

EXHIBIT 5



DEPUTY SECRETARY OF DEFENSE
1010 DEFENSE PENTAGON
WASHINGTON, DC 20301-1010

4 DEC 2001

MEMORANDUM FOR SECRETARY OF THE ARMY

SUBJECT: Emergency Construction Authority to Reduce the Risk from Terrorist
Attacks on Weapons of Mass Destruction Stockpiles at Various Installations

Pursuant to the National Emergencies Act, 50 U.S.C. 1601 *et seq.*, the President has signed an Executive Order, dated November 16, 2001, invoking the emergency construction authority of 10 U.S.C. 2808 to approve military construction projects not otherwise authorized by law.

In accordance with that authority, I approve the Department of the Army's request for authority to carry out certain emergency construction projects at various installations.

The use of the Army Materiel Command to accomplish the subject emergency construction, pursuant to 10 U.S.C. 2851, "Supervision of military construction projects," is approved.

A handwritten signature in black ink, appearing to read "Paul W. Fawcett". The signature is written in a cursive style with a large loop at the end.



U18884 /01

1. COMPONENT ARMY		FY 2002 MILITARY CONSTRUCTION PROJECT DATA		2. DATE 10 OCT 2001	
3. INSTALLATION AND LOCATION US Various Locations US Various			4. PROJECT TITLE Security Measures for WMD		
5. PROGRAM ELEMENT		6. CATEGORY CODE 872	7. PROJECT NUMBER 57747	8. PROJECT COST (\$000) Auth 35,000 Approp	
9. COST ESTIMATES					
ITEM		U/M	QUANTITY		
<u>PRIMARY FACILITY</u>					
Sec Measures-Pine Bluff Ars, AR		LS	--		30,500 (4,000)
Sec Measures-Newport CD, IN		LS	--		(9,400)
Sec Measures-Bluegrass AD, KY		LS	--		(1,400)
Sec Measures-Aberdeen PG, MD		LS	--		(10,000)
Sec Measures-Umatilla AD, OR		LS	--		(5,700)
<u>SUPPORTING FACILITIES</u>					
ESTIMATED CONTRACT COST					30,500
CONTINGENCY PERCENT (5.00%)					1,525
SUBTOTAL					32,025
SUPERVISION, INSPECTION & OVERHEAD (5.70%)					1,825
DESIGN/BUILD - DESIGN COST					1,150
TOTAL REQUEST					35,000
TOTAL REQUEST (ROUNDED)					35,000
INSTALLED EQT-OTHER APPROPRIATIONS					(0)
10. Description of Proposed Construction Construct security measures at Pine Bluff Arsenal, Arkansas; Newport Chemical Depot, Indiana; Bluegrass Army Depot, Kentucky; Aberdeen Proving Ground, Maryland; and Umatilla Army Depot, Oregon. These security measures will safeguard existing stockpiles of weapons of mass destruction (WMD), and will include such items as security fencing, gates, protective barriers, guard buildings, access roads, exterior lighting, storage igloos, and intrusion detection systems (installation only).					
11. REQ: 1 EA ADQT: NONE SUBSTD: NONE					
PROJECT: Construct emergency security measures for weapons of mass destruction at various US locations pursuant to 10 USC 2808.					
REQUIREMENT: US WMD stockpile locations need a higher level of security to prevent attack and incursion.					
CURRENT SITUATION: A recent security assessment has validated an immediate need for increased security measures at Army installations in the US with WMD stockpiles.					
IMPACT IF NOT PROVIDED: If this project is not provided, weapons of mass destruction stockpiles will remain at an increased risk of attack and incursion.					