DEFENSE BASE CLOSURE AND REALIGNMENT COMMISSION
2521 South Clark Street, Suite 600
Arlington, VA 22202
Telephone: 703-699-2950

July 29, 2005

The Honorable Jeff Bingaman
United States Senate
Washington, DC 20510-3101

Dear Senator Bingaman:

Thank you for your and Senator Domenici's letter of July 15, 2005 expressing your concern about the impact of recusals on Commission voting and the ability of the Commission to carry out its statutory duties.

I understand and share your concerns about the soundness, correctness, and integrity of the Base Realignment and Closure (BRAC) process. I have once again closely re-examined Commission practice and procedures and reviewed our current situation. Currently four commissioners have recused themselves from participation in matters relating to installations in their home states. Commissioners Coyle and Gehman recused themselves, in accordance with ethics agreements they signed during the nomination process, because of BRAC-related activity in California and Virginia respectively. Commissioner Bilbray recused himself because of his long-time representation of Nevada in the Congress and other public offices. Commissioner Hansen recused himself with regard to Utah for the same reason.

The recusals were made publicly at a Commission hearing held on May 19, 2005. As a result of their recusals, the commissioners cannot deliberate or vote on matters relating to installations in their home states or to installations in other states that are substantially affected by closures and realignments or installations in their home states.

The majority of the votes anticipated during our final deliberations will not be affected by recusals. Only one commissioner will be recused from most of the remaining votes. In only a very limited number of actions will two or three Commissioners possibly be disqualified from deliberating and voting. Furthermore, eligibility to vote on particular recommendations will be determined by the content of the related motions and on the voting procedures we employ.

The procedural rules adopted by the Commission at an open hearing on May 19, 2005, are, with one significant exception, the same as the rules that guided the previous three BRAC Commissions. Unlike in the past, however, a super majority of seven of nine commissioners is now statutorily required to add, realign, or increase the realignment of a base not included on the Secretary of Defense's list of bases to be closed or realigned. You have correctly noted that, with the exception of the seven of nine vote requirement, the Commission has the ability to change its rules.

I thank you again and assure you that the Commission will be able to carry out its statutory responsibilities as currently configured and with its adopted rules. We will ensure that the BRAC process if open and honest and fair to all.

Sincerely,

Tony

Anthony J. Principi
Chairman

Chairman: Anthony J. Principi
Commissioners: The Honorable James H. Bilbray, The Honorable Philip E. Coyle III, Admiral Harold W. Gehman Jr., USN (Ret),The Honorable Jim Hansen, General James T. Hill, USA (Ret), General Lloyd Newton, USAF (Ret), The Honorable Samuel K. Skinner, Brigadier General Sue Ellen Turner, USAF (Ret)
Executive Director: Charles Battaglia