

BRAC Commission
AUG 23 2005
received

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ARMED SERVICES

SUBCOMMITTEES:
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READINESS

TACTICAL AIR AND LAND FORCES

RESOURCES

SUBCOMMITTEES:
ENERGY AND MINERAL RESOURCES
FISHERIES, CONSERVATION, WILDLIFE,
AND OCEANS

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Congress of the United States
House of Representatives
Washington, DC 20515-4327

August 22, 2005

Hon. Anthony Principi
Chairman
Defense Base Closure and Realignment Commission
2521 South Clark Street, Suite 600
Arlington, VA 22202

Dear Chairman Principi:

It was brought to my attention this evening that the Commission adopted five (5) *Additional Procedural Rules of the 2005 Defense Base Closure and Realignment Commission* on Saturday, August 20, 2005, which were published late this afternoon. I have reviewed these Additional Procedural Rules in detail. As you are no doubt aware, one of the rules, Rule 15, is relevant to the Commission's decision with respect to the recommendation of the Secretary of Defense to the close Naval Station Ingleside, TX ("NSI") and realign portions of the Naval Air Station Corpus Christi ("NAS-CC").

Specifically, I understand that two (2) Commissioners will recuse themselves from voting on actions relating to NSI and NAS-CC. Pursuant to the recently promulgated Rule 15, and consistent with existing Rule 6, the Rules require that where a Commissioner abstains from voting on an action that would amend the recommendations of the Secretary of Defense (e.g. to amend the list to remove NSI), the decision of a simple majority of the voting members of the Commission is controlling with respect to such amendment. (I note that the supermajority voting requirement set forth in Rule 6 is limited to actions regarding the closure of an installation not recommended by the Secretary of Defense).

Please confirm that my understanding of the Rules is proper. I look forward to your expedited reply.

Sincerely,



Solomon P. Ortiz

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cc: Hon. James Bilbray
Hon. Philip Coyle
Adm. Harold W. Gehman, Jr.
Hon. James V. Hansen
Hon. Gen. James T. Hill
Hon. Gen. Lloyd W. Newton
Hon. Samuel K. Skinner
Hon. Gen. Sue E. Turner
David Hague, Esq.

Motion # (190 #)-3(M)

A Motion to Amend
Department of the Navy Recommendation,
Realignment of Naval Air Station Oceana, VA
appearing at Chapter (Ch #), Section (Sec #) of the Bill.

(Brief description)

Offered by: _____

Seconded by: _____

Approved Disapproved

I move:

- that the Commission find that when the Secretary of Defense made no Recommendation for the realignment of Naval Air Station Oceana, VA, he substantially deviated from Final Selection Criteria 1, 2, and 3, and the Force Structure Plan;
- that the Commission amend the recommendation to realign Naval Air Station Oceana, VA and transfer the FRS and/or an equivalent number of squadrons to Naval Air Station Kingsville, TX; and
- that the Commission find this change and recommendation as amended are consistent with the Final Selection Criteria and Force Structure Plan.