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Defining the ROK and US Roles and Procedures for Constructing the US Replacement Facilities within Military Air Bases

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Background and Purpose

- **Defining the ROK and US roles and procedures for constructing the US replacement facilities within military air bases.**
 - The relocation project is on track with confirmation of the relocation site of Daegu Military Air Base.
 - Daegu, Suwon, and Gwangju Air Bases are being relocated under the 「Special Act on the Relocation of Military Air Bases and Support Therefor」
 - They are Collocated Operating Bases for the ROK and US forces, which means the relocation necessitates the transfer of the US facilities to the relocation site.
 - The ROK and US roles and procedures should be defined before a negotiation for constructing the US replacement facilities within new air bases.

Research Results

- **The proposal in the ways of executing the construction project for the US replacement facilities considering unique characteristic of the relocation of military air bases.**
 - A (draft) plan for constructing the replacement facilities shall be developed in consideration of the construction process of both ROK and the US.
 - Assurance of the role of quality management by the US Design and Construction Agent (DCA), based on the precedent of the US facilities construction in ROK.

- Suggesting the ROK and US roles and procedures, which would be included within the MND Directive on the 「Relocation of and Support for Military Air Bases」 (provisional title).
- Establishment of the ROK-US Coordination Entity authorized to conduct adjustment and negotiation in case of discrepancy between the ROK and US.
 - Organizing Ad Hoc Subcommittee and Joint Working Group (JWG) within the ROK-US Coordination Entity pursuant to SOFA provisions.
 - Designating the MND Military Air base Relocation Bureau as the representative of the ROK DCA for negotiation with the US to ensure consistency in communication, efficiency in decision-making, and continuity of work.
- For successful construction of the US replacement facilities, the following points are required based on the ROK and US coordination.
 - To foster mutual understanding, consulting, and making necessary adjustments based on the trust between the ROK and the US.
 - To develop a Military Air base Relocation Bureau as a specialized organization by further enhancing its role.



Daegu, Suwon, and Gwangju Military Air Bases are being relocated under The 「Special Act on the Relocation of Military Air Bases and Support Therefor」 enacted as of April 2013. The relocation project shall proceed in a way that a donator, who is a project owner equipped with certain qualifications, donates replacement facilities for a military air base and the Ministry of National Defense (MND) concedes the property for the abolished purpose of use to the donator. Since those air bases are Collocated Operating Bases(COBs) for the ROK and US forces, which means there are facilities and areas granted to the US forces within the bases, the donator should provide replacement facilities for both the ROK and the US in the relocation site.

For the new Daegu Airport, the requirement for the US replacement facilities was supposed to be specified from the initial phase of the program. But the actual coordination between the ROK and US has not been launched yet and consequently each roles and procedures throughout the construction plan are ambiguous, including the Criteria Package(CP) development. A delay of coordination would occur insufficient review and examination of the US



replacement facilities within the air base. Subsequently it could cause the delay in a whole relocation schedule, cost increase, and schedule discrepancy of facilities construction between the US and the ROK.

This research aims to prepare a negotiation for construction of the US replacement facilities in advance following the relocation of military air bases. In addition, it intends to define the ROK and US roles and procedures in actual construction process. These roles and procedures will be stipulated within the Engineering Memorandum of Understanding (EMOU) between the ROK and US as well as the Directive on the 「Relocation of and Support for Military Air Bases」(provisional title), prepared by the MND. To achieve the goal, the research clarifies the process of constructing defense/military installations under the donation and transfer arrangement, especially within the relocation project. And it analyzes the previous ROK-US agreement to understand function of the ROK-US coordination entity and the roles and procedures stated within it.

Military Air base Relocation project (hereinafter referred to as the “relocation project”) means the project by which a military air base that has been installed in the previous site is being relocated. The relocation project is a kind of defense and military installations projects through a donation and transfer arrangement between the MND and a project owner, called a donator. Thus, the relocation project needs to obtain approval for building and use as well as of project plans and action plans from the MND. Its execution is quite similar with other defense and military installations projects pursuant to The 「Act on National Defense and Military Installations Project」. At the same time, the MND shall review and approve the design before launching the construction in order to manage the quality of the replacement facilities considering the characteristic of the donation and transfer project that the donator is obliged to prepare and execute the cost for the replacement facilities.

Typically, the construction of the US facilities in ROK is executed based on the roles and procedures defined within the agreement between the ROK and the US. Although there are some cases where the US directly constructs a facility with the US Department of Defense (DoD) budget for military construction, most



of the constructions have been executed in whole or in part by the ROK assuming the responsibility of design and execution per the roles and procedures within mutual agreement, such as In-kind Construction Implementing Agreement from Special Measures Agreement (SMA) and EMOU for Land Partnership Plan(LPP) and Yongsan Relocation Plan(YRP). The research finds a similarity between installation project under the donation and transfer arrangement and the US facility construction project in ROK. Both projects proceed on the basis of mutual agreement and are executed in whole or in part by a party other than the party dedicated to construction within the operating unit. The research also confirms that the main function of the existing organization for facilities construction is providing quality assurance of newly constructed facilities.

This research concludes that the following roles and procedures shall be assured for the US Forces to appropriately manage the quality of replacement facilities. First, DD Form 1391(Military Construction Project Data), a US DoD programming document for military construction, and other US facilities criteria shall be incorporated from the initial phase of the construction planning. Second, the US may design facilities directly or designate the supervisor for assuring the design and providing engineering surveillance when the ROK side develops the design in whole or in part. Third, the US Design and Construction Agent (DCA) shall provide training and education on quality management to service providers during the construction phase, while the US supervisor oversees the work in process and ROK-US evaluators conduct a co-inspection of completion. This process is similar to that of defense and military installations project under a donation and transfer arrangement. The supervisor has a similar role to quality manager of replacement facilities in a donation and transfer project.

Except the aforementioned roles and procedures for quality management of the US replacement facilities, the ROK and the US shall set up specific things through mutual consultation according to the policy and the state at the time of the relocation. Thus, the research intends to conceive other roles and procedures for constructing the US replacement facilities following the relocation project, while observing the 「Special Act on the Relocation of Military Air Bases and Support Therefor」 and the 「Directive on the Relocation of and Support for



Military Air Bases (provisional title)]. First, the SOFA Joint Committee, the US DCA, and the US operating unit are added to the parties that relate to the relocation project. Then, the construction process of the replacement facilities is divided into planning, design, construction, turnover, and completion and forty specific procedures are developed from the requirement to warranty in order to ensure close connections between relevant parties for each phase of the construction project. It is assumed that the scope of design responsibility between the ROK and the US is similar to that of the relocation of the USFK base, where the US took responsibility up to CP and afterward the ROK continued the detailed design. Also, it is assumed that the grant of the facilities and areas is to occur after completion of the construction and turnover in order to ensure smooth entry of construction personnel and equipment/vehicle to the site.

The roles and procedures for constructing the US replacement facilities in military air bases shall be stipulated in a form of EMOU. To prepare for a discrepancy in interpreting certain provisions in the arrangement, the ROK-US coordination entity shall be established and role assignment shall be done in ROK internal organization. This Research suggests establishing a ROK-US coordination entity under the SOFA Joint Committee, named Military Air Bases Ad Hoc Subcommittee (provisional title), to be responsible for operating a Joint Working Group(JWG) for policy making, planning, engineering/construction, public relation, moving, and grant of property. In terms of the roles within the ROK organization, the research considers the consistency of work, efficiency in decision making, and continuity of communication with the US counterparts. Regarding the communication continuity, it is noted that the consistent negotiation counterpart of the US is not a project owner but the ROK MND. Thus, it is proposed for MND Military Air Base Relocation Bureau to lead the negotiation and discussion with the US during the whole construction process including construction of the replacement facilities. Considering work consistency and decision-making efficiency, it is suggested that the director of relocation planning division, who is in charge of negotiation with the US counterpart, would assume the role of the chief of Military Air Base Ad Hoc Subcommittee for the ROK. Also, the chief is to be authorized to assign a representative of



each JWG for policy making, planning, engineering/construction, public relation, and moving.

It shall be noted that there are unpredictable elements in the ROK-US coordination. Hence, it is necessary to foster mutual understanding, support, and consultation to resolve differences before consent to specific roles and procedures between the ROK and the US. It is also essential to prepare thoroughly prior to negotiations. Above all, it shall be acknowledged that the construction of the US replacement facilities proceeds, based on the mutual trust between the ROK and the US. So the most important point is to form and maintain mutual trust between the two countries. The ROK shall communicate actively with the US counterpart throughout the relocation process and promote expertise within its negotiation group while avoiding a frequent change of negotiation personnel. In addition, it should be considered to develop a Military Air base Relocation Bureau as a specialized organization and authorize it to grant approval for building and use as well as of project plans and action plans, which would contribute to enhancing its role and consequently maintaining a stable relationship with the US.

** The views expressed in this paper are those of the participants (Woo, Jeong-Beom, Lee, Nam-Seok, Kwon, Nam-Yeon, Oh, Seung-Ik) of the research project “**A Study on the Construction of US Replacement Facilities in Military Air Bases**” conducted at KIDA in 2020, and do not represent or reflect the official position of Korea Institute for Defense Analyses.*