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June 22, 2005

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

RECEIVED
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Re: Realignment of the Defense Office of Hearings and Appeals

Dear Chairman Principi:

I am an attorney whose practice involves representing many individuals before the Defense Office of Hearings and Appeals (DOHA). Your commission has recommended moving DOHA's headquarters to and consolidating its outlying offices in a central location at Ft. Meade, Maryland for the purpose of consolidating military department adjudication activities.

I am writing this letter as I strongly believe that your Commission failed to adequately examine the reality of DOHA's functions and operations and that the move/consolidation of DOHA to Ft. Meade would not only result in a drastic negative impact on adjudication activities, but also result in exorbitant additional travel-related expenses for DOHA to perform its mission.

First, to address the negative impact on adjudication activities: Among its many responsibilities, DOHA is responsible for the adjudication of security clearance decisions for U.S. citizens. The Administrative Judges of DOHA conduct "hearings" for employees of Government Contractor entities and "appearances" for Military Personnel and Federal Government Employees. Easy access to the locations where these proceedings take place is essential if any applicant or appellant desiring a clearance is to truly be afforded "access" for procedural and substantive due process. The current and foreseeable facility security requirements at ANY military installation, much less at Ft. Meade with its concentration of national security activities, will severely restrict access by applicants, appellants, counsel, court reporters and witnesses. As a retired Navy JAG Corps Captain, with many years of experience accessing military installations I can vouch from personal experience that moving DOHA to Ft. Meade will make it extremely cumbersome and in many instances impossible for required personnel to even gain access to the installation.

Second, to address additional travel-related expenses: Current regulations direct that the proceedings take place within 150 miles of the applicant's/appellant's place of business or residence. To consolidate all of

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Michael Brown



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Table of Contents Sample Letters Of Recommendation For Naval Academy

1. Understanding the eBook Sample Letters Of Recommendation For Naval Academy
 - The Rise of Digital Reading Sample Letters Of Recommendation For Naval Academy
 - Advantages of eBooks Over Traditional Books
2. Identifying Sample Letters Of Recommendation For Naval Academy
 - Exploring Different Genres
 - Considering Fiction vs. Non-Fiction
 - Determining Your Reading Goals
3. Choosing the Right eBook Platform
 - Popular eBook Platforms
 - Features to Look for in an Sample Letters Of Recommendation For Naval Academy
 - User-Friendly Interface
4. Exploring eBook Recommendations from Sample Letters Of Recommendation For Naval Academy
 - Personalized Recommendations

- Sample Letters Of Recommendation For Naval Academy User Reviews and Ratings
- Sample Letters Of Recommendation For Naval Academy and Bestseller Lists
- 5. Accessing Sample Letters Of Recommendation For Naval Academy Free and Paid eBooks
 - Sample Letters Of Recommendation For Naval Academy Public Domain eBooks
 - Sample Letters Of Recommendation For Naval Academy eBook Subscription Services
 - Sample Letters Of Recommendation For Naval Academy Budget-Friendly Options
- 6. Navigating Sample Letters Of Recommendation For Naval Academy eBook Formats
 - ePub, PDF, MOBI, and More
 - Sample Letters Of Recommendation For Naval Academy Compatibility with Devices
 - Sample Letters Of Recommendation For Naval Academy Enhanced eBook Features
- 7. Enhancing Your Reading Experience
 - Adjustable Fonts and Text Sizes of Sample Letters Of Recommendation For Naval Academy
 - Highlighting and Note-Taking Sample Letters Of Recommendation For Naval Academy
 - Interactive Elements Sample Letters Of Recommendation For Naval Academy
- 8. Staying Engaged with Sample Letters Of Recommendation For Naval Academy
 - Joining Online Reading Communities
 - Participating in Virtual Book Clubs
 - Following Authors and Publishers Sample Letters Of Recommendation For Naval Academy
- 9. Balancing eBooks and Physical Books Sample Letters Of Recommendation For Naval Academy
 - Benefits of a Digital Library
 - Creating a Diverse Reading Collection Sample Letters Of Recommendation For Naval Academy
- 10. Overcoming Reading Challenges
 - Dealing with Digital Eye Strain
 - Minimizing Distractions
 - Managing Screen Time
- 11. Cultivating a Reading Routine Sample Letters Of Recommendation For Naval Academy
 - Setting Reading Goals Sample Letters Of Recommendation For Naval Academy
 - Carving Out Dedicated Reading Time
- 12. Sourcing Reliable Information of Sample Letters Of Recommendation For Naval Academy
 - Fact-Checking eBook Content of Sample Letters Of Recommendation For Naval Academy

- Distinguishing Credible Sources
- 13. Promoting Lifelong Learning
 - Utilizing eBooks for Skill Development
 - Exploring Educational eBooks
- 14. Embracing eBook Trends
 - Integration of Multimedia Elements
 - Interactive and Gamified eBooks

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