilities of the ISC to the Department of Homeland Security, designating the Secretary of Homeland Security as the Chair of the ISC. The Secretary has, in turn, delegated this authority to me, as the Chief Security Officer of the Department.

When the Oklahoma City tragedy occurred in April 1995, the Government had not established building security standards for either Federally-owned or leased buildings. At the direction of the President, the Department of Justice completed a study shortly after the bombing to assess the vulnerability of Federal office buildings in the United States -- particularly with respect to acts of terrorism and other forms of violent activities. The Department of Justice study recommended minimum security standards for these Federal buildings, setting forth specific security requirements regarding perimeter, entry, and interior security, as well as general security planning considerations.

In 1997, the General Services Administration (GSA) compiled draft Security Criteria based on the Department of Justice standards. In a series of working group discussions, the ISC updated the criteria by incorporating recommendations based upon

the experiences of agencies, cost considerations, and technological innovations. This effort resulted in the ISC issuing formal Security Design Criteria for New Federal Office Buildings on May 30, 2001. As the name implies, these standards applied primarily to new buildings and construction.

Challenges of Leased Space and Development of Security Standards

Although the standards established by the Department of Justice study were intended for use in all Federally-occupied facilities, they were not readily adaptable to most leased locations. Building owners were often reluctant to make the significant alterations required to comply with stringent security standards, wary of the considerable expense involved. In addition, owners were concerned that non-Federal tenants may seek office space elsewhere, so that their employees and customers would not be inconvenienced by security measures. A recent Government Accountability Office report on Protection of National Icons and Federal Office Buildings issued last month confirmed the difficulty of these challenges in negotiating security for leased facilities.

This situation created what was essentially a double standard for *owned* buildings, which were required to comply with the security standards, and *leased* buildings, to which the ISC standards did not apply. In order to resolve this inequity, the ISC members established the "Lease Security Subcommittee" to develop a set of standards specifically for leased facilities. This Subcommittee consisted of experts from the Departments of Defense, Homeland Security, Justice, Transportation, and Health and Human Services, GSA, and other Government agencies. These participants were members of a multi-profession team that included security specialists, design professionals, engineers, architects, and fire and safety specialists from the member

agencies. The GSA Real Property Officer was designated as Chair of the Subcommittee with oversight by the Executive Director of the ISC.

To maintain consistency, the Subcommittee used the 1995 DOJ study and the 2001 ISC security standards for new buildings as the basis for compiling standards for leased space. The ISC Subcommittee also sought input from the real estate private sector. For example, the Subcommittee presented the proposed standards at Roundtable Sessions held in Washington D.C., Chicago, San Francisco, and New York. These sessions opened a dialogue between the Federal Government and prominent real estate holders who leased substantial amounts of office space to the Federal Government in each of these four cities. The comments received were valuable and allowed for the development of standards that provide the tightest security reasonably attainable and affordable within the marketplace.

In addition to the Industry Roundtable Sessions, the initial draft of the standards for leased facilities was sent to all of the Departments and agencies represented on the ISC, which in turn disseminated the document to their field offices for review and consideration. Through collecting and reviewing the feedback from these agencies, the ISC was able to further refine the standards to ensure that the standards would be both feasible and effective. Subsequently, the Subcommittee issued a proposed draft in July 2003. Following a careful analysis of the costs involved in implementing the standards, the Subcommittee approved a final draft in July 2004 and forwarded the draft to the full ISC for final approval.

The ISC formally approved the Security Standards for Leased Space on September 29, 2004, and the former Chair of the ISC (my predecessor) issued the

approved document on February 10, 2005. This product is the result of the efforts of many individuals, and it is a living document that will be reviewed annually at ISC meetings and updated as threats evolve and additional issues may be identified. The ISC continues to seek input from interested stakeholders and welcomes proposed suggestions for consideration.

Application of Security Standards

Federal agencies face a range of security threats that is limited only by the imagination of our adversary. In the last decade, we have seen an aerial suicide attack, a biological attack on a post office, and shootings at our courthouses. While explosives are often used by our attacker, we must be prepared to deal with a variety of dangers, including chemical, biological, and radiological threats. The Security Standards for Leased Space are aimed to address these various perils.

Importantly, the Security Standards for Leased Space establish the recommended *minimum* security requirements for protection of a Federal facility, while providing agencies the necessary flexibility to address specific additional security threats or vulnerabilities. They do not prohibit an agency from imposing more stringent security requirements.

One purpose of the standards is to educate Federal agencies regarding what minimum security standards are prudent, in order to make informed security decisions. They are not intended to substitute the ISC's judgment for the agency's own in dictating what precise security measures are appropriate for a particular facility. Deciding how to best protect any specific location requires an individualized threat and vulnerability assessment and consideration of a variety of factors on a case-by-case basis. The ISC

standards grant agencies the flexibility to do just that, while at the same time ensuring that minimum security standards are met.

The ISC Security Standards adopt a balanced approach for agencies. They do not establish a single, one-size-fits-all standard for every Federal leased facility across the nation. Indeed, the Standards impose security requirements commensurate to the threat, vulnerability, and consequences of a successful attack on that facility. The ISC recognized that resources are limited within the Government, and we must be good stewards of the American taxpayer dollar. The need to keep our federal buildings open and accessible to the visiting public was also taken into account. Therefore, the ISC aimed to strike a prudent balance between security and feasibility. Accordingly, the Security Standards initially require a security specialist to determine the appropriate level of risk a Federal leased facility faces. There are four levels of criticality:

- A Level IV facility has over 450 Federal employees and typically has more than 150,000 square feet; high-volume of public contact; and tenant agencies may include high-risk law enforcement and intelligence agencies, courts, judicial offices, and highly sensitive Government records.
- A Level III facility has between 151 and 450 Federal employees and typically has from 80,000 to 150,000 square feet; a moderate to high volume of public contact; and tenant agencies may include law enforcement agencies, court related agencies and functions, and Government records and archives.
- A Level II facility has between 11 and 150 Federal employees and typically has from 2,500 to 80,000 square feet; a moderate volume of public contact; and Federal activities that are routine in nature similar to commercial activities.

- A Level I facility has 10 or fewer Federal employees and typically has 2,500 square feet or less of office space; and minimal public contact or contact with only a small segment of the population.

Once the security specialist has determined the appropriate security level of a particular facility, the Security Standards for Leased Space set forth the specific security requirements for these levels regarding five areas of concern: perimeter security, entry security, interior security, administrative procedures, and blast setback standards.

For example, the perimeter security standards prescribe requirements for securing the outside of the facility through vehicle inspections, garage access controls, exterior lighting, close circuit television monitoring, shatter-resistant materials, and similar measures. Entry security standards set forth the control of public lobbies and entryways through means such as security guards, magnetometers, X-ray machines, mail screening devices, and intrusion detection systems. Interior security includes control of access to the facility by visitors and securing restricted areas within the facility, while administrative procedures cover coordination with building managers and personnel security assurance.

Blast setback standards specify the desired distance from the facility to the nearest point of an explosion. This last area of concern – blast setback distance – is the most challenging for leased facilities, as the Government has few practical options for prescribing a blast setback distance for a building that already exists in a dense, urban environment.

Recognizing the limitations inherent in imposing security standards on leased facilities, the degree to which the standards must be applied depends on the particular

situation, whether it involves a new lease in an existing building, a new lease in a new building, or an existing lease that the Government has already entered. For new leases in existing buildings, the Security Standards must be met, except for those regarding blast setback. For new leases in new buildings, all of the Security Standards must be met, including those for blast setback, and the project must also meet the ISC standards for new buildings. For existing leases, every effort should be made to meet the Security Standards based upon a case-by-case assessment, recognizing that certain standards may not be feasible.

Implementation of the Leased Standards

The Department of Homeland Security is actively pursuing ways to implement these standards at its facilities. Our goal is to ensure that we have an effective program for securing leased facilities, using a risk-management approach based on three primary factors, as recently articulated by the Secretary: (1) threat; (2) vulnerability; and (3) consequences. As you can see, the level of security articulated in the ISC standards correspond directly to the level of risk incurred at each facility, particularly focused on events of mass consequence with the greatest damage.

Now that the agencies have received the February 2005 final standards, they are in the process of conducting the necessary risk assessments on their facilities in order to apply the standards. In addition, the Department of Homeland Security's Chief Administrative Officer has been working with other stakeholders to communicate and implement these standards throughout the Department. Further, the Immigration and Customs Enforcement, Federal Protective Service, is already using the Security Standards for Leased Space in conducting vulnerability assessments of Federal buildings.

Also, the Department of Homeland Security, through the ISC, is working with other Departments and agencies to promote the application and implementation of the security standards for leased facilities. For instance, the GSA is incorporating the standards into its operations, requiring that the standards be included in Solicitations for Offers for new leased facilities. In addition, the ISC members have provided positive feedback regarding the leased standards, and the ISC will monitor the progress.

In closing, I would like to thank the Committee again for the opportunity to appear before you here today. The security of our Federal employees is of paramount importance to the Department of Homeland Security, and we will continue to ensure that every effort is made to provide them with Government facilities that are designed and constructed with their security in mind. The Security Standards for Leased Space developed by the ISC membership establish consistency between Federally-owned and leased space, while also providing the flexibility for agencies to decide what additional security measures may be needed for a particular building or facility.

I would now be pleased to answer any questions you may have.

Chairman TOM DAVIS. Mr. Moravec.

STATEMENT OF F. JOSEPH MORAVEC

Mr. MORAVEC. Good morning, Chairman Davis and members of the committee. Thank you, Mr. Chairman, for your gracious acknowledgment of my service. It has been my high honor to serve our President and our country. My formal statement has been previously submitted, and I would ask that it be entered into the record of these proceedings. If I may, I would like now to highlight its salient points. The mission of the Public Building Service is to provide a superior workplace for the Federal worker and superior value for the American taxpayer. A superior workplace obviously means a safe and secure workplace including one that is as secure as we can make it against a terrorist attack. The Oklahoma City bombing changed forever the way in which we design, build and operate Federal buildings in the face of such threats to Federal workers and the millions of Americans who visit our buildings every day to do business with their government.

While the best defense against a terrorist attack is foreknowledge, provided by coordinated criminal intelligence sources, we are also committed to taking every feasible precaution to defend against and mitigate the effects of terrorism at every building under our control. In doing so, we attempt to achieve a balance between security countermeasures and the other elements that constitute a superior workplace supportive of the missions of our customers' agencies. These elements would include location, accessibility to other agencies and the public, functionality, aesthetics, energy efficiencies, sustainability and integration with the life of surrounding communities at a cost that represents good value for the American taxpayer.

For example, to avoid creating an impressive climate of fear at Federal buildings, we try to design buildings whose architecture first welcomes and then challenges visitors. And because it is possible to spend lavishly on building security without necessarily reducing the threat, we try to tailor security counter measures that address a particular building's perceived vulnerabilities to craft a package of physical upgrades and operational procedures that will actually reduce the threat to that particular building and its occupants.

Because the value of innocent human life is beyond measure, whether it is an owned or leased Federal space, GSA led the effort, under the auspices of the Interagency Security Committee, to develop security criteria for leased Federal space based as closely as possible on the 1995 Department of Justice vulnerability study and the ISC's security design criteria for Federal construction.

The effort was also, in part, in response to requests from the commercial industry to establish a reliable and consistent security baseline for landlords competing for Federal leases. This is critical to government in that we rely on the private sector to house nearly half of the civilian Federal workforce. Just as for their own Federal space, the ISC standards for leased space which have been circulating in draft form for the past 2 years and which were formalized in February of this year require respondents to government solicitations for office space to meet an escalating hierarchy of security

requirements, levels one through four, based on square footage, size of tenant population, intended use and the security profile of the tenant agency.

While the security of our people was and, of course, is the paramount consideration, the ISC subcommittee which drafted the leased space standards did not want to produce a prescriptive one-size-fits-all document that would be impossible for the private sector to respond to. The committee consulted extensively with industry to develop standards that could both be tailored to an agency's particular needs and that could be applied in the real market place in a way that was consistent with procurement law.

Cost was definitely a consideration. It's one thing for government to incorporate setbacks and obstructions to vehicular access, hardened curved walls and add a progressive collapse structural design in buildings that it owns. It's another for the private sector to do so in a speculative building and still be competitive. The lease standards are meant, as Mr. Williams has testified, to be minimums to be incorporated into solicitations for offers. Landlords not meeting the criteria are considered to be nonresponsive. Any customer agency, including the Department of Defense may, upon consultation with us, request that higher standards be established in response to perceived particular vulnerabilities and in build-to-suit competitions, new buildings designed for lease, exclusively for the government, must achieve the same security design criteria required for Federal construction.

In preparation for a lease solicitation the GSA realty specialists, in consultation with the customer, craft a program of requirements. The Department of Homeland Security represented by the Federal Protective Service provides threat assessment input based on its security evaluation. GSA provides, at that time, information about what is available in the marketplace and then the appropriate ISC level of security is established for the purposes of the solicitation. Although the ISC standards are just now being incorporated into lease solicitations, it's anticipated that the market will be able to respond well and competitively to level one through three acquisitions.

Level four, which requires full security control by government and dedicated heating ventilating and air conditioning for lobbies, mailrooms and loading docks, will present, we think, some challenges in most markets. Fortunately, level four requirements represent a very small percentage of our anticipated lease procurements in the years ahead. This concludes my prepared oral statement. I am, of course, prepared to answer whatever questions you may have of me.

Chairman TOM DAVIS. Thank you very much.

[The prepared statement of Mr. Moravec follows:]

**STATEMENT OF
F. JOSEPH MORAVEC
COMMISSIONER
PUBLIC BUILDINGS SERVICE
U.S. GENERAL SERVICES ADMINISTRATION
BEFORE THE
COMMITTEE ON GOVERNMENT REFORM
U.S. HOUSE OF REPRESENTATIVES**

July 27, 2005



Chairman Davis and members of the Committee, my name is F. Joseph Moravec and I am the Commissioner of the Public Buildings Service at the General Services Administration. I am here today to discuss security standards in Government leased space and, specifically, the implementation of the Interagency Security Committee's (ISC's) standards.

GSA Security Philosophy

GSA manages a diverse portfolio of real estate for the Federal Government—over 340 million square feet of space in office buildings, courthouses, border stations, and warehouses. We serve nearly 60 agencies (consisting of more than 400 bureaus), the U.S. Courts, and Congress. Providing secure facilities for our client agencies, their customers, and the visiting public is of paramount concern for us.

GSA strives to manage the delicate balance between security and openness in Federal buildings. Federal buildings need to be inviting to the citizens of this country, but very secure at the same time. GSA is forward-looking in its federally owned and leased architecture—showing that modern public architecture can be made safer yet still reflect the democratic qualities of openness and transparency.

Security considerations are an integral part of our lease procurement process. In developing security requirements, a multi-disciplinary team determines the appropriate criteria for each leased project, based on a security assessment of the client and an analysis of all available information on threats and vulnerabilities as well as constraints imposed by budget and location.

Our goal is to develop a meaningful program of security requirements that considers clients' needs and the availability of those requirements in the marketplace.

Overview of FPS-GSA Relationship

GSA's primary partner in providing secure facilities for our clients is the Department of Homeland Security. GSA coordinates with various DHS entities to accomplish different security related goals for the facilities we own and lease. The DHS components include the Federal Protective Service, the Interagency Security Committee and DHS' Office of Security. DHS's Federal Protective Service (FPS) provides law enforcement and physical security services, including security assessments at Federal buildings that are in GSA's portfolio, and is instrumental in developing and implementing the security program for all of our clients' space needs.

On March 1, 2003, FPS was transferred from GSA to DHS. We have focused significant effort toward assisting FPS's transition, specifically on their contracting capacity for guard service and their ability to appropriately acquire and maintain necessary security equipment on behalf of client agencies. A Memorandum of Agreement (MOA) between FPS and GSA that outlines our roles and responsibilities has governed our relationship. FPS and GSA are currently working together on a revised MOA that will further outline our relationship and responsibilities. This will enhance security provided to our clients and the properties they occupy.

History of ISC and GSA

The horrific bombing of the Alfred P. Murrah Building in 1995 focused attention on the vulnerability of our public institutions to terrorist threats and forever altered the way the Government views security in its buildings. In addition to the development of the Justice Department's *Vulnerability Assessment* that same year, Executive Order (EO) 12977 was issued. This EO created the Interagency Security Committee (ISC), composed of 21 Federal agencies, including GSA, "to establish policies for security in and protection of federal facilities."

The ISC produced the Security Design Criteria in 2001, which addressed security standards in new construction. At that time, GSA also concluded that security standards were needed for our leased facilities—standards that were informed by a client agency's risk, the vulnerability profile, and product availability in the marketplace. To that end, GSA initiated a subcommittee within the ISC composed of representatives from FPS, Department of Defense (DOD), Internal Revenue Service (IRS), Social Security Administration, Health and Human Services, Department of Transportation, the Department of Justice and the Federal Courts. We pursued a collaborative approach, working with the subcommittee members, vetting our progress with our regional offices and client agencies, and obtaining the perspective and contribution of private sector commercial building owners and managers. ISC issued a draft report in June 2003, and formally issued the end product, Security Standards in Leased Space, in February 2005.

Description of Leased Space Standards

The ISC standards provide a consistent and considered level of security to Federal tenants in leased space. This level of security is commensurate with the tenant agency's mission-specific risk and vulnerability, including the necessity and degree of public access to the facility, as well as conditions in the market.

The ISC standards are categorized into four levels based on inputs such as client mission, size of the space requirement, number of employees, and use of space. The stringency of security measures increases incrementally by level, ranging from secured utility areas and window glazing, at the low end, to full building control that includes the right to inspect, deny access, and remove persons and vehicles. For example, a Level II occupancy may need no more than adequate lighting, locks, emergency power, shatter-resistant windows, and controlled access to utility areas and the roof. By comparison, a Level IV occupancy will include those requirements plus additional requirements for guard service, magnetometers, control over public areas and parking,

surveillance and intrusion detection systems, inaccessible air intakes, and dedicated HVAC.

The ISC requirements at each level are minimums, but any agency may select certain elements from a higher level for incorporation into its program. For example, a Level II occupancy, such as a field office, may decide that guard service and magnetometers are appropriate because of the type of business they conduct and/or the location of the facility.

When a Federal agency launches a search for new or replacement leased space, a collaborative effort between the agency, FPS, and GSA begins. FPS conducts a security evaluation for the client, and an appropriate level of security is determined that will guide the procurement from the market survey through to occupancy. GSA also provides current market and real estate information for consideration the client agency. The goal is to develop a meaningful validated program of security requirements for clients through this process.

The ISC recognizes that not all standards are achievable in all markets, and they allow for alternative risk mitigation strategies in the event that no market solution is available. Where standards are unobtainable, the standard becomes to achieve the best security solution available.

The standards recognize that the Government procures space in a commercial marketplace. The standards are not intended to force location decisions contrary to the client agency's mission requirements, and they do not preclude leasing in central business areas (CBA's).

Although we anticipate that ISC's process for setting an informed and appropriate level of security will accommodate the needs of Federal agencies and departments, I will

note that, if there is substantial demand for the most stringent security elements and countermeasures, it may pose particular procurement challenges. As the Government Accountability Office (GAO) pointed out in their June report, certain standards at Level IV "may put the government at odds with private lessors and other nonfederal occupants." In particular, the Level IV standard that requires Government control of entrances, common areas, and parking areas—with the right to inspect, deny access, and remove persons and vehicles—may receive less interest from the market and, thus, be less competitive. One solution to such a scenario may be to consolidate agencies with similar security profiles to achieve efficient and cost effective full-building occupancies.

As you know, DOD has also promulgated its own security standards, known as the *Unified Facilities Criteria*. Where called to act on behalf of DOD, GSA will treat these standards like any other program requirement and will seek to obtain leased space meeting those standards. As with all our procurements, we will advise the client on the likelihood of success, potential location outcomes, and likely costs before issuing solicitations to procure space.

Conclusion

In conclusion, I will reiterate the importance of recognizing that securing leased space for Federal agencies must be driven by several key factors, including mission-specific inputs, and the constraints imposed by location and budget. We believe the ISC standards for leased space provide a practical approach that will allow Federal agencies to fulfill their mission in secure facilities.

Mr. Chairman, that concludes my prepared statement. I will be pleased to answer any questions that you or Members of the Committee may have.

Chairman TOM DAVIS. Dr. Moy, thank you for being with us.

STATEMENT OF GET MOY

Dr. MOY. Mr. Chairman, distinguished members of the committee, we appreciate the opportunity to present the Department of Defense's antiterrorism force protection standards for leased spaces. We have a written statement and with your permission, we will submit it for the record. I'll just spend the next few minutes to highlight the issues that we're going to discuss today. I also would like to recognize three members of the DOD team here that participated in those standards and worked with the rest of the Federal Government.

John Jester who is the Director for Pentagon Force Protection, Ralph Newman, who is the Deputy Director for Washington Headquarters Services, and Joe Hartman who is the structural and security engineering team leader at the U.S. Army Corps of Engineers. Force protection is an extremely important subject matter for all of us at all times. Back in the—with the terrorist threat and bombing at Khobar Towers in 1996 after that the Department renewed its emphasis on developing criteria on how it could protect its mission and its personnel against terror threats.

As a result, it issued a series of documents, first in 1999, a document focusing on construction. In 2002, it issued what we now call the Unified Facilities Criteria. Included in that issue was the standards for leased spaces, and the current issue was last put out in 2003. In comparison, the Interagency Security Committee guidelines for federally owned facilities, were put out in 2001 and for leased facilities was recently signed out in February of this year, 2005. In terms of the discussion of the ISC guidelines versus the Unified Facilities Criteria, I would submit to the committee to go back to the roots of these documents. The ISC was established by Executive order in 1995 with a basic focus on buildings and facilities for Federal employees for non-military activities. And it covers a great range of security issues in the guidelines.

The Unified Facilities Criteria, however, was specifically developed in response to protect personnel as a mission against terrorist threats. And it is very specific in terms of application for lease spaces in the case of where we have more than 11 people, 11 DOD employees in a building or any part of a building, and where the DOD components of that building is 25 percent or more of the population, so it is very specific in terms of its application.

The specific focus in terms of contrast between ISC guidelines and Unified Facilities Criteria has to do with the set-off distances and the blast mitigation. The Department feels that vehicle-borne threats are very much a security threat to the Department that must be considered in any security plan. And that is why there is such a heavy emphasis on design and construction and setback distances. There is allowances in the Unified Facilities Criteria to deal with alternative ways of meeting that setback distance and the blast mitigation using the technologies.

Implementation of the UFC requirements is fairly straightforward for new construction. It is difficult for existing construction. While there are many challenges we have, the Department has had a number of developers approach us in terms of offering

different ways in which they can provide the blast mitigation, the setback distances and provide solutions for the Department, meeting the Department's requirements. I appreciate the opportunity in addressing the subject. We look at the ISC standards and guidelines as addressing those concerns for Federal employees that are doing non-military activities. The UFC specifically focused on protecting the mission and personnel against terrorist threats, the professionals from both communities continue to work with each other, talk with each other. We extend our efforts and our partnership in working with the ISC professionals as well as the private industry in enhancing, making better risk based assessments, analyses, mission assessments, capability enhancement as well as protecting our people. Thank you.

Chairman TOM DAVIS. Thank you very much.
[The prepared statement of Dr. Moy follows:]

HOLD UNTIL RELEASED
BY THE COMMITTEE

Statement of

Dr. Get W. Moy

Director, Installations Resource Management

Office of the Deputy Under Secretary of Defense, Installations & Environment

John Jester

Chief, Pentagon Force Protection Agency

Before the U.S. House of Representatives

Committee on Government Reform

July 27, 2005

Mister Chairman and distinguished members of this Committee, we appreciate the opportunity to appear before you today to address the Department of Defense (DoD) anti-terrorism and force protection (AT/FP) standards for leased space.

Force protection has always been a high priority for the Department. After the Khobar Towers terrorist act in 1996, the Department put renewed emphasis on protecting its people from terrorist attacks. The current Minimum Antiterrorism Standards were initially issued as interim standards in December 1999, then revised extensively and issued as Unified Facilities Criteria (UFC) 4-010-01 in July 2002. The UFC was subsequently revised in October 2003, primarily for clarifications. The interim standards were applicable only to new military construction projects; applicability to leased facilities was added to the 2002 UFC edition.

In comparison, the Interagency Security Committee (ISC) initially issued security guidelines for federally owned buildings in May 2001. These were based on recommendations following the bombing of the Alfred P. Murrah Federal Building in Oklahoma City. Guidelines for application to leased buildings were finalized and approved in February 2005.

As established by Executive Order (EO) 12977, the ISC addresses the security and protection of buildings and facilities in the United States occupied by Federal employees for non-military activities. The ISC guidelines cover many types of threats, including simple criminal activity; as well as a full range of security measures: building improvements, screening

equipment, identification cards, etc. The scope of UFC 4-010-01, however, is specifically for threats as they impact building design and construction.

With respect to development of ISC's security standards for leased space, DoD did participate from both a design and construction standpoint as well as a security standpoint. For many of the areas where the UFC and the ISC guidelines overlap, we were able to achieve consistency, but one difference is in the area of standoff and blast mitigation. The Department has determined that vehicle-borne explosives are a significant threat and must be addressed in any security plan. Standoff and blast mitigation requirements are derived from building type, location, threat assessment, occupancy, proximity to other buildings, etc. Therefore each instance would have an entirely different standoff and blast mitigation requirement. ISC guidelines permit agencies to identify and increase the level of security requirements unique to that agency.

When DoD issued its minimum standards in 2002, ISC had no security requirements for leased space. Employing a risk-based assessment, the Department considers UFC 4-010-01 appropriate as the basic security requirement for leased buildings. DoD believes that personnel occupying leased buildings deserve the same level of protection as those in DoD-owned buildings. Implementation of these standards is therefore mandatory for all facilities leased for DoD use and for those buildings in which DoD receives a space assignment from another government agency except as established below. This requirement is intended to cover all situations, including General Services Administration space, privatized buildings, and host-nation and other foreign government buildings. These standards only apply where eleven or

more DoD personnel occupy at least 25 percent of the net interior useable area of the entire facility and then only to the area of the building that is occupied by DoD personnel. If these conditions exist, then implementation timeline is as follows:

1. New leases starting in Fiscal Year 2006 – any new lease entered into after September 30, 2005.
2. Renewal of existing leases starting in Fiscal Year 2010 – a current lease that is renewed after September 30, 2009. Leases in effect as of September 30, 2009, can remain in effect until they expire.

The implementation of DoD Anti-terrorism standards is particularly difficult for existing buildings if the buildings are currently occupied. Unless the required standoff distances are met, most commercially marketed buildings would require expensive and invasive retrofits to the building structure and envelope to meet or mitigate blast resistant requirements. Construction of new buildings provides an opportunity for the structural requirements to be incorporated. A developer must still assess the financial risks associated with developing a property speculatively at the increased costs associated with these improvements. If a DoD tenant cannot be attracted to these facilities through a successful solicitation response the additional investment could dramatically affect the profitability of the overall project. While the challenges are many, there are developers approaching DoD with projects that can meet or substantially meet these standards.

In closing, Mister Chairman, we sincerely thank you for this opportunity to address the Department of Defense (DoD) anti-terrorism and force protection (AT/FP) standards for leased space. Force Protection is an important issue for everyone at all times. EO 12977 recognized the need to establish security and protection requirements in buildings and facilities occupied by Federal employees for non-military activities. We have and will continue to consult extensively with the ISC and our private sector partners to look for ways to improve our risk-based analyses, mission assessment, enhance capabilities, and protect our people.

Chairman TOM DAVIS. Mr. Jester, you are here for questions, is that to answer questions? Do you want to make any statement?

Mr. JESTER. No, sir. It was a joint statement.

Chairman TOM DAVIS. OK. Thank you very much. Mr. LaTourette, you served on the Transportation and Infrastructure Committee. You actually served as subcommittee chairman on building consulting. Why don't we start the questioning with you.

Mr. LATOURETTE. I thank you very much, Mr. Chairman, for the courtesy, and Mr. Moravec, I'd add to the congratulations the chairman lauded on you, and I want you to know I'm sorry for taking your Federal building fund money in the transportation bill. A couple of observations. I mentioned when Congressman Moran was here that we are having a little bit of a problem with understanding what it is the Department of Defense did relative to the city of Cleveland. It is clear to me, at least, and I think to my colleagues from Cleveland, that from internal BRAC documents I don't think Cleveland ever stood a chance because it was penalized for not meeting these minimum antiterror standards 4 years before they need to be implemented.

And it is also clear to me that I don't think Cleveland received a fair break relative to how its lease was evaluated. I want to talk to you a little bit about that Mr. Moravec, if I could start with you. The staff at GSA has informed us that GSA operating cost, not the shell rate that you charge, and it includes maintenance utilities and janitorial services, is that correct?

Mr. MORAVEC. That is correct.

Mr. LATOURETTE. Do GSA operating costs, not the extra cost but the actual operating costs ever include things like joint use of space, parking, or antennae? Are those part of your operating costs that you pass along to your tenants?

Mr. MORAVEC. I am not sure whether they are included as part of our operating cost, but they're certainly included as part of the rent.

Mr. LATOURETTE. OK. Do operating costs ever include overtime or communications?

Mr. MORAVEC. Communications.

Mr. LATOURETTE. But not overtime?

Mr. MORAVEC. I would have to research that before giving you an answer.

Mr. LATOURETTE. OK. The difficulty that we have in this process is that my understanding of the cost of the space is about 20 percent of the BRAC calculation that was used. And a new lease was signed in Cleveland, and you can throw in all of the extra cost. It's \$19 a square foot and change. It's competing against Indianapolis. And in 1996, somebody, we could speculate who the powerful people are in Indiana secured a \$123 million to rehab the former, I think, Fort Benjamin Harrison.

And now GSA, even though that is a GSA building because it was a closed DOD building after the last round of BRAC, is charging it a suppressed level of rent under something called an ISA, an interservice. Can you tell me how that—isn't rent rent?

Mr. MORAVEC. Well basically, occasionally we will make arrangements with a customer agency who provides their own funding for the rehabilitation, and in this case of the Bean Building in Indian-

apolis, we adjust the rent to reflect their economic contribution to the building.

Mr. LATOURETTE. I would assume that there are many Federal buildings in your inventory that don't currently meet the DOD minimum antiterror standards that we are talking about today.

Mr. MORAVEC. That is correct.

Mr. LATOURETTE. And then, Dr. Moy, maybe you are not the right guy from DOD, but the building that we are talking about in Indianapolis, meets the new stringent antiterror standards, but it doesn't have the best terror assessment rating and it doesn't appear to be, it's ninth in terms of military value. Are you aware of the Indianapolis facility at all?

Dr. MOY. Sir, I did not participate in any of the BRAC discussions or deliberations.

Mr. LATOURETTE. OK. Well, let me ask you two questions that maybe you can help me with. I think you have in front of you a document that is dated February 21, 2005. And that document is from the headquarters and support activities joint cross service group briefing from that particular date. And anybody is welcome to jump in if you can give me an explanation. If you look down on the second page, under the bold heading, Informal Observations provided at the briefing, the eighth bullet point, it says DFAS could be your Achilles heel since you close installation with the highest military value and keep the lowest. The explanation for doing so needs to be strengthened, at least to make sure it's closely tied to the discussion about optimization models. Can anybody help me understand what that means in DOD language? Can anybody help me with that one?

Dr. MOY. No, sir. I can try to get a response for the record, but I am not aware of that.

Mr. LATOURETTE. If you could, I would appreciate it. And then again further down, three more bullet points down, it says that HSA, which is headquarters, support activities, and then the code for DFAS justification needs to be linked to strategy. You need to say up front that closing highest military value location, because otherwise, the MILCON costs would have been huge. Does anybody have any light that they can shed on that particular? No?

Dr. MOY. No, sir.

Mr. LATOURETTE. Well, let me just ask a final question then that I was talking to Congressman Moran about. I assume most of you saw or read about Senator Warner's testimony over in the Senate and his opinion that it was not appropriate for the BRAC process to give a bias toward getting people out of leased space. Again, on that same page of the same document, under the bold questions that arose, the question was as follows. Was it DOD guidance to get out of leased space? The answer, yes, but there is no supporting documentation. And to me that means yes, but we didn't want to write it down so people would find out about it.

Chairman TOM DAVIS. Let me just say, I'd ask unanimous consent that the gentleman's time be extended.

Mr. LATOURETTE. Thank you. And I'll try and make this my last question. I thank you. And then it goes on to say there was a general sense that being in the NCR is not good. Most space in the NCR is leased. So the connection was made that vacating leased

space is favorable. This is something that was attributed to the former Acting Secretary and Secretary of the Navy. And I guess my question is, can anybody help me with or express an opinion as to how much the desire to get out of leased space shaped the BRAC recommendations, not just in the National Capital region, but all across the country? Anybody give me a hand with that?

Mr. MORAVEC. I don't have any insight into that.

Mr. LATOURETTE. Dr. Moy.

Dr. MOY. Sir, I can't address the specific issue in terms of the National Capital region, but I would say that there were a number of factors that entered into the developing of the BRAC recommendations command and control putting, trying to gain efficiencies of putting similar units together, trying to take a look at how the command and control with operational units, security was a factor. But it was one of many factors that entered into the decision, all ending up with military value.

So I would say it is correct to say that getting out of leased space was not, that I know of, a factor in and of itself. There were many factors that entered into the deliberations.

Mr. LATOURETTE. OK. Again, just to make this my last observation, the Honorable H.T. Johnson, who was the former Acting Secretary, Assistant Secretary of the Navy, was a member of the BRAC red team and in response to a question, was it DOD guidance to get out of leased space, his answer was yes. And you can't enlighten me anymore about that?

Dr. MOY. No, sir, I can't.

Chairman TOM DAVIS. Will the gentleman yield?

Mr. LATOURETTE. Sure.

Chairman TOM DAVIS. Where is Mr. Johnson now?

Dr. MOY. Mr. Johnson has left his position as being the Assistant Secretary of the Navy for installations.

Chairman TOM DAVIS. Is he still in the Department of Defense?

Dr. MOY. I do not know.

Chairman TOM DAVIS. Could you get that information to this committee? Or is this guy—he comes in as a cowboy, makes his recommendations and leaves and goes on to whatever. Do you agree with the observation here that being in the National Capital region is not good, Dr. Moy?

Dr. MOY. No, sir.

Chairman TOM DAVIS. You don't agree with that. How about you, Mr. Jester, do you agree with that?

Mr. JESTER. No, sir.

Chairman TOM DAVIS. OK. Mr. Moravec, do you agree with that?

Mr. MORAVEC. No, sir.

Chairman TOM DAVIS. OK. Mr. Williams, do you agree with that?

Mr. WILLIAMS. No, sir.

Chairman TOM DAVIS. OK. We don't know if Mr. Johnson is even with us anymore, but that seems to be the basis for some of these recommendations.

Mr. LATOURETTE. It does. And again, I'd ask unanimous consent that this document go into the record.

[The information referred to follows:]

Hon. Steven C. LaTourette
 U.S. House of Representatives
 2453 Rayburn HOB
 Washington, DC 20515

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21 February 2005

Headquarters and Support Activities JCSG Briefing Notes

Date: Thursday, February 17, 2005 **Time:** 16:00-18:00 **Place:** 3E808

JCSG Chairman: Mr. Don Tison, Deputy G-8, US Army
JCSG Executive Secretary: COL Carla Coulson, US Army

JCSG Key Attendees:

- Mr. Don Tison (SES), Chairman & USA Member
- Mr. Bill Davidson (SES), USAF Member
- Mr. Howard Becker (SES), OSD Member
- Mr. Mike Rhodes (SES), USMC Member
- RDML Jan Gaudio, USN Member
- Col Dan Woodward, (USAF) Joint Staff Member
- COL Carla Coulson (USA), Deputy to Mr. Tison
- CAPT Mike Langohr (USN), Deputy to RDML Gaudio
- Mr. Doug McCoy (USAF), Deputy to Mr. Davidson
- Col Steve Snipes (USAF), Deputy to Mr. Rhodes
- LTC Chris Hill (USA), OIC-Analytical Team

Red Team Attendees:

- Honorable H.T. Johnson
- Honorable Robin Pirie
- General Leon Salomon
- Mr. John Turnquist

Subject: Candidate Recommendation Briefing by Headquarters and Support Activities JCSG to BRAC Red Team

Presenters: Mr. Don Tison, LTC Chris Hill, and COL Carla Coulson

Items of Import:

- National Capital Region refers to area within 100 mile radius of the Pentagon
- Used guiding principles. There was no overarching strategy but there is a strategy for each function.
- Capacity analysis and Military Value analysis is pending
- Analysis Overview
 - Multi-attribute Values Theory
 - Multi-dimension sensitivity analysis
 - Joint Functional Analysis
 - Data issues were resolved via a “strategy driven, data verified” approach
- Optimization models were different for each functional area
- BOS plus up criteria are different for each service.

Hon. Steven C. LaTourette
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Questions that arose:

- What is the “Fourth Estate”? *All DoD agencies except the Services.* (Johnson)
- How did you measure surge? *Functional areas defined surge.*
- Were there any significant changes when you did sensitivity analysis on weights? *No* (Salomon)
- Was it DoD guidance to get out of leased space? *Yes, but there is no supporting documentation – there was the general sense that being in the NCR is not good – most space in NCR is leased, so connection was made that vacating leased space is favorable.* (Johnson)
- Who does the most joint mobilization? *Mostly the Army.* Why do you need BRAC to do this? *Don't.* (Johnson)
- Is HSA – 0047 supported by all services? *Not sure, we are working on it.* (Johnson)

Informal Observations provided at briefing:

- Put strategy at the beginning of diagram on approach slide
- May want to consider privatization options, as this is a “Best Practice” it would support your stated guiding principles.
- Use strategy instead of “Guiding Principles”
- Create chart describing how each group handled surge that includes numbers.
- Be sensitive to wording. (E.g. 4th estate, “modified COBRA” – don’t indicate that COBRA doesn’t work as that undermines the entire BRAC process.)
- Eliminations need to be analytically based, and obviously so.
- Why 200GSF? Why not 100GSF? Provide justification for the use of the 200GSF metric.
- DFAS results could be your Achilles heel – since you close installation with highest Military Value and keep the lowest. Explanation for doing so needs to be strengthened – at least make sure it is closely tied to the discussion about the optimization model and how the model affects outcomes.
- Don’t show commission slide indicating that functional areas are all following different methods.
- Southbridge is leased space – if you are making an exception and staying in leased space – other communities are going to be asked to be an exception also. Have a strong explanation ready for why staying at Southbridge.
- HSA – 0018: Justification needs to be linked to strategy. Need to say up front that closing highest military value location because otherwise, the MILCON costs would have been huge. Point out that optimization model found sites that had the necessary capacity. Be able to answer the question: why not privatize?
- Strive for consistency: On quad chart – Military Value box, all recommendations should use same wording. Same for Impacts box – “Criterion 6” (“Criterion 7”) vs. “Economic” (“Community”). Some recommendations list issues such as “Air quality at Ft. Eustis, others just state that there are minor issues. List any issues on all quad charts.
- Present a net, net (“rolled up”) scenario for Ft. Lee, as you are moving a number of functions there. Be sure Ft. Lee has the capacity.

Additional observations to consider:

- Need stronger justifications for long paybacks.
- Need stronger justifications for large MILCON numbers, BRAC cannot be used simply to finance MILCON.
- Need supported explanations for the use Military Judgment, particularly when overriding military value results
- Ideas for implementation of joint-basing would be useful – Comptroller might cause problems since O&M program is not set up to support joint basing. (E.g. – landlord/tenant arrangements)
- Need universal support from services.
- Complex linkages between recommendations may be problematic – “Rolled up” scenarios may not help since Commission will vote on individual recommendations. It may be ok to get 2 out of 3. However, some members may like to see the “rolled up” scenario.

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HSA-JCSG-D-05-074
Version 4, 3/1/05, 1030
Final 4/5/05

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BRAC 2005 Headquarters & Support Activities
Joint Cross-Service Group (HSA JCSG)
Executive Session with Service Liaisons

Deliberative Meeting Minutes of January 19, 2005
Rosslyn, VA, 3:00 – 8:00 p.m.

1. The Assistant Deputy Chief of Staff, G-8, US Army, chaired the meeting. List of attendees is attached.
2. Meeting agenda is attached.
3. The HSA JCSG Chief of Staff reviewed January 13 minutes.
4. OSD BRAC Update.
 - a. The OSD BRAC office personnel are focusing on the BRAC 2005 Report to Congress.
 - b. The HSA JCSG Deputy went over highlights from the January 14 ISG meeting.
 - c. The Deputy stated the OSD BRAC Director asked the BRAC Deputy Assistant Secretaries to get the Criteria 8 data back to the JCSGs because it is becoming a constraint. The OSD BRAC Director said there is growing concern that JCSG decisions are being based on payback and that they are being overly conservative.
5. Scenario Integration Update.
 - a. HSA JCSG has 105 active scenarios, 36 candidate recommendations, 37 scenarios waiting and 68 have been reviewed.
6. The Financial Management (FM) team lead provided a presentation for the members to discuss a possible change to candidate recommendation HSA-0018, "Close 21 DFAS locations by relocating and consolidating all functions to the Defense Supply Center-Columbus, OH, or the Buckley AFB, Denver, CO, or the MG Emmett J. Bean Federal Center, Indianapolis, IN. Realign DFAS Arlington, VA, by relocating/consolidating functions same as above, and retain minimum essential liaison staff. Realign DFAS Cleveland, OH, by relocating/consolidating functions same as above, and retain an enclave for Military Retired and Annuitant Pay Services contract function. Realign DFAS Columbus, OH; Denver, CO, and Indianapolis, IN, by relocating portions of the Accounting Operation, Military, and Commercial Pay functions and supporting functions among the three locations to implement strategic redundancy."
 - a. The Air Force Member asked, "Is Buckley Annex the best place for DFAS to be located considering the high labor rates in Denver. See if we can find savings elsewhere."

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- b. The Financial Management team lead answered that, based on current dispersion of business line operations; the three remaining locations reduces DFAS sites to the maximum extent possible while retaining business execution and core workforce integrity. Moving DFAS out of the Denver area, in conjunction with realignments of this candidate recommendation, would, in the FM Team's findings, compromise business execution of four areas – Civilian Pay Services, Security Assistance Accounting Services, Debt Services, and Air Force Accounting Services. This means DFAS needs to stay in the Denver area. However, DFAS does not need to reside at Buckley AFB Annex. They could be located at Buckley AFB, 9-14 miles from the Annex. The workforce would move 9-14 miles. Buckley AFB has 70 buildable admin acres and this candidate recommendation requires 21 acres. MILCON would be approximately \$69.6M to replicate the admin warehouse space requirements.
 - c. HSA JCSG members decided that the Chairman HSA JCSG would make three points at the ISG meeting on January 21: 1) DFAS needs to remain in Denver; 2) DFAS does not have to be located at Buckley Annex; 3) Could relocate DFAS at Buckley AFB. Members directed the FM Team Lead to make sure the Air Force understands that DFAS does not need any additional space than what is currently assigned to them.
7. Civilian Personnel Office (CPO) Candidate Recommendation HSA-0029 Strategy.
- a. At the January 13, 2005, HSA JCSG meeting the OSD Member said the CPO managerial staff would not automatically be absorbed by a Defense Agency headquarters assuming the CPO mission because of the headquarters limitations. The Deputy asked the team to clarify the scenario data call numbers for the Navy and 4th Estate regarding who would move in this scenario. It is not an issue for the Army because they have already consolidated CPO transactions. Members asked the team lead to clarify numbers and present the results during the first week of January.
 - b. During the presentation on January 19, 2005, members directed the CPO team lead to create notional regions for the 10 new CPO locations. They asked the team lead to provide information in the chart on how the 10 new sites were chosen and the role optimization (and MILCON) played in choosing the sites.
 - c. The CPO team lead also presented charts depicting analysis of the split of transactional and non-transactional work. The HSA JCSG Deputy told the CPO team lead to make sure the data is provided to the team in a certified manner.
8. Army Idea. Army leadership requested the HSA JCSG consider relocating Headquarters US Army Reserve Command (USARC) to Pope AFB with Headquarters FORSCOM (HSA-0124). The Chairman, HSA JCSG stated the membership had already voted to move USARC to Ft. Detrick (HSA-0080). The Chairman decided the JCSG would continue to analyze HSA-0080 and create a new scenario relocating USARC to Pope AFB with Detrick as a back up. Chairman will seek ISG permission to declare this scenario at the January 21 ISG meeting.

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9. Corrections Candidate Recommendation Deliberations. At the January 13, 2005, HSA JCSG meeting, the Deputy recommended tabling further discussion until the team lead could run COBRA. Members directed the team lead to run COBRA and show savings on the quint charts. The Corrections team lead stated that many of the correctional facilities are so old and dilapidated they cannot pass American Corrections Association (ACA) accreditation standards. She also sited facilities that are too small to hold the number of prisoners in the system. Because of these reasons, one-time costs are higher and payback takes longer. Members reviewed the following scenarios.
- a. HSA-0021, “Realign Marine Corps Air Station, Miramar, California; Edwards Air Force Base, California; Kirtland Air Force Base, New Mexico; and Marine Corps Base, Camp Pendleton, California, by disestablishing the correctional facilities and relocating the mission to a single Level II joint regional correctional facility to be located at Marine Corps Air Station, Miramar.” One-time cost is \$34.7 million, MILCON is \$28.4 million, net present value (NPV) is -\$24.7 million (note a negative NPV is good), payback years is 8, steady state savings is -\$9.27 million, 82 military personnel reduction, 87 military and 6 civilians relocated. Military value increased from .39 to .58. There was no significant impact because there was no large move of most personnel.
 - b. HSA-0082, “Realign Naval Station Norfolk, Virginia, Marine Corps Base Quantico, Virginia, and Camp LeJeune, North Carolina, by disestablishing the correctional facilities and relocating the mission to a single Level II joint regional correctional facility to be located at Naval Support Activity Norfolk, Northwest Annex, Chesapeake, Virginia.” One-time cost is \$55.7 million, MILCON is \$49.9 million, net present value (NPV) is -\$25.6 million, payback years is 10, steady state savings is -\$16.5 million, 139 military personnel reduction, 228 military and 22 civilians relocated.
 - (1) Military personnel reductions would come primarily from Camp LeJeune and a few reductions from Quantico. The team is still waiting for some data from the Navy Program Objective Memorandum (POM). The Marine Corps Member asked if the team got the Marine Corps data from the Navy. The team lead said she had gotten data on Camps Pendleton and LeJeune.
 - (2) The Chairman asked the team lead to change the short title at the top of the quint chart and the justification to read something like, “Going to a Single, Joint Enterprise.”
 - (3) The Marine Corps Member asked the team lead if a new facility has to be built, why not build it at Camp LeJeune. The team lead responded that LeJeune does not have enough buildable acres and has the lowest military value. The Marine Corps Member stated LeJeune has the lowest cost of living and the highest number of inmates and asked why military value was lower. The team lead said between LeJeune and Norfolk there is not much difference in military value, but Norfolk has the capacity to handle females, the guard-to-inmate ratio is better, and it is more efficiently run. The Marine Corps Member then asked how far are we making the Services send inmates and stated if most of the inmates are in North Carolina, why are we sending them to Norfolk, VA? The team lead stated that the Marine Corps will keep a 10-cell unit operational at Camp LeJeune.

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- c. HSA-0024, “Realign Naval Weapons Station, Charleston, South Carolina; Naval Air Station, Pensacola, Florida; and Naval Air Station Jacksonville, Florida, by disestablishing the correctional facilities and relocating the mission to a single Level II joint regional correctional facility to be located at Naval Weapons Station, Charleston, South Carolina.” One-time cost is \$7.1 million, MILCON is \$5.7 million, net present value (NPV) is \$12.5 million, payback years are never, 4 military and 12 civilian personnel reductions, 45 military and 3 civilians relocated.
- (1) The one-time cost is low, but there is no payback or break even year.
 - (2) Charleston is already a level II correctional facility. Pensacola’s recurring costs were exorbitant, so the Navy is double-checking the numbers.
- d. HSA-0020, “Realign Subase Bangor, Washington, and Fort Lewis, Washington, by disestablishing the correctional facility at Subase Bangor, Washington, and relocating the mission to a single Level II joint regional correctional facility located at Fort Lewis, Washington.” One-time cost is \$66.2 million, MILCON is \$51.8 million, net present value (NPV) is \$70.2 million, payback years are never, 14 military and 2 civilians relocated.
- (1) The one-time costs have come down because of the Army POM. Ft. Lewis scored lower in military value than Bangor, but the team chose Ft. Lewis because it has enough buildable acres and Bangor does not.
 - (2) The Deputy asked why not make the operation joint but keep both existing facilities? The team lead stated the Ft. Lewis facility was built in 1957 and it would probably not meet ACA compliance.
 - (3) The Chairman stated there is no cost/personnel savings in this scenario. He asked if there were BOS savings in building a state-of-the-art facility. The Chief Analyst stated if they tried to show personnel savings they had to cut so many people, the scenario was no longer feasible.
 - (4) The Chairman asked the team lead to find out if this scenario would service Alaska.
- e. HSA-0022, “Realign Fort Leavenworth, Kansas, Fort Knox, Kentucky, Fort Sill, Oklahoma, and Lackland Air Force Base, Texas, by disestablishing the correctional facilities and relocating the mission to a single Level II joint regional correctional facility to be located at Fort Leavenworth, Kansas.” One-time cost is \$67.7 million, MILCON is \$51.3 million, net present value (NPV) is \$71.5 million, payback years are never, 18 military personnel reductions, 214 military and 9 civilians relocated. The Chairman HSA JCSG stated he found it difficult to believe that you could combine three Army correctional facilities and get no personnel reductions. The Army Liaison Officer stated that an Army general increased the number of Military Police, not intended to be guards there but as a training mission. The Chairman stated, “That’s a different discussion. It’s operational and has nothing to do with this BRAC scenario or personnel savings.” He directed the team lead to show the personnel savings and offered to call the general.

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- f. The members declared all of the corrections scenarios as candidate recommendations pending legal review. The members said part of the rationale is that most of the correctional facilities these scenarios replace are very small and old. The plan is to keep the newest correctional facilities.

10. Major Admin Headquarters (MAH) Candidate Recommendation Deliberations.

- a. HSA-0078, “Close facilities at 21920 Nickles Road, 22148 Elmer Road, 22478 Cedar Point Road, 22581 Saufley Road, 22595 Saufley Road, 214191 Great Mills Road, and 21535 Pacific Drive, leased installations at Patuxent River and Lexington Park, Maryland, by relocating NAVAIR components to NAS Patuxent River.” The team lead said the compelling reasons to pursue this scenario as a candidate recommendation are it eliminates about 92,000 USF of leased space within the DC area, it consolidates headquarters offices from multiple to a single location, and moves these offices into an AT/FP compliant facility. Members declared as a candidate recommendation pending legal review.
- b. HSA-0103, “Close 21920 Nickles Road, 22148 Elmer Road, 22478 Cedar Point Road, 22581 Saufley Road, 22595 Saufley Road, 214191 Great Mills Road, and 21535 Pacific Drive, leased installations in Patuxent River and Lexington Park, Maryland, by relocating NAVAIR components to one new leased location in Patuxent River, Maryland, area.” Members decided not to pursue this scenario further because it moves the offices from leased locations to a leased location and it makes better sense to move the offices to NAS Patuxent River.
- c. HSA-0071, “Realign Fort Belvoir; Anacostia Annex; 2320 Mill Road and 601 North Fairfax Street, leased installations in Alexandria, VA, and 103 Norton Street, a leased installation in San Antonio, TX, by consolidating Army Broadcasting Service, Soldiers Radio & TV, Soldiers Magazine, Air Force News Agency, Army/Air Force Hometown News Service, and the Naval Media Center, into a newly created DoD Media Activity at Ft. Meade. Close 601 North Fairfax Street, a leased installation in Alexandria, VA, by co-locating the Armed Forces Information Service with the Defense Information School and the new DoD Media Activity at Ft. Meade.”
 - (1) The receiving location, Ft. Meade, is conflicted so the team lead is looking at Lackland AFB also, but does not yet have the certified data. The Navy Hometown News told the team lead they are dual-hatted and could not move, so they were removed from the scenario. The Air Force Member stated for the record that he found the Navy Hometown News argument suspect.
 - (2) The one-time cost is \$44.6 million, net implementation cost is \$35.3 million, annual recurring savings is \$1.6 million, the payback period is 51 years, and the NPV cost is \$18.5 million.

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- (3) The Chairman asked why there were no savings with this large consolidation. The team lead stated it is because of the amount of special equipment that would move. The Deputy said the team should apply the standard personnel savings factor because there has to be consolidation savings in this scenario. The Air Force Member stated the lack of savings could be because there are three broadcasting companies each with its own maintenance crew contracts, three contracts with printing companies for the magazines, etc. The Deputy stated that the OSD BRAC Director mentioned his concern about no personnel savings to the Service BRAC DASs several times.
- (4) The Deputy mentioned that all scenarios must have completed military value before the OSD General Counsel would allow them to be submitted as candidate recommendations. The Chief Analyst stated that the JCSG has to use certified data and to make sure that the Services certify the data we compiled from working with the Service BRAC action officers.
- (5) HSA JCSG members declared this as a candidate recommendation pending completion of military value analysis and legal review. The members told the team lead not to pursue Lackland AFB as an alternate receiving location.

11. Defense Agency (DA) Candidate Recommendation Deliberations.

- a. HSA-0109, "Close 5151 Bonney Rd, Virginia Beach, VA; 300 AFCOMS Way, San Antonio, TX, and 5258 Oaklawn Blvd, Hopewell, VA, all leased locations and consolidate Defense Commissary Agency's (DeCA) Eastern Region, Midwestern Region offices, and Headquarters Defense Commissary Agency (DeCA) off-post operations with Headquarters DECA at Ft Lee, VA." DeCA wants this move but has not been able to accomplish it because of political constraints. The one-time cost is \$38 million, net implementation cost is \$25 million, annual recurring savings is \$5 million, payback period is nine years, and NPV is \$19 million. Members declared as a candidate recommendation pending completion of military value analysis and legal review. Rationale is it gets DeCA out of 99,916 GSF of leased space, moves DeCA with its headquarters into AT/FP compliant space outside the DC area.
- b. HSA-0072, "Realign leased space in Arlington and Alexandria, VA; Columbus, OH; Smyrna, GA; Long Beach, CA; Elkridge and Linthicum, MD; and Colorado Springs, CO, by disestablishing Defense Security Service and Defense Counterintelligence Field Activity (CIFA) and consolidating them under a newly-created organization, e.g., DoD Counterintelligence and Security Agency, at Fort Meade, MD." This scenario was done at the request of the Intelligence JCSG. The one-time cost is \$104 million, net implementation savings is \$123 million, annual recurring savings is \$74 million, payback period is one year, NPV is \$801 million, 3 military and 286 civilian personnel reduction and 1 military and 650 civilians relocated. The personnel reductions were based on an estimated 30 percent reduction because of efficiencies gained through consolidation. The Chair of the Intelligence JCSG asked the team lead to reduce that percentage to 14. Members declared as a candidate recommendation pending completion of military value analysis, legal review, and continuing analysis of both CIFA-DSS DC area only assets and CIFA-DSS all-CONUS, all-inclusive assets with Ft. Meade as the sole receiving location.

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- c. HSA-0095, "Realign leased space in Arlington and Alexandria, VA, Columbus, OH, Smyrna, GA, Long Beach, CA; Elkridge and Linthicum, MD, and Colorado Springs, CO, by disestablishing Defense Security Service and Defense Counterintelligence Field Activity (CIFA) and consolidating them under a newly-created organization, e.g., DoD Counterintelligence and Security Agency, at Wright Patterson AFB, OH." The one-time cost is \$122 million, net implementation savings is \$91 million, annual recurring savings is \$69 million, payback period is one year, NPV is \$724 million, 3 military and 286 civilian personnel reduction and 1 military and 650 civilians relocated. This scenario is the alternate to HSA-0072. The numbers are better in HSA-0072 because most of the personnel are already located in the DC area and would not have to relocate and military construction is higher at Wright-Patterson AFB. Members decided not to pursue this scenario further at this time.
 - d. HSA-0100, "Realign leased space in Elkridge and Linthicum, MD, by consolidating Defense Security Service Academy and the Joint Counterintelligence Training Academy at Fort Meade, MD. This is an alternate scenario to HSA-0095, which consolidates all DSS/CIFA activities at Wright Patterson AFB, OH. This is an HSA and Intel collaborative scenario; the HSA JCSG is the Office of Primary Responsibility, the Intel JCSG the Office of Collateral Responsibility." Members decided not to pursue this scenario further at this time because it is imbedded in HSA-0072, which was declared as a candidate recommendation.
 - e. HSA-0098, "Realign Bolling AFB, Washington Navy Yard, the Pentagon, and Fort Meade, MD, and leased space in Arlington, VA, and Columbus, OH, by collocating MILDEP, Office of the Secretary of Defense, Department of Defense agency/activity security clearance adjudication activities in a new facility to be built at Wright-Patterson AFB, OH. This is an HSA and Intel collaborative scenario; the HSA JCSG is the Office of Primary Responsibility, the Intel JCSG is the Office of Collateral Responsibility. This scenario enables HSA-0095; it creates a security clearance investigation/adjudication Center of Excellence at Wright Patterson AFB, OH." Members directed the team lead to continue analysis using the 7 percent personnel reduction standard.
 - f. HSA-0099, "Realign Bolling AFB; Washington Navy Yard; the Pentagon, and Fort Meade, MD; and leased space in Arlington, VA, and Columbus, OH, by collocating MILDEP, Office of the Secretary of Defense, Department of Defense agency/activity security clearance adjudication activities in a new facility to be built at Ft Meade, MD. This is an HSA and Intel collaborative scenario; the HSA JCSG is the Office of Primary Responsibility, the Intel JCSG is the Office of Collateral Responsibility. This scenario enables HSA-0072; it creates a security clearance investigation/adjudication Center of Excellence at Ft Meade, MD." Members directed the team lead to continue analysis using the 7 percent personnel reduction standard.
12. Combatant Commands (COCOMs) Candidate Recommendation Deliberations.
- a. HSA-0126, "Realign JFCOM by purchasing JFCOM leased facility and land in Suffolk, VA." The OSD General Counsel stated that a buy-in-place scenario is not allowed under BRAC. Members decided to send a memorandum to the Joint Staff, J8 with a copy furnished to the OSD BRAC Office suggesting JFCOM pursue this action outside the BRAC process.

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- b. HSA-0083, “Realign Naval Station Norfolk, and JFCOM leased facilities in Suffolk, VA, by relocating CDR USJFCOM NORFOLK HQ, and CDR USJFCOM NORFOLK leased facilities in Suffolk, VA, to Ft. Eustis/ Story, VA.” This is the alternate to HSA-0126. One-time cost is \$473.2 million, net implementation cost is \$331.9 million, annual recurring cost is \$12.8 million, payback period is never, and NPV cost is \$422.7 million. Members decided not to pursue this scenario further at this time because it is cost-prohibitive.
- c. The Deputy asked for an update on the SOUTHCOM scenarios HSA-0058, “State of Florida lease offer,” HSA-0059, “Relocate Headquarters to Homestead,” and HSA-0101, “Buy-in-place (leased space).” Since the OSD General Counsel said that buy-in-place is not BRAC, the one-time cost to move to Homestead is \$90 million (too expensive), and SOUTHCOM is poised to pursue the State of Florida lease offer, members directed the team lead to talk to SOUTHCOM. Team lead is to tell SOUTHCOM that HSA JCSG members recognize what the commander wants to do in the State of Florida lease offer, but it is too expensive. It is more attractive for SOUTHCOM to buy-in-place. The team lead is to report feedback to the members at the next HSA JCSG meeting.
- d. HSA-0050, “Realign Ft Shafter, HI, by co-locating USARPAC with PACFLT and PACAF and co-locating IMA Region Pacific with Navy Region HI at Naval Station Pearl Harbor/Hickam AFB, HI.” Members directed the team lead to conduct another modified scenario data call with the Navy to get the numbers certified. The members want to brief this candidate recommendation to the ISG on January 28, 2005.

13. Mobilization Candidate Recommendation Deliberations.

- a. HSA-0025, “Realign Aberdeen Proving Ground, Washington Navy Yard, SUBASE Groton and McGuire AFB by consolidating mobilization processing operations at a newly established Joint Mobilization Base Ft Dix/McGuire/Lakehurst.”
 - (1) The one-time cost is \$23K, no MILCON, NPV savings is \$5.79 million, payback years is immediately, and steady state savings is \$400K.
 - (2) This scenario enables the closure of SUBASE New London.
 - (3) The Mobilization Subgroup needs to send out scenario data call for this scenario to see what percentage personnel cuts the Services can take. If the Services’ response is no personnel cuts, the Chairman told the Mobilization Subgroup to use 10 percent for analysis, because mobilization duties are generally an “other duty as assigned” task.
 - (4) The Deputy stated there is no footprint reduction so it is not BRAC. The Chairman responded that he was asked to look at joint mobilization.
 - (5) The Marine Corps Member asked if the subgroup knew how many people were mobilized during the last four years and how many people it took to mobilize them. The briefer responded that Aberdeen Proving Ground utilized 12 people to mobilize 1,600 people, but Ft. Dix has 300 full-time contractors working

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mobilization. The Deputy suggested the scenario data calls suggest the number of eliminations and let the Services reply.

- (6) Members directed team conduct a scenario data call, re-run COBRA, and continue analysis.
- b. HSA-0026, "Realign SUBASE Bangor and McChord AFB by consolidating mobilization processing operations at newly established Joint Mobilization Base Ft Lewis/McChord." The briefer stated that Ft. Lewis has too many people working mobilization.
 - (1) One-time cost is \$2.2 million, no MILCON, NPV savings is \$62.9 million, payback years is immediately, and steady state savings is \$4.5 million.
 - (2) The statement was made that Ft. Lewis is a very large mobilization base.
 - (3) Members directed team conduct a scenario data call, re-run COBRA, and continue analysis.
- c. HSA-0028, "Realign Ft Eustis, Ft Jackson and Ft Lee by consolidating mobilization processing operations at a newly established Joint Mobilization Base Ft Bragg/Pope."
 - (1) One-time cost is \$517K, no MILCON, NPV savings is \$72 million, payback years is immediately, and steady state savings is \$5 million.
 - (2) Members directed team conduct a scenario data call, re-run COBRA, and continue analysis.



DONALD C. TISON
 Assistant Deputy Chief of Staff, G-8
 Chairman, HSA JCSG

Attachments:

1. List of Attendees
2. Agenda
3. HSA JCSG Statistics, January 19, 2005
4. HSA JCSG Candidate Recommendations Presentation, January 19, 2005

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**BRAC 2005 Headquarters & Support Activities
Joint Cross-Service Group (HSA JCSG)
Meeting January 19, 2005 Attendees**

Members:

Mr. Don Tison, Assistant Deputy Chief of Staff, G-8, Chair
Mr. Mike Rhodes, Assistant Deputy Commandant for Manpower and Reserve Affairs,
USMC Member (via TELCON)

Alternates:

Mr. Doug McCoy, HSA JCSG
Mr. Jerry Shiplett, HSA JCSG
CAPT Mike Langohr, USNR, HSA JCSG
CDR John Lathroum, JCS J8, HSA JCSG

Others:

COL Carla Coulson, USA, HSA JCSG, Deputy Chair
CAPT David Foy, USN, HSA JCSG
Col Charlie Sachs, AFRC, HSA JCSG
Col Steve Snipes, USAF, HSA JCSG
LTC Chris Hill, USA, HSA JCSG
CDR Rob Dews, USN, HSA JCSG
1LT Pat Chapin, USAF, HSA JCSG
Mr. Marty Alford, ODUSD(I&E) BRAC
Ms. Susan Bauer, HSA JCSG
Mr. Dave Fletcher, HSA JCSG
Mr. Bill Foote, HSA JCSG
Ms. Kelly Garland, DoD IG
Mr. Joe Kaseler, DoD IG
Mr. Luis Matos, HSA JCSG
Ms. Pegge Mencl, TABS LNO
Ms. Donna Oscepinski, HSA JCSG
Ms. Helen Poorman, HSA JCSG
Mr. Russ Pritchard, HSA JCSG
Mr. Joe Roj, HSA JCSG
Ms. Holly Russell, HSA JCSG
Mr. Matt Tittmann, HSA JCSG
Ms. Elisa Turner, HSA JCSG
Ms. Susan Zander, HSA JCSG

Chairman TOM DAVIS. Is there objection? Without objection, so ordered. Mr. Waxman.

Mr. WAXMAN. Mr. Moravec, I also want to join in thanking you for your public service. It's been one of dedication and professionalism and I wish you all the very best as you leave the GSA.

Mr. MORAVEC. Thank you, Congressman.

Mr. WAXMAN. I wanted to raise with you an issue in Los Angeles, in my district, GSA has proposed to significantly expand a federally owned property at 11000 Wilshire Boulevard, so the FBI can modernize and consolidate its resources and operations. The Federal building sits between two of the busiest intersections, not just in Los Angeles, but in the Nation, Wilshire and Westwood Boulevards and Wilshire Boulevard and Veterans Avenue. The 405 Freeway, the second most congested freeway in the Nation, has an on ramp and an off ramp within 1 block of the building. The largest VA medical center in the country, the 388-acre greater Los Angeles health care system, is directly across the street from the Federal building, and UCLA is just over a mile away. The Los Angeles Department of Transportation rates the level of service at the location as an F, the worst possible grade. There is a bus, but no transit service in the area.

Traffic is terrible for many hours every day, including weekends. And peak hour traffic volumes are extreme. The infrastructure simply cannot support the plans GSA and the FBI have for the property. I have asked GSA a number of times to provide me with specific alternative sites it may be studying for this project. And the most recent letter I received from the regional administrator in April 2005 indicated that GSA had received suggestions for about 25 sites from community members and the L.A. economic development corporation, but was "not in a position to identify those 25 sites as serious potential alternatives."

He further indicated that the process was still in a very early stage and the GSA had not yet started evaluation of the alternative sites. Yesterday, my staff learned from the Washington GSA office that the draft EIS should be ready in October 2005, and it will include an analysis of alternative sites, if any such sites have been identified. In addition to the severe infrastructure problems that expansion would cause, there are serious security concerns. First, it's difficult to understand how the FBI could deploy in an emergency in the middle of this densely populated area with some of the worst gridlock in the Nation. And I understand the FBI's need to better secure its facilities but the surrounding community believes that while the Federal Government will make an effort to harden a potential target against attack, there doesn't seem to be sufficient concern that the FBI's consolidated presence at this location would leave the residents more vulnerable to attack with an infrastructure further burdened as a result of the expansion.

The community's also worried that during a national emergency, requiring the deployment of the FBI, its residents would not be able to reach the trauma center at UCLA or the VA Medical Center to receive care. And when you realize how close both of these facilities are, that's quite a concern. They just wouldn't even be able to get to that place. Well, I am saying all of this to you to express my very strong concern about the process. It just seems to me there

hasn't been a willingness to look at alternative sites. It looks like there is a predetermined decision to go ahead with this.

I don't like the process, but I have to tell you that I think this is a mistake to locate the FBI in this particular place and to go through the kind of building that is imagined for that area, the original GSA proposal called for a two-phased project, renovation of the existing building, construction of two additional buildings, construction of a 470,000-square foot building, plus parking to be completed by 2016.

And there are a number of groups that are just strongly opposed to this, Veterans Park Conservancy, West L.A. Chambers of Commerce, Westwood Hills Property Owners Association, Bell Air Association, Holmby Westwood Property Owners Association, South Brentwood Homeowners, Westwood Home Owners Association, Friends of Westwood, Westwood South of Santa Monica, Brentwood Community Council, West Side Neighborhood Council, and I want to include on that list their representative, the ranking member of this committee, myself.

So I want to bring this to your attention. I don't know if you're prepared to discuss it now.

Mr. MORAVEC. Well, I would say I'm sorry that you have lost confidence in the process. I will say I have no information that the outcome the environmental impact study has been predetermined. We believe we are proceeding in good faith. I know it's taking a little longer than many people would have liked. We anticipate its issuance in October.

I think one of the reasons I've been told for the delay is that we have attempted to cast a very wide net in a search of alternative sites and to expand community involvement. As you may know, we have advertised in the L.A. Times. We have run notices on FedBizOpps. We have had meetings with the mayor. We have had meetings with the community. We have formed an informal voluntary group called the traffic working group, which has now met a number of times. And I know that an invitation has been extended to your staff to attend those meetings.

The next meeting is on August 9th, and of course, your input is welcome. At this point we are fulfilling our responsibilities under the environmental impact study process.

I would hope that all of the factors that you have raised would be taken into consideration in terms of our analysis of what that study reveals.

Mr. WAXMAN. I hope so too. And I thank you for that suggestion that there is going to be some input from all of these other leaders in the community.

When I first raised the issue, I got a bureaucratic blowoff letter thanking me and "so long." We have gotten a little bit more of a response, but it doesn't really—it seems to me that this is not a good site. And I don't know if they are looking at alternatives seriously, because if this is not a good site there ought to be an alternative.

So we will continue to work with the GSA and with you and others and see what we can do to solve this problem.

Mr. MORAVEC. Thank you, sir.

Mr. WAXMAN. Thank you.

Chairman TOM DAVIS. Dr. Moy, the Department of Defense building standards rely on setbacks, preferring setbacks of 148 feet. Is that correct?

Dr. MOY. Yes, sir.

Chairman TOM DAVIS. This is a distance that can't be met in this congressional office building, at any airport in the Nation or in most urban areas.

Could you tell us what setback requirements were in place in London, Tel Aviv, Madrid or other cities that have far greater experience in terrorist attacks? And do you know what precautions they take to protect their government facilities?

Dr. MOY. Sir, I can't address specifically as to what offset standards are being used in other countries and other cities or other locations.

Chairman TOM DAVIS. Do you know if anybody looked at those?

Dr. MOY. My expectation is that after the Khobar bombing we did an analysis of what was being used in other locations by other countries, and we also looked at developing tests ourselves through our various laboratories and determining what types of threats, what types of damage, because this goes back to taking a look at, it is not just setting that distance. And there is nothing else other than that distance that must be satisfied. We take a look at what types of blast mitigation, what types of progressive collapse has been built in the building. We take a look at parking or traffic control that is around the building. There are a number of issues that enter into the adequacy of the security of a facility, not just the offset distance.

Chairman TOM DAVIS. Of course. But unlike the ISC, DOD's solution is very prescriptive.

Dr. MOY. We have determined that the vehicular bomb is the significant threat and must be considered in any security plan for the facilities where we have DOD employees in, sir, yes.

Chairman TOM DAVIS. I understand that. But when you take a look around the world and you take a look at cities that have gone through a lot of different bomb blasts, we have different population makeups, you can't tell me what their standards are. I can tell you for a fact that they are not as strict as yours, and yet they are very deterrable. And I am very concerned.

Look, I am not faulting you, because if what your job is is to protect the buildings and the people working in the buildings, I can draw you something that is foolproof. I will put you underground bunkers out in the desert surrounded by barbed wire and troops and they will be safe. You won't be able to hire anybody and get the job done, but you will have other problems. But if that is your only public policy purpose, that works.

But what I am concerned about, and I think other members of the committee are as well, is balance. This is a lot of money. Yeah, it has impact economically and some of this stuff can be mitigated and some can't. But even under the language by the ISC, there is going to have to be some changes. But they are not nearly as prescriptive. They are much more general in their nature. They allow for flexibility to meet certain standards.

And I am very concerned when I see a memo from the Department of Defense, from somebody we don't even know if he is there

now or not, when he talks about, makes a comment on a—by the way a memorandum that says not to release under FOIA. They don't want us to see it, but it is obviously a part of DOD making a decision on this—where they said that being in the National Capital region is not good.

We have some of the best educated workers in the country here, a concentration of them, that has produced DARPA, the Internet. They've produced some wonderful things that keep our defense No. 1 in the world. And when you move outside this region, there is some assumption that people are going to follow you, in an area where there is a 1.4 unemployment rate with a great school system, and they don't necessarily follow. They go across the street and make more money than you pay over at DOD. Nobody even looks at that. They want to be in this region.

Frankly, I find it very, very short-sighted. If DOD would just face up to this instead of trying to hide in these documents, I might feel a little bit better about the decision. But I will tell you something right here. Mr. Moran said it earlier, and I am going to say it. You're not going to get it funded. You're not going to get it funded through this House. You're not going to get it funded through the Senate.

If you think it is more important to protect your brass and these buildings than it is to provide housing for troops—because it comes out of that budget—housing for troops out there in the field and their families and enlisted men, you have another thing coming, because that is not what this Congress is about. And I think being so prescriptive puts you out of work with ISC and other government agencies and don't think you're so special that you're better than the intelligence agencies and other Federal workers working around that you need something different.

Why are you so different than everybody else that you moved ahead instead of coordinating with these other agencies under the Executive order that calls for coordination?

Dr. MOY. Sir, we believe we have tried to coordinate with the—
Chairman TOM DAVIS. But you have different standards.

Dr. MOY. Yes, sir, and that is specifically because we have taken the approach that we want to protect the mission as well as the personnel against a terrorist threat.

Chairman TOM DAVIS. I understand this is not your problem, but in protecting one group, it is a limited amount of money here. It is a limited amount of money. This means fewer money for housing for military personnel on bases because it comes out of the same pot. I will let you answer. Go ahead.

Dr. MOY. I would also submit, sir, that if we were to take a look at other practices, if we look at the State Department that is allowed to—under the ISC guidelines, does put a lot into the protection of the embassies around the world.

Chairman TOM DAVIS. That is around the world. This is Washington, DC, which is a much safer haven where we can to some extent, through immigration and visa policy and everything else, doesn't have the track record that you have in some of these other cities. And that is why I asked, looking at other cities that we coordinated, see what they do routinely in Madrid, what they do routinely in London, what they do routinely in Tel Aviv, where you

have—these are far greater occurrences. But I understand. And look, nobody here is faulting giving flexibility. But what your standards do is not give flexibility.

Dr. MOY. It still boils down to the commanding officer, installation commander, if they elect to accept that the threat, that the risk assessment, that the mission does not require the UFC specific requirements, there is leeway for relaxing the requirement.

Chairman TOM DAVIS. Well, there is no leeway in the BRAC recommendations. These are recommendations that have come out that Senator Warner thinks they are illegal, but that will be determined later on. But this is a BRAC discussion that just says that being in the National Capital region is not good. That certainly—that policy is not something that has been subject to any kind of public comment. It was in a secret meeting that is not subject to FOIA by a guy we don't even think is still in DOD, and it just doesn't give me a high level of confidence, but maybe other Members have different opinions.

Mr. Kucinich.

Mr. KUCINICH. I want to thank the Chair for calling this meeting because members of this panel have information that I think is relevant to a BRAC process that has unfairly affected our community in Cleveland. I would like to ask Dr. Moy some questions.

When the Department of Defense analyzes the security threats for U.S. installations, I assume it takes into account who works there, correct? You take into account who works at a particular installation, who works there or who would work there?

Dr. MOY. It takes into account the mission that's there, the criticality. Yes.

Mr. KUCINICH. And the likelihood of a facility being a target for attacks?

Dr. MOY. Yes, sir.

Mr. KUCINICH. Would you describe for this committee what, according to your criteria, do you consider high value targets? What are high value targets?

Dr. MOY. High value targets we would consider those that are involved in the intelligence gathering, communications, those that are very necessary in the global war on terrorism. We take a look at those facilities that have a large number of personnel that could very well be subject to mass casualties in the event of a terrorist attack.

Mr. KUCINICH. So it is not simply the function, it is how many people are in the building?

Dr. MOY. That enters into the picture, yes, sir.

Mr. KUCINICH. Go ahead. What else is involved in high value targets?

Dr. MOY. It basically comes back to focusing on what the mission of that facility is and its criticality to accomplishing the mission of the Department of Defense, taking a look at the number of people that are in that facility. I would say that those are two major components to the high value of the facility.

Mr. KUCINICH. Now, the military value rankings, are they based on supposed threats? Are they based on actual threats? What are they based on?

Dr. MOY. Sir, I cannot address the determined military value in that context.

Mr. KUCINICH. The high value targets, what is the underlying assumption there? Is that based on information that the Department of Defense has or is it speculation or what?

Dr. MOY. The high value goes back to the impact that facility has to accomplishing the mission of the Department of Defense.

Mr. KUCINICH. Well, let me ask you specifically. The Defense Finance Administration. You're familiar with that?

Dr. MOY. Yes, sir.

Mr. KUCINICH. Are the Defense Finance Administration functions considered to be high value targets?

Dr. MOY. I cannot comfortably give you a yes or no answer to that.

Mr. KUCINICH. Why not?

Dr. MOY. The function of making sure our folks are paid, the function of making sure that our contractors are paid, I personally would judge that as being a high value for our service members. But in terms of considering that alongside a facility that is supporting the global war on terrorism, there is a difference in, of what a high value is. So I can't arbitrarily say, yes, it is high value, period.

Mr. KUCINICH. I understand. But what I am trying to determine, I think it would be helpful for this committee, is to be able to—so much of the work that you seem to be doing is quantifiable.

Do you have a listing like a matrix? Does anyone on this committee have any kind of a matrix—on the panel—have a matrix where you list the building, who is in the building, the threat assessment based on real or supposed threats, the ranking as to what the value is with respect to the—from high to low value target and where would accountants and other civilian defense employees fall into that kind of a matrix? Do you have any kind of documents like that in your possession?

And if you do, Mr. Chairman, I think it would be useful for this committee to ask for those documents.

Chairman TOM DAVIS. Well, we'll ask for them. And if not, we can subpoena them.

Dr. MOY. Sir, I don't believe that we have any documents, either individually or in one place, that would array the 500,000-some facilities in the Department of Defense ranking them from one to zero.

Mr. KUCINICH. I guess the question then becomes, how do they come to that conclusion whether something is a high value target or not?

We are told that enters into a decision as far as BRAC. Now, if that enters into the decision and we have the person who is charged with—

Chairman TOM DAVIS. I guess the question is how is that conclusion reached if there is not a ranking?

Dr. MOY. With the specifics of, again, relating to how you reach that decision according to BRAC, I would have to say I cannot answer that question. But in terms of addressing specific facilities, what I was trying to answer the question is, I don't know what in-

ventory that we have that—a comprehensive inventory that we have for all of our facilities.

Chairman TOM DAVIS. You don't have a listing. But do you have general guidelines?

Dr. MOY. We have, JSSEWG teams that go out and inspect installations, inspect key facilities. They come back and—

Chairman TOM DAVIS. Do you have anything on this particular facility Mr. Kucinich is asking?

Mr. KUCINICH. I appreciate the indulgence of the Chair here and the assistance, because the question that comes, you know, since we had this as a general discussion, and you don't—you would rather be specific, so would I.

In the draft analysis we have a site—and Mr. LaTourette is familiar with this because he has been leading this effort—the Defense Bratenahl site was ranked, was rated as the 6th highest in terms of military value, which compares to Denver at 3rd, Columbus at 9th, Indianapolis at 12, and Cleveland downtown at 13, but the Bratenahl site was eliminated from the final rankings, and I am wondering why, speculating here as to why DOD didn't offer a scenario site to include DFAS to a site down the street which would save 1,200 jobs.

So, again, Mr. Chairman, it seems to me that this committee can perform a service by trying to pin down the Department of Defense on this criteria, because there is something about the criteria that seems nebulous and its application which seems arbitrary.

Chairman TOM DAVIS. Dr. Moy, you didn't make the BRAC decisions though, is that right? You're not in that loop?

Dr. MOY. No, sir.

Mr. KUCINICH. I understood that, Mr. Chairman.

Chairman TOM DAVIS. But you would be, or could get us information in the loop in terms of how this was ranked, how someone came out and looked at this and evaluated this and decided somehow this is a high value target, couldn't you?

Dr. MOY. I could certainly take that for the record.

Chairman TOM DAVIS. If you could get back to us for the record, which is what we want to look at. And if you can't do that, I know the record is somewhere. You just tell us you don't feel we can have it, and then we can proceed from there to see what we might need to do. I understand—this isn't meant personally, you just happen to be the flack guy they sent out here today and you have some knowledge about how this stuff happens. And we are just trying to get some answers. But there's obviously some disagreement among Members about some of the individual decisions that have come out of the agency. And we are just trying to get answers and to the extent you can give it to us, we will try to get it. Any other questions?

Mr. KUCINICH. Mr. Chairman, I want to thank you for your participation in helping to get some answers. Thank you, Mr. LaTourette.

Chairman TOM DAVIS. Mr. LaTourette, do you have any questions?

Mr. LATOURETTE. If I could followup on what Congressman Kucinich is asking and if we are asking Dr. Moy to find the former Under Secretary Johnson, I do have one more question I would like to ask him for the record.

But Mr. Williams, not to ignore you, I think Congressman Kucinich has asked a good series of questions and I keep reading in the newspaper that the Department of Homeland Security is interested in chatter. We want to see what people are talking about and what sites are at risk. When we go about allocating our scarce homeland security money there is a real argument to be made that the lion's share should go to places like Washington, DC, and New York City.

Are you aware of any chatter that has targeted the accountants at DFAS that indicates that they are particularly at-risk members of our Defense Department? The reason I ask you is that I think this is the first BRAC round that has put the accountants in with the soldiers, the warfighters. And I think it is a little bit like trying to take a square peg and put it into a round hole. But are you aware of any chatter that the accountants are in danger?

Mr. WILLIAMS. I don't have any specific information, no.

Mr. LATOURETTE. I thank you for that.

And Dr. Moy, the other thing I would ask you just if you can find out, one of the successful sites is the Buckley Annex, which is in Denver. And again the Air Force member at another—I don't know if it was a secret meeting but it was another meeting not subject to FOIA, that occurs and it is listed on January 19. And it is the second of the two documents that I provided to you. The Air Force member asked if the Buckley annex is the best place for DFAS to be located considering the high labor rates in Denver, and aside from the issue of terrorism, cost is something that is of interest to us. And I think, again, to be parochial, Cleveland was just labeled the most impoverished city in America. And it has a workforce that is substantially lower labor rates than Denver. And if you could ask whoever you're going to ask to get back to us and they can make a comment on what is 6(a) on the second document from January 19, I would appreciate that.

Chairman TOM DAVIS. And Dr. Moy when we say, "get back to us" again, this is not directed to you personally.

Could you get back within 2 weeks from today and if you don't have it, at least tell us where you are on getting it? DOD, your agency, sometimes works on things for years at a time and doesn't come up with it.

We just need to know what kind of response we are likely to get, what manpower is involved and you can get back to us and we will try to work through it and see what we can get or get the subpoena out. But I think at this point if we could—just let us know how it is working and what is involved with it. We will try to work it out. We are not trying to be hard here. But obviously Members have some issues.

Dr. MOY. Absolutely, sir.

Chairman TOM DAVIS. Any other questions, Mr. LaTourette?

Mr. KUCINICH. Mr. Chairman, before you get on to the next person, I just want to say all of us in the Cleveland area appreciate the exceptional work that Congressman LaTourette has done on this, and the information that he has produced is very important to all of us.

Chairman TOM DAVIS. Thank you very much.

Also, we are trying to find out where the missing Mr. Johnson is, too.

If that is one of the questions, maybe you can find that out in the next 2 weeks, too.

Dr. MOY. Yes, sir.

Chairman TOM DAVIS. Thank you very much. Ms. Norton.

Ms. NORTON. Thank you very much, Mr. Chairman.

Now, first I want to join in with those who have expressed congratulations to Mr. Moravec for his years of service. He has been a first class professional. I have worked with him for 15 years in the GSA. Regardless of administration, he sets standards. Sorry to see you go.

Mr. MORAVEC. Thank you very much. That is very generous of you, Congresswoman.

Ms. NORTON. Let's look at what the DOD has done. I am tired of the use of these letters. Let's break it down here right now. When people hear DOD, they think they are hearing things like the Pentagon, you know, guys in uniforms, brass. So the word can be used when it is used generically to the average American, let's see if it calls to mind the personnel and the agencies that would be moved out of northern Virginia. Dr. Moy even evoked the State Department standard in foreign countries of embassies. So you see what we have here. We are trying to create an image of what is being moved based on the kind of generic image that the public has of what the DOD is.

I think it is only fair to ask our witnesses to break down for us the agencies and the kinds of personnel we are talking about moving from northern Virginia to an army base, and I would like to have the greatest specificity you can offer, and I should hope that you did not come here without being able to go behind the word "DOD."

Speak up whoever wants to speak up first.

Dr. MOY. Ma'am, let me try to answer your question this way. I am not going to be able to go through a line item description of all the things that are being moved from one location—

Ms. NORTON. Just do your best. I know you're not ignorant on this score. Because given your title, I know you're not ignorant. So I am not asking for line-by-line item. I am asking for—to the best of your ability, name me the agencies, name me the kinds of personnel that work in those agencies.

Dr. MOY. We have—the people that work in these agencies are a mixture of uniformed and civilian personnel. And if we go back to—

Ms. NORTON. What percentage are uniform and what percentage are civilian personnel? Are most of these uniform? Are most of these civilian? What kinds of work do they do in these agencies?

Dr. MOY. In answer to your question about the percentages, I cannot give you an answer to that. The answer to your question about what kind of work these folks do, they do a variety of work. Some support the intelligence requirements for the Department. Some support the acquisition of equipment, of weapon systems, some support the facilities, business of the Department. There is a variety of things that these folks provide for the Department of Defense.

Ms. NORTON. Mr. Moravec, these are agencies that you have been responsible for finding leased spaced for in northern Virginia.

Would you, to the best of your knowledge, tell me some of the agencies involved? You found the space, and the kinds of personnel that are found in those agencies, are they generals? Are they military personnel? Are they uniformed personnel for the most part?

Mr. MORAVEC. I would simply concur with Dr. Moy's characterization. This is a diverse workforce consisting of uniformed and civilian personnel working on a very wide variety of Department of Defense headquarters type functions, high administrative functions for the most part.

Ms. NORTON. The figures I have been given are for civilian 15,754; military, which does not necessarily mean uniform, 6,199.

Now, I would like you to provide to the chairman of this committee the exact agencies and a rundown of the personnel functions they do. It is my understanding that these are mostly people who do the same kinds of things that are done for other agencies. You know, the kinds of things that are located in northern Virginia, for example, is inspector general, there are education and training facilities, there are researchers. But I think you have an obligation to disaggregate for this committee what you're talking about and to rebut my assertion that we are talking about people that look like the same people who are sitting all across the region doing the same kinds of administrative tasks that they do, including contractors, who often are in some of these buildings side by side with Federal workers, but not contractors working on some great big nuclear secret, not contractors like people in embassies, but contractors like people doing essentially the kind of head work that most terrorists could care less about. I can understand their interest in military facilities.

But I ask you to provide within 30 days to the chairman of this committee, Dr. Moy, a breakdown of the line-by-line that you, of course, do not have in your head, of the agencies involved.

I have been involved with the BRAC matter because there is a facility here which raises wholly different concerns. And of course, that is Walter Reed Hospital. And what I have tried to do is to understand what the BRAC calls for. So I said to my people who don't want Walter Reed to move, don't want to hear what a nice thing it is for the community. These are military folks, and the foremost of the standards is military value.

So my question is—really goes to this. Weeks before BRAC ever came out, the Defense Department announced that it wanted to move these personnel from northern Virginia to an army base. Then here comes BRAC. And BRAC says, guess what? We want to move these people to an army base. In the law we would call this protectoral, that the decision had been made quite apart from military value to move these facilities.

And I would like you, Mr. Williams, and you, Dr. Moy, to describe what the military value is to the U.S. taxpayer of moving personnel specialists, researchers, many of whom simply have their headquarters or offices there, training facilities and the like, into a shuttered army base where for good reasons we make it very difficult to get in.

Yes, sir. Mr. Williams.

Mr. WILLIAMS. I, for one, don't feel that I am qualified to respond to what the mission and the mission needs are of DOD. Again, as a chairperson of the ISC, we are primarily concerned with non-military activities. So I have not been involved in that.

Ms. NORTON. Aren't you on this 12-person agency—task force? I am sorry.

Mr. WILLIAMS. Which—

Ms. NORTON. The interagency group that together is supposed to consider all these matters so that you have at the table, for example, not the DOD making a decision by itself, oh no, but with the input of GSA, God help us, of the Department of Homeland Security. Or is DOD out there by themselves and it doesn't matter what the standards are for everybody else?

Mr. WILLIAMS. Well, again, DOD was part of developing the ISC standards. And we have set them minimum standards so there is quite an array of missions between the many government agencies that could require great elevation of those standards.

Ms. NORTON. Mr. Williams, I would hope that these standards meet the necessary flexibility, agency by agency. Are you saying that no amount of flexibility or of thinking or of drawing in experts was possible to avoid moving mostly civilian, non-military, administrative employees to an army base, that this was the last resort, these personnel are so valuable to the terrorists, we look at so many options for making sure that they were safe, cross them all off, just couldn't do another thing and finally said, "Golly, these folks have to go to an army base because there is no way else to protect them," and we don't know, and the private sector is not able to help us provide ways to keep them where they are, we are going to undertake this for that reason? You are saying all those options were looked at?

Dr. MOY. Ma'am, I would like to add that the issue of moving the subject people to an army base, that the unified facilities criteria was not the only—

Ms. NORTON. What was not the only? I am sorry, what was not the only criteria?

Dr. MOY. The Unified Facilities Criteria, the anti-terrorism force protection criteria was not the decisionmaker for moving people.

Ms. NORTON. What was the major criteria then?

Dr. MOY. It always goes back to military value. But it takes a look at—the intent was to try to gain efficiencies of placing like functions together, trying to address command and control among units, placing them in closer proximity, in terms of cost savings of moving them to DOD or federally owned facilities. So there are a number of things that entered into the decision, not just whether they met the anti-terrorism force protection requirements of the Department.

Ms. NORTON. Of course, although that is the primary point here. Gentlemen, the carving out of the DOD almost entirely, it would appear, regardless of the personnel, regardless of the function, calls into question all you have done for Federal workers. You've taken the largest number. Maybe Homeland Security now, Mr. Williams, is the largest number. We cannot fail to believe that your standards are worthless because after DOD I don't know why, Mr. Williams, you won't be here saying, I am sorry, we have to move all

the personnel. Of course, they are all civilians, but somebody might attack them, so we just have to move them as far as we can.

And I want you to tell me, Mr. Williams, what is the difference between you and Dr. Moy when it comes to moving facilities based on exposure to terrorism, and he says a whole bunch of other matters. I don't see the distinction.

Mr. WILLIAMS. Again, the ISC, we have—there was a collaborative effort that I think involved many entities from National Capital Planning Commission on through. We have developed a set of minimum standards that are very flexible. They can be tailored based on the mission of the individual—

Ms. NORTON. But these are not—please answer my question. They weren't tailored. You gave up on the standards here and moved them to a military base which is the most secure place you can locate in our country. So they are outside of the standards.

Mr. MORAVEC. I am not sure I would agree with the characterization of the ISC standards as worthless. They are adequate for the purpose for which they were intended, which was to establish a minimum baseline of security upgrades to which private landlords could respond. They provide a reasonable level of protection under most circumstances. The ISC standards definitely reduce or mitigate the threat. They don't eliminate it. And I would also—

Ms. NORTON. Mr. Moravec, if that were the case in your own testimony you mentioned level 4 standards. You yourself I am sure are no small part, given your expertise, responsible for and you say what some of these standards are and they can be very burdensome. You say it could involve control of common entrances, parking areas, some inspection, and the like. And then you go on to say one solution may be to consolidate agencies with similar security profiles, to secure efficient and cost effective building occupancy. But you say, "may receive less interest from the market." That is to say, what you require, let's say an already leased space, may receive less interest from the market and be less competitive.

I would like to know what is the evidence from the market in northern Virginia that that leased space was unwilling to try to meet standards—your standards—with some flexibility. What is the evidence? Did you call them together? Have you drawn in the development community, a very extensive community around the National Capital area, sat them down at a table, told them what you are up against, that your personnel specialists and DOD needs to be in an army base unless they will, in fact, conform to some of these more burdensome standards and if so, what did they say, did they say, yeah, I guess you have to move them to an army base?

Mr. MORAVEC. The private sector was very definitely extensively involved in the creation of the ISC standards. There was extensive consultation, not just in the National Capital region, but around the country with private landlords as to how they would respond to different kinds of security countermeasures that would be mandated as part of a solicitation for offer of space. So they were very definite.

Ms. NORTON. Mr. Moravec, please answer my question. I asked you because the chairman wants me to go on. I asked whether the private development sector here, which you say may be less willing

to conform with these standards, whether these people were told this is likely to happen, you are likely to have agencies increasingly moved to shuttered bases unless you think deeply and creatively about whether you can meet these standards? If you have, I want to know when and I want to know who.

Mr. MORAVEC. We didn't tell anybody that as part of the ISC process. Basically we developed the standards and thus far we really mostly have anecdotal evidence as to what the reaction is. Other than level 4 protection, which requires pretty much complete control of access to the building and parking areas and segregated heating, ventilating and air conditioning systems for big parts of the public areas of the buildings, we don't think that the private sector is going to have a hard time responding competitively with regard to the first three levels of security. The big difference between the DOD standards and the ISC standards have to do with setback and blast protection. Basically the DOD standards are incorporating and actually enhancing what we call the security design criteria for Federal construction, and they are applying it to leased space. So they are fairly consistent with the ISC; in other words, the rest of the Federal community standards for security for owned space. But they are applying it to leased space. So philosophically it is consistent. It is just requiring a much higher level of security.

Ms. NORTON. Could I just ask, Mr. Chairman, could I ask you to call a meeting of the development community in this area to put before them what may face them, to begin to get them to think about what you should get them to think about anyway, because you know that you have owned space, space you own in the District of Columbia and Maryland that you can't begin to move anywhere? So you should have had them coming in and talking about the Ronald Reagan Building down there. You own it. Yes, there are private agencies there, but those agencies remain there, but you control the parking. And you are in greater control of that building. The fact is that you do not have open to you the option that has been used with BRAC as a subterfuge and a pretext in order to try to move things out of northern Virginia. You know you can't move it out of the District of Columbia. You know you can't move the Pentagon. You know you can't move the National Capital area.

And what this process reveals is that there is almost no innovative or creative thinking going on among those who are in charge of the facilities in this area. If there were, we would have heard some of that back. You already said that you have not called in the development community. I am asking you specifically to do that.

Call them in. Lay it on the table. Do it not only because we want to keep people from moving out, do it because you owe it to us because you have buildings in D.C. not only like the building that the chairman brought to your attention, you have the Secret Service here. You have the FBI here. And you have departments I won't even name here. And only when you begin to do that will you be able to protect those who are here, much less running for cover—and that is why I am ashamed of you—running for cover by essentially giving up when we are talking mostly about workers like every other worker around here, not people who are attached to security at all, and every last one of you at the table know it.

Thank you. Thank you, Mr. Chairman.

Mr. MORAVEC. I may not be clear, but we have involved and will involve the private industry in the evolution of the interagency security standards. This is a living document that will be adjusted as we learn more.

Ms. NORTON. Mr. Chairman, could I ask that you ask the developer or at least perhaps as part of another hearing ask the development community to come before us and testify what they think of—

Chairman TOM DAVIS. We'll certainly ask them. And I know we had a meeting with DOD, and DOD, which is their restrictions are far worse than I see from a development point of view. We have had some meetings informing them of what would be helpful hearing from them. We can do that. But thank you very much.

Ms. Watson, and then Mrs. Tubbs Jones.

Ms. WATSON. Thank you so very much, Mr. Chairman. I think this is a very critical hearing we are having this morning. I would like to thank the panelists as well.

I was a U.S. Ambassador assigned to the Federated States of Micronesia. Our Secretary of State constantly informed us of the new standards, this back in the late nineties. And so I brought my packet to Washington, DC, to the State Department describing our facility. They told me, sorry, I was No. 80. I would be No. 81 on a list of 80 that were already there. So our attention is not going to the needs of all of our embassies overseas. I was just turned down flat. Because we were right on the road. If somebody wanted to do us harm, all they would have to do is throw a canister up on the roof and that would be it.

I say that to say we are all at risk. So I think I am going to address this question to Mr. Moravec.

You mentioned in your testimony that the ISC Security standards for leased space do not preclude the utilization of space in the central business districts. And as a result of the Oklahoma City bombing, the ISC was formed.

I want to know, do our offices that we lease as Federal employees and as elected officials come within that standard? If not, why not? We lease space. And let me go just a minute further. We got a call—three calls from the FBI in Los Angeles that there had been a threat made not only to my person, but to my office. I asked my staff to find out more about it. So I called the agent that had called our office, and I inquired. When I came here, I called the FBI. They moved this guy out of my region.

And so I am saying, if we are threatened, then I should be able to instruct my staff and my constituents when they come to my office what risk they are under when they come. I could never get any information.

So let me know, Mr. Moravec, if you consider our federally leased space within the standards. And I wrote down here, are we a high value target or not? And if not, why not?

Mr. MORAVEC. Well, the ISC standards have just become formalized within the last 5 months. So it is clear that not all buildings are in compliance with the ISC standards at this point. Every Federal agency, regardless of whether they are in owned or leased space, is supposed to have an occupant emergency plan. There is

supposed to be a building security committee chaired by the highest ranking member of the largest tenant in a Federal building, whether it is owned or leased, that is responsible for developing an emergency plan specifically for that building and in consultation with the Department of Homeland Security and with the building management with GSA.

Ms. WATSON. It is not happening. I am in Los Angeles and right down the street from the freeway that Mr. Waxman mentioned and our districts are. Whatever happens in his district impacts mine as well. And I am right up to the airport. I don't have the airport. But I go right up to it. And we are not informed.

Mr. MORAVEC. Are you in a federally owned building or a multi-tenant?

Ms. WATSON. No. I am in leased space in a commercial building. So my question to you is, do the regulations and the requirements apply to Members, Federal employees who are in leased space?

Mr. MORAVEC. Absolutely they do.

Ms. WATSON. OK. Well, I haven't seen any of that. And we then asked the manager and the owners of the building to help us secure our property and then I asked the FBI for more details? You know, are they going to try to get us in our cars, underground, my staff that comes and goes on public transportation. You know, help us reduce the risk and protect our people. I have not seen any of that.

Mr. MORAVEC. Well, we will endeavor to do better.

Chairman TOM DAVIS. Thank you. The standards are new. They are brand new. It takes a long time. Even DOD standards are just starting to kick in, when these leases are expiring and the like. But thank you very much. Ms. Tubbs Jones.

Ms. TUBBS-JONES. Thank you, Mr. Chairman, for the opportunity to ask just a couple of questions. Good morning. Well, almost afternoon. I come from Cleveland, OH. You already heard from two of my colleagues, Dennis Kucinich and Steve LaTourette, with respect to a BRAC closing of a DFAS facility in our congressional district.

I guess what I am interested in is in the process of a BRAC, what consideration is given to the existing facility that a group of employees is working in as compared to a new facility, a facility that they would be moved to for purposes of considering whether the BRAC should take place? Are you understanding my question or am I confusing you? I see the frown. That is I why I'm asking.

Mr. MORAVEC. I understand your question. I would have to take that for the record, and I am not able to answer your question now.

Chairman TOM DAVIS. He was not part of the BRAC process formally. He was part of the group that formulated some of the security details of buildings.

Ms. JONES. So what I am interested in is to whomever this question will be directed, so it will be clear, so that they won't be confused about what I am asking, is the DFAS employees who are currently in a Federal facility on 9th Street, the physical Federal buildings?

Mr. MORAVEC. Celebrisi Building. It is a beautiful building from the 1960's. It has aged very well. We are very proud of that at the GSA.

Ms. JONES. Depends on who you ask. Regardless of that, what consideration is given to the security of that facility as compared to a facility that they would be moved to if they were moved to Denver or Columbus or Indianapolis in terms of pointing and deciding where—what is the best place for this DFAS to be located? That is what I am interested in knowing, and anything else that my colleagues asked. And since I am at the end of this and the chairman has been so kind, that will be the only question I will ask today. Thank you, Mr. Chairman.

Chairman TOM DAVIS. Thank you.

I am trying try to get back on all those issues. Dr. Moravec, you just make sure you have a conversation with the staff so you know what you are supposed to get back and just do your best to try to get some of the information and let us know where we are. I know some of these requests may seem fairly cumbersome, but you can get back and work out what we need to answer some of the Members' questions.

Dr. MOY. Yes, sir.

Chairman TOM DAVIS. I want to thank everybody. It has been 2 hours. Dr. Moy, you don't get combat pay for coming up today. But I would be happy to make that recommendation to your superior.

Dr. MOY. Sir, I enjoy being your constituent.

Chairman TOM DAVIS. Thank you very much and nothing from—I don't think is addressed to you personally, it is obvious that there is frustration with some of the decisions and some of the decision matrix coming out of the departments. And you are the guy that is here. But we appreciate the job all of you are doing on this and I just want to say, it isn't always easy where we sit either. But thank you, very much.

[Whereupon, at 11:55 a.m., the committee was adjourned.]

[NOTE.—DOD did not submit responses to committee members' questions for the record.]

[The prepared statement of Hon. Jon C. Porter follows:]

**STATEMENT FOR THE RECORD
CONGRESSMAN JON C. PORTER (R-NV-3)
“BRAC and Beyond: An Examination of the Rationale Behind Federal Security
Standards for Leased Space.”
JULY 27, 2005**

Mr. Chairman, thank you for holding this hearing today. I would also like to thank the witnesses for taking the time to be here today.

As you stated, Mr. Chairman, the federal government owns or leases approximately 3.4 billion square feet of space. That is quite a bit of space to in which to keep our servicemembers, federal employees, and visitors secure in a post-9/11 world. It is our duty to protect all of those who live on, work in, and visit federally leased land. The purpose of this hearing is to help the Committee better understand how the Department of Defense is handing their leased land.

Like you, Mr. Chairman, I am curious as to why the DOD felt the need to develop its own security standards (the Anti-Terrorism Force Protection Standards) separate from those developed by the Interagency Security Committee (ISC). I understand that the DOD has unique needs that must be considered; however, I do not understand why these standards are inconsistent with the ISC standards. I am also looking forward to hearing why the DOD used its own standards, as opposed to the ISC's, to justify arbitrary recommendations to the Base Realignment and Closure (BRAC) Commission.

Again, Mr. Chairman, thank you for holding this hearing today, and I would like to applaud the DOD in their recognition of the importance Nellis Air Force Base in Las Vegas, Nevada, during this year's BRAC recommendations. I hope that this Committee can gain some information from this hearing today that we can bring to the House of Representatives. I look forward to working with the Government Reform Committee on this issue.

