



Office of Command Counsel Newsletter

October 1997, Volume 97-5

Dr. Kelman Harvard Bound

Acquisition Reform Leader Departs

Dr. **Steven J. Kelman** who served for four years as Director of the Office of Federal Procurement Policy, Office of Management and Budget, departed his position in September to return to Harvard to teach graduate public management courses.

Dr. Kelman was a tremendous innovator, seeking ways to reinvent government through change in the procurement system. According to Dr. Kelman, "We tried to get the burdensome procurement process out of the way... and we've tried to increase the chances that we will get suppliers who give us good prices and products."

Dr. Kelman became an advocate of several AMC initiatives including the AMC-level Protest Program, Debriefing, Past Performance and Partnering. His leadership, enthusiasm, and creativity will be missed by all of us who were lucky to have met and worked with this superlative person.

Your friends in AMC wish you luck. ©

AMC Attorneys Speak Up

Thanks to TACOM's **Ron Kuhn** for conducting a survey of AMC attorney opinions and experience regarding client relations in the changing work environment (Encl 1).

Main points raised include the following:

1. Selectively working on multidisciplinary teams is a viable way for lawyers to gain

non-legal expertise and to better render practical advice.

2. Lawyers realize the need to market services — education in this area need not be a top priority. Some AMC attorneys may see a conflict between needing to gain customer appreciation and the need sometimes to render unpopular opinions.

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3. A significant number of AMC lawyers feel they or their colleagues will benefit from training in sensitivity to cognitive and communication styles of others. This may show where training is both desired and useful for most AMC lawyers.

4. AMC lawyers believe it is worthwhile to set aside a portion of time to get to better know customers, their business and problems.

5. AMC counsel believe that knowing more about other functional areas will help AMC lawyers be more valuable. ©

Randolph-Sheppard, Food Service and FAR 15

MICOM's **Karolyn Voight**, DSN 746-6131, provides a thought provoking analysis of the Randolph-Sheppard Act (RSA) as it was applied and interpreted during a recent raucous competition for food services for a troop dining facility at Redstone Arsenal (Encl 2)

The RSA authorizes the operation of vending facilities on Federal property and gives a priority to blind persons licensed by a state agency.

The problems stemmed from trying to assign a priority to the State Licensing Agency (SLA) representing a blind vendor, as required in the Randolph-Sheppard Act, 20 USC 107(e), and implementing regulations, 34 CFR 395.33 , DODD 1125.3, AR 210-25 and, at the same time, compete the effort in compliance with acquisition laws and defense regulations pertaining to "best value" awards. (In this discussion, "SLA" is used interchangeably with "the blind".)

Ms. Voight's paper describes the confusion caused by the distinction between FAR 15 and the language in the RSA implementing regulations. It appears that RSA

implementing instructions require the interruption of a statutory created process, designed for the sole purpose of identifying the proposal offering the "best value" to the Government for a totally different statutory purpose - priority to the blind. These conflicting objectives are so difficult to achieve that it may become particularly important to consider carefully the sole source avenue of "direct negotiations" with the SLA as provided in the implementing regulations, see AR 210-25(b)(2). This is permissible when the on-site official (HCA) with concurrence of HQDA, has determined that the SLA, through its blind licensee, can provide the cafeteria services required at a reasonable cost, with food of a high quality comparable to that available from other providers of cafeteria services. ©

PARC-Chief Counsels' Workshop

As we go to press the PARC's and Chief Counsels are meeting at AMCOM. Newsletter 97-6 will report to you on the highlights and developments discussed during that session. **STAY TUNED!**

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Check out the Newsletter on the Web at http://amc.citi.net/amc/command_counsel/

Letters to the Editor are accepted. Length must be no longer than 250 words. All submissions may be edited for clarity.

Acquisition Law Focus

When Discussions *BETTER* Be Meaningful . . .

Percival Parks, CECOM Acquisition Center - Washington Operations Office, DSN 221-3304, provides an excellent article concerning the issue of meaningful discussions (Encl 3)...Defined in FAR 15.601 to mean: Any oral or written communication between the Government and an offeror (other than communications conducted for the purpose of minor clarification), whether or not initiated by the Government, that (a) involves information essential for determining the acceptability of a proposal, or (b) provides the offeror an opportunity to revise or modify its proposal.

GAO does not require "all-encompassing" discussions, but requires an agency to point out weaknesses or deficiencies in a proposal as specifically as practical considerations permit.

The paper also highlights the issue of subjects that may be discussed but do not have to be — the FAR says little on this.

The paper discusses the proposed Rewrite, under which the contracting officer must indicate to, or discuss with, each offeror still being considered for award, signifi-

cant weaknesses, deficiencies, and other aspects of its proposal (such as, cost, price, performance, and terms and conditions) that could, in the opinion of the contracting officer, be altered to enhance materially the proposal's potential for award.(Prop.FAR 15.406(d)(3)). The Rewrite does provide a definition for "weakness", including "Significant weakness", as well as an expanded definition of "deficiency." ©

List of Enclosures

1. AMC Attorney Survey
2. Randolph-Sheppard Act
3. Meaningful Discussions
4. Ethics Through Green-Eye Shades: Maintaining Your Agency's Fiscal Fitness
5. Gambling
6. DOD Proposed Range Rule
7. Command Counsel Environmental VTC
8. Environmental Law Division Bulletin, August 97
9. Environmental Law Division Bulletin, Sept 97
10. Transfer and Cleanup
11. Gifts to Superiors
12. OGE Form 450-A
13. Financial Disclosure Reporting System

Ethics Through Green Eye-Shades: Maintaining Your Agency's Fiscal Fitness

Thanks to **Mike Wentink** for including an excellent dissertation by **Steve Epstein**, DOD OGC and **Scott Castle**, DA OGC, the purpose of which is to:

- Review, from a fiscal law perspective, the Office of Government Ethics regulations pertaining to use of government resources.

- Propose methodologies for assessing the legal sufficiency of agency regulations which government resources may be used.

The paper recites the role of OGE and individual agencies in regulating the use of government property; states the general restriction that employees must protect and conserve government property and use it only for authorized purposes; and, describes the relationship between fiscal law and ethics regulations (Encl 4)

Employment Law Focus

GAO Survey Surfaces ADR Successes

In an August report to the House Government Reform and Oversight Subcommittee on Civil Service, the General Accounting Office (GAO) found that interest in alternative dispute resolution (ADR) continues to grow in both the public and private sectors, with participants reporting excellent results.

ADR processes used to resolve workplace issues include mediation, arbitration, peer panels and management review boards. Mediation seems to be the approved process.

Five Federal agency programs are highlighted: State, Agriculture, Air Force, Postal Service and Walter Reed Medical Center. ©

Smoking in Federal Buildings **BANNED**

On August 9, President Clinton issued an Executive Order banning smoking in buildings under control of the executive branch of government.

The order requires agency heads to evaluate the need to restrict smoking near doorways and courtyards adjacent to buildings.

The order does not apply to buildings under the control of the judicial or legislative branches of government. ©

Some of the lessons agencies learned were:

- The importance of top management commitment .
- Employee involvement in ADR program development.
- Early intervention when problems are perceived.
- Balance the desire to settle or close a case against the need for fairness.
- GAO concluded that a common problem is the lack of tools to measure and evaluate ADR results

The report is entitled Alternative Dispute Resolution: "Employers' Experiences with ADR in the Workplace." It is available by writing to GAO at P.O. Box 6015, Gaithersburg, Maryland 20884. ©

Know *Where* to Fold 'em

SSCOM's **Jim Savage**, DSN 256-5165, provides an excellent example of a preventive law note on Gambling on Federal Installations. The paper addresses MSPB case law, DoD Regulations (in the Joint Ethics Regulation), provisions in morale and welfare regulations, concluding that restrictions and prohibitions go back to the 1960s (Encl 5). ©

AMC ADR Program for Workplace Disputes

Building on the success of past ADR initiatives, AMC announces that it is designing a dispute resolution program for employer-employee workplace disputes. AMC Director of Equal Opportunity, **Ms. Jean Cozart**, is leading an interdisciplinary team comprised of EEO, civilian personnel and command counsel representatives. AMC installation and activity EEO managers were asked to volunteer to have their installations and activities serve as pilot programs to assess the benefits of bringing the ADR philosophy to the workplace.

Employment litigation is expensive, consumes time and resources, with decisions made by third parties who have no stake in the outcome of the dispute. ADR focuses on the relationship, the interests of the parties rather than highlighting the positions of the parties. The parties to the dispute create their own solution to the problem that gave rise to the dispute, leading to a healing of the problem. More information on this important ADR development will be forthcoming. POC in the Office of Command Counsel is **Cassandra T. Johnson**, DSN 767-8050. ©

Workplace Religious Expression Guaranteed

On August 14, President Clinton issued guidelines aimed at protecting religious expression in the federal workplace, provided that it does not conflict with an employee's work. The guidelines address many issues, including the following:

- federal employees may freely express their religious views and exercise their faiths as long as it does not infringe on workplace efficiency.

- federal employers may not discriminate in employment on the basis of religion;

- agencies must "reasonably accommodate" employees' religious practices.

- when a federal agency permits nonreligious speech because it does not hinder the rights of others, it also

generally must allow similar speech of a religious nature.

Agencies must accommodate an employee's religious practice in the absence of nonspeculative costs and may need to accommodate such practice even when doing so will impose some hardship on the agency's operations. ^c

FSIP Restates Management's Burden in Terminating AWS

Actual harm must be shown before an agency may terminate employees' alternate or compressed work schedules under a recent opinion of the Federal Service Impasses Panel.

In VA, Lutz Medical Center, 97 FSIP 64, June 1997, management's conjecture about possible negative effects on operations is not enough to end existing AWS schedules. A predicted future impact is not enough — agencies must show adverse impact at time it decides to cancel a program. Thus, a belief that buyouts and other reductions in the workforce will cause adverse impacts in the future does not satisfy management's burden. ^c

Supreme Court to Issue Truth About Lying King to be argued this term

The U.S. Supreme Court has granted review of petitions to determine whether an employee accused of misconduct can be punished for making an untrue denial, King v. Erickson, U.S. SupCt No. 96-1395, June 27, 1997. The MSPB upheld the charge of misconduct in each of the disputed five cases but reversed the additional charge that the employee made false statements. The Federal Circuit upheld the MSPB mitigation of penalties in all five cases.

The government's brief states that the lower tribunal decisions create a "right to lie" for federal employees suspected of on-the-job wrongdoing. ^c

SOELR 98 Announced

OPM has announced that their annual Symposium on Employee and Labor Relations will be held in March in Hershey, Pa. Plan on attending AMC Labor Counselors!

Mother Teresa Remembered

"Love cannot remain by itself-it has no meaning, Love has to be put into action and that action is service. Whatever form we are, able or disabled, rich or poor, it is not how much we do, but how much love we put in the doing; a lifelong sharing of love with others."

Sexual Harassment in the Army

Special Focus: DA Sexual Harassment Report and

Secretary of the Army **Togo West** and Chief of Staff **General Dennis Reimer** announced key findings of two reports on the issue of sexual harassment as well as an Army Human Relations Action Plan to combat deficiencies noted in the inquiries.

Major findings are:

- Sexual harassment cases throughout the Army, cross gender, rank and racial lines.

- Gender discrimination is more common than is sexual harassment.

- Army leaders are the critical factor in creating, maintaining and enforcing an environment of respect and dignity in the Army; too many leaders have failed to gain the trust of their soldiers.

- The Army lacks institutional commitment to the Equal Opportunity program and soldiers distrust the EO complaint system.

- The overwhelming majority of drill sergeants and instructors perform competently and well, but "respect" as an Army core value is not

well institutionalized in the Initial Entry Training process.

Components of the Action Plan include:

- The Army Chief of Staff has appointed the Deputy Chief of Staff for Personnel as the Army's staff agency with responsibility for leadership, leader development and human relations. The Secretary of the Army has given oversight responsibility to the Assistant Secretary of the Army for Manpower and Reserve Affairs.

- A brigadier general has been named director of the Army's Human Resources Directorate. He is supported by two colonels in positions on the Human Relations Task Force.

- AR 600-20, *Army Command Policy*, is being rewritten to strengthen human relations areas and require that commanders conduct climate assessments within 90 days of assuming command (160 days for reserve, components). The assessment examines a

command's morale, teamwork and communication.

- The Chief of Staff instituted the Character Development XXI program, which refocuses the Army on its institutional values of honor, duty, integrity, loyalty, courage, selfless service and respect. FM 22-100, *Army Leadership*, is being revised to emphasize the Army's core values.

- Fielded the Living Army Values Video which discusses the history of Army values and current societal and organizational conditions that warrant renewed emphasis on Army values.

- The Secretary of the Army has approved increased staffing for human relations/equal opportunity positions at Army, MACOM corps, division, brigade and installation.

- Equal opportunity complaint procedures were completely revised to establish a more effective timeline. Whistleblower protection was also revised to ensure protection of complainants against retribution. The revisions will be included in the new AR 600-20.

- Chief of Staff tasked U.S. Army Training and Doctrine Command to add an additional week to Initial Entry Training to allow for more intense and rigorous soldierization.

Sexual Harassment in the Army

- Implemented a new drill sergeant program of instruction in March 1997 which includes 10.5 additional hours in human relations training.

- Assign a three-star deputy commanding general to U.S. Army Training and Doctrine Command at Fort Monroe, Va to serve as a watchdog over the Army's training centers.

- Toughen the drill-sergeant selection process to include a personnel records review, a requirement that a lieutenant colonel or above personally certify that candidates demonstrate requisite leadership potential and meet other selection criteria, and a requirement for mental evaluations of both volunteer and nonvolunteer drill sergeant selectees.

- Implement follow-on human relations refresher training for advanced individual training courses longer than eight weeks.

- Continue to publish command information that addresses ongoing Army efforts to eliminate sexual harassment and support equal opportunity.

Within AMC the Commanding General has in place a designated PM POSH-Program Manager for the Prevention of Sexual Harassment located in the Office of Equal Opportunity. ©

PARTNERING FY 98 PLAN OF ACTION

The primary objective of the FY 98 Partnering Plan of Action is to assess current AMC Partnering initiatives and to expand Partnering to important acquisition programs awarded in 1998.

In the next few weeks each AMC MSC will be asked to identify two programs for which Partnering will be used. These two programs will utilize Partnering through the AMC Partnering Model contained in the AMC Partnering Guide.

Additionally each MSC will be asked to identify five Partnering Champions to include an attorney. These Champions will be part of a two-day training program on the AMC Partnering Model, after which they will be responsible for the implementation of the Partnering process for that MSC's Partnering Programs.

Further, AMC Roadshow 7 will address the issue of Partnering in a couple of ways. First, in the opening plenary session Partnering will be discussed, with an emphasis on what we have accomplished thus far, and what to expect in FY 98. Second, we will have a 1-1/2 day facilitated Partnering Workshop that will be program specific, discussing the Partnering process from the perspective of the two acquisition programs identified earlier by the MSCs. Although we have achieved significant success with the publication and distribution of the AMC Partnering Guide and Videotape we have a long way to go to ensure that Partnering becomes part of our acquisition business strategy. ©

AMC Receives Three 1997 Presidential Awards for Quality

A panel of government and private sector quality management specialists picked eight federal organizations for special recognition rewarding each with Quality Achievement Awards. Three AMC activities were recognized: The CECOM Acquisition Center, The CECOM Logistics and Readiness Center and Rock Island Arsenal

Environmental Law Focus

DOD Proposed Range Rule

DoD announced its proposed rule for Remediation of Closed, Transferred, and Transferring Ranges Containing Military Munitions in the Federal Register on 26 September, 62 FR 50796. While this is, of course, a proposed rule, it presents a good overview of DoD policy and procedures regarding cleanup for ranges, including those on BRAC installations. A summary of the proposed rule is enclosed (Encl 6). This office also has a twenty page briefing of the Rule, which can be obtained by contacting **Stan Citron**, DSN 767-8043. ©

XTRA...XTRA: Read All About It...

ELD Bulletins for August and September 97 are provided (Encl 8 and 9) for those who have not yet signed up for or do not have access to the LAAWS Environmental Forum or have not received an electronic version.

The Aftermath of Property Transfer: Environmental CleanUP

DoD has finalized its Policy on Responsibility for Additional Environmental Cleanup After Transfer of Real Property (enclosure 10). Previously it had been available on the DoD Environmental Cleanup Homepage, [HYPERLINK http://www.dtic.mil/envirodod/](http://www.dtic.mil/envirodod/) but indicated it was a draft policy. This policy may be particularly significant in discussions with BRAC Redevelopment Authorities and others who will be transferred Army lands, with respect to the continuing responsibility of the government to remediate newly discovered contamination after the land is transferred.

Call the HQ AMC Environmental Law Team for further information on this important development. ©

Revised BRAC Leasing Procedures Delegates Authorities

On 24 September 1997, the Deputy Assistant Secretaries for Installation and Housing and for Environment, Safety and Occupational Health issued revised procedures for process leases at BRAC installations. A copy has been provided to our MSC legal offices. The revised procedure delegated signature and execution authority for Reports of Availability packages and for FOSTs and FOSLs to the MACOM, and eliminates the formal Headquarters Department of the Army review, which has previously been required. However, prior to execution of documents, installations and the MACOM must insure that the members of the BRAC Transfer Team have the opportunity to review packages. Copies of the revised policy may be obtained by contacting **Bob Lingo**, DSN 767-8082. ©

Environmental Law Focus

Environmental Law Specialist Meet In TV Land

Command Counsel Environmental and Real Estate VTC

On 10 October 1997, the Command Counsel Environmental and Real Estate Team presented a VTC on recent environmental developments. Topics included new BRAC leasing procedures, status of the AMC FOST/FOSL Guide, update on lead based paint issues by AEC, natural resource damage claim issues, the new AMC quarterly environmental council meetings, and update on the military munitions implementation. Copies of the briefing slides are at (Encl 7 - Enclosure may not be complete and accurate if you want further information please contact **Bob Lingo**).[©]

Steps Toward Computer Security: Protecting Against High-Tech Theft and Sabatoge

- o Limit the number of employees with access to sensitive computer operations.
- o Create an environment in which employees feel free to report suspicious behavior.
- o Complete thorough background checks on new employees.
- o Maintain backup tapes in a secure off-site facility.
- o Develop a policy on how to handle computer mischief.
- o Make sure all employees are aware of security policies.
- o Ensure that complex passwords are used, making it tougher for one employee to crack another's pass word.
- o It is better to avoid using your name, instead choose a combination of letters or numbers.
- o Install anti-virus software at network servers and individual work stations.
- o Conduct frequent reviews of security worklogs.

(From the Santa Clara County District Attorney's office)

Gifts to Superiors Explained

General Rules & Exceptions Highlighted

The issue of gifts to superiors, always a complex one, becomes particularly important as we head towards the holiday season. The general rule is two-fold. First, employees may not directly or indirectly give gifts to an official superior, or solicit other employees to contribute to or give a gift to an official superior. Second, employees may not accept gifts from employees who are paid less than they are unless there is a personal basis justifying the gift and there is no subordinate-official superior relationship between them.

Of course, since life sometimes is filled only with exceptions to general rules there are two main ones to keep in mind: "occasional basis" and "special infrequent occasions."

The "occasional basis" exceptions are as follows:

- Food and refreshments shared in the office.
- Personal hospitality at home of a type and nature customarily provided by the employee to friends.
- Customary gifts given in connection with receipt of personal hospitality.

- Items, other than cash, with an aggregate market value of \$10 or less on any occasion on which gifts are traditionally given or exchanged.

The "special infrequent occasions" exception permits a "gift appropriate to the occasion," and solicitation of contributions in a "nominal amount" from Army employees in "donating groups," in the following two situations:

- Infrequently occurring occasions of personal significance such as marriage, birth of child, or illness (this does not include birthdays or other annual celebrations; it does not include official visits to commands or other organizations by a visiting Army or other DoD dignitary; and it does not include promotions).

- Occasions that terminate a subordinate official superior relationship, such as retirement, resignation, or transfer.

The paper also addresses the definition and application of the term "donating groups" and provides guidance on what to do when you receive gifts (Encl 11). ©

OGE's New, Easier Financial Disclosure Form

The Office of Government Ethics Form 450-A, permits employees to file this form rather than OGE Form 450 (Encl 12).

This 450-A can only be used if employees meet all of these requirements

"After examining a copy of my confidential financial disclosure report (OGE Form 450), I certify to the following:

Since filing my last OGE Form 450:

1. I have no new reportable assets or sources of income, for myself, my spouse, or my dependent children;
2. Neither my spouse nor I have new reportable sources of income from non-Federal employment;
3. I have no new reportable liabilities (debts), for myself, my spouse, or my dependent children.
4. I have no new reportable outside positions for myself;
5. I have no new reportable agreements or arrangements concerning future, current, or past non-government employment for myself;
6. I have no new reportable gifts or travel reimbursements for myself, my spouse, or my dependent children."©

'Tis The Season: Confidential Financial Disclosure Reporting System Requirements

AMC Ethics Counsel **Mike Wentink** provides this outstanding information paper addressing these questions: Who Must File, Filing Time, Filling Out the Form and Reporting Requirements (Encl 13).

Who Must File

Federal employees in the grade of GS-15 and below, or the rank of colonel and below, with duties involving decision or the exercise of significant judgment concerning:

- (a) contracting or procurement;
- (b) administration of grants, subsidies, or licenses or other Federal benefit;
- (c) regulation or audit of any non-Federal entity; or
- (d) other activities which will have a direct and substantial economic impact on a non-federal entity.

In addition, the DoD *Joint Ethics Regulation* (JER) requires filing of the report by commanders, heads and deputy heads, and executive officers of Army installations, bases, air stations or activities.

The JER excludes certain DoD employees whose procurement responsibilities involve less than \$2,500 per transaction and less than \$20,000 per year, as long as they are not actually employed by a contracting office (e.g., employees who make purchases with the IMPAC Credit Card). This does not prevent commanders and supervisors from determining that specific individuals in this category should file the form. Being excluded from the filing requirement, however, does not waive any conflicts of interest.

Filing Time

Employees required to file the OGE Form 450, must file their **annual** report with their ethics official **NLT 30 November**. Extensions are available from the HQ US AMC ethics counselors, or the chief of legal offices at subordinate commands and offices upon written request from the filer. However, plenty of time is provided for filing and extensions should be the rare exception. Those who have not filed by 30 November, with or without an

extension, are reported to Headquarters, Department of the Army. Ethics counselors will normally establish earlier suspense dates (such as NLT 7 November to the supervisor and 14 November to the ethics counselor) to help employees to file timely.

Exception:

Employees who served less than 61 days in their position during FY 97 do not have to file an **annual** OGE Form 450 Report. But, they must have filed their **new entrant** OGE Form 450 Report within 30 days of assuming their position. Therefore, any employee who assumed a position on or after 2 August 1997 and who filed their **new entrant** report, are not required to file an **annual** report this year.

Your attention is invited to the enclosure to receive helpful hints on filing (remember spouses and minor children) and do not report bank accounts, money market mutual funds or U.S. Government bonds. ©

Faces In The Firm

Arrivals

IOC

Geraldine Lowery has joined the Office of Counsel at the Industrial Operations Command (IOC). Geraldine comes to the IOC from the Corps of Engineers, Rock Island District, where she focused on real estate law. She has thirteen plus years with the government and is a welcomed addition to the IOC/AMC legal community.

Captain Rick Murphy departs and **Mr. Rick Murphy** arrives! Rick left military service for a life as a civilian on the Rock. Rick will continue to work in the environmental law area at the Industrial Operations Command. Rick, his wife Janene, and their daughter, Robin, make their home in Bettendorf, Iowa.

CECOM

1LT Christian J. Knapp joins CECOM after completing The Judge Advocate General's basic course in Charlottesville, VA. He has been assigned to the Legal Services Branch.

Lea Elaine Duerinck will be joining the legal of-

fice and will be assigned to Division B. She comes to CECOM from the Acquisition Directorate. She is admitted to the NJ and NY bars.

TECOM

MAJ Maria S. Chana, arrived 27 May 1997, following her graduation from the 45th Graduate Course, TJAGSA. She is assigned to this office as the new Deputy Staff Judge Advocate replacing **MAJ Susan S. Gibson**.

COL James S. Currie, arrived from Fort Irwin on 3 July 1997 to become the new Chief Counsel and Staff Judge Advocate. He's new to the AMC Community. Welcome Colonel Currie!

Dick Wakeling arrived on 8 July 1997 from Letterkenny Army Depot as the new environmental attorney.

Pamela Purcell joined the office on 20 July 1997 from Fort Drum, New York. She is the Chief Client Services Division in the legal office. Ms. Purcell is a welcome addition to our legal staff.

Departures

TECOM

MAJ Susan S. Gibson, Deputy Staff Judge Advocate PCS'd in July 1997. MAJ Gibson will be continuing her education at University of Virginia for her LLM. Good luck MAJ Gibson!

COL Edward W. France III, Chief Counsel and Staff Judge Advocate, TECOM, PCS on 8 August 1997 to Huntsville. He will be the Chief Counsel, U.S. Army Space and Strategic Defense Command. Good luck COL France!

CPT Michael Lancer, Chief Criminal Law, TECOM, ETS'd in June 1997. He accepted a civilian attorney position outside the Government in Buffalo, New York.

SPEC Becky Stoble, Legal Assistance, ETS'd 6 August 1997. She is residing in Bel Air, Maryland has enrolled in the paralegal program at Harford Community College.

**HAIL AND
FAREWELL...**

and thanks for your
dedicated service!

Faces In The Firm

Births

TECOM

SPEC Matthew Bower, joined the Test and Evaluation Command (TECOM) Legal staff in May 1997. SPC Bower's wife gave birth to a 8 lbs 6 oz boy, Nathan Mathias on 5 August 1997. Both baby and mom are doing fine.

HQ AMC

Stan and Carol **Citron** welcomed Rachel in early October joining her sister Lauren.

Promotions

TECOM

Marian Goldsmith promoted to a GS-7, Office Support Assistant in the TECOM front office. Well deserved Marian!

Jean Buckholtz and **Alene Williams**, both promoted to GS-7, Legal Assistants. A well deserved promotion!

Awards

TECOM

MAJ Susan S. Gibson, Deputy Staff Judge Advocate, was presented with the Legion of Merit, for her outstanding contributions during the cadre incidents and for her work as the Deputy Staff Judge Advocate.

Colonel Edward W. France III, Chief Counsel and Staff Judge Advocate, was presented with the Legion of Merit, for his outstanding contributions as the Chief Counsel and Staff Judge Advocate.

TECOM Legal Assistance Division, won the "Chief of Staff Award for Excellence in Legal Assistance for 1996," for superior achievement in providing professional legal advice and assistance to soldiers and their families on their personal legal affairs and needs. This office has received the award for six out of the last seven years. **Major General Andrews**, TECOM Commanding General, presented the award to the Legal Assistance Division. The following individuals from the Legal Assistance Division were responsible for the Division

achieving this prestigious award: **Mrs. Katherine Williams**, Legal Assistant, **Mrs. Jean Buckholtz**, Legal Assistant, and **CPT Creighton Wilson**, Legal Assistant Attorney.

HQ AMC

The AMC **Chief of Staff MG James Link** presided over a ceremony at the HQ AMC on 19 September to recognize efforts of two teams for significant achievements in two important issue areas:

AMC Partnering Team

Recipients of the Decoration for Meritorious Civilian Service: Team Leader **Mark Sagan**, CECOM, **Dave Defrieze**, IOC, **Ken Bousquet**, TACOM Acquisition Center and **Steve Klatsky**, HQ AMC.

Privatization and Outsourcing Team

Recipients of the Commander's Award for Civilian Service: from HQ AMC **Elizabeth Buchanan**, **Cassandra Johnson** and **Dave Harrington**, from ATCOM **LTC Ron Heuer**, and from DA Office of General Counsel **Frank Sando**, **Fred Moreau**, and **Gary Bacher**.