

*Cirillo
Levy
Pelle*

Cirillo, Frank, CIV, WSO-BRAC

From: Cirillo, Frank, CIV, WSO-BRAC
Sent: Wednesday, September 07, 2005 4:26 PM
To: Saxon, Ethan, CIV, WSO-BRAC; Cirillo, Frank, CIV, WSO-BRAC; Cook, Robert, CIV, WSO-BRAC; Dinsick, Robert, CIV, WSO-BRAC; Ed Brown (edbrown61@verizon.net); Hanna, James, CIV, WSO-BRAC; Sillin, Nathaniel, CIV, WSO-BRAC; Small, Kenneth, CIV, WSO-BRAC; Van Saun, David, CIV, WSO-BRAC
Subject: FW: BRAC articles - 9-7-05

info

From: Philip Coyle [mailto:martha.krebs@worldnet.att.net]
Sent: Wednesday, September 07, 2005 3:45 PM
To: Principi, Anthony, CIV, WSO-BRAC; Battaglia, Charles, CIV, WSO-BRAC; Cirillo, Frank, CIV, WSO-BRAC; Small, Kenneth, CIV, WSO-BRAC; 'skinnners@gtlaw.com'; 'jangehman@aol.com'; 'hilltmg1@aol.com'; 'BGTurner@sabx.rr.com'; 'lloyd.newton@pw.utc.com'; 'jbilbray@kkbr.com'; 'jvh@jimhansenassociates.com'; James.Hanna@wso.whs.mil
Subject: BRAC articles - 9-7-05

1. ³U.S. Judge Tosses Ill. Base Closure Suit,² Washingtonpost.com, September 6, 2005
2. ³Oceana Decision Proving Elusive: Virginia Beach officials say they lack information on what's needed to save base,² Richmond Times-Dispatch, September 7, 2005
3. ³State Politicians Ask U.S. Judge To Stop Fort Monmouth Closing,² Philadelphia Inquirer, September 7, 2005
4. ³Successful Lobby Shops Build On BRAC Victories,² The Hill, September 6, 2005

1. Washingtonpost.com
September 6, 2005

U.S. Judge Tosses Ill. Base Closure Suit

By John O'Connor, Associated Press

SPRINGFIELD, Ill. -- A federal judge on Tuesday dismissed Gov. Rod Blagojevich's lawsuit aimed at stopping the military from moving fighter jets from Illinois to Indiana.

Judge Jeanne Scott ruled that Illinois had suffered no economic loss or breakdown in security because a federal commission's recommendation to move 15 F-16s to a base in Fort Wayne, Ind., is not final.

In a statement, Blagojevich said that the "battle to do what is right for Illinois and our country is certainly not over." But a spokesman said aides had not yet decided on the next step.

The Democratic governor argued that the 183rd Fighter Wing could not be relocated without his permission

because it is part of the state militia he controls.

He asked the judge to issue a temporary restraining order to keep the Base Closure and Realignment Commission from sending its report to President Bush. The report is due by Thursday.

A Defense Department spokesman declined comment on the ruling.

Meanwhile, a federal judge in New Jersey dismissed a lawsuit filed by several politicians seeking to keep Fort Monmouth open.

U.S. District Judge Mary L. Cooper said in a ruling issued late Tuesday that federal courts do not have jurisdiction over the base closing commission process.

The decisions run counter to at least two other federal court decisions.

In Connecticut, a judge has issued a temporary restraining order and scheduled a hearing on a recommendation to move or retire planes from a fighter wing there. And in Pennsylvania, a judge agreed with the governor that the military needs his permission to dissolve an Air Guard division.

On Wednesday, Massachusetts officials are planning to sue Defense Secretary Donald Rumsfeld and the federal base closing commission in a last-ditch effort to keep Otis Air National Guard base open.

2. Richmond Times-Dispatch
September 7, 2005

Oceana Decision Proving Elusive

Virginia Beach officials say they lack information on what's needed to save base

By Bill Geroux, Times-Dispatch Staff Writer

VIRGINIA BEACH -- Frustrated members of the City Council said yesterday they were still too starved for information to decide whether to undertake a costly campaign to try to stop hundreds of Navy jets and thousands of jobs from being moved from Oceana Naval Air Station to Florida.

"I can understand everyone's frustration," Mayor Meyera Oberndorf told her fellow council members at a work session, broadcast throughout Virginia Beach via local-access television. But she said the city could do little until local and state officials pinned down exactly what the independent base-closing commission was demanding Virginia Beach do and how much it would cost.

At the urging of Vice Mayor Louis Jones, the council took steps to hire a consultant to start adding up the potential cost of the commission's requirements, which include buying and clearing 1,800 homes and an undetermined number of businesses from the crash zones near Oceana's runways. Some city officials have suggested the price could reach \$500 million.

The Base Realignment and Closure Commission voted two weeks ago to move Oceana's 244 jets and roughly 12,000 jobs to Cecil Field in Florida unless Virginia Beach takes steps to reverse decades of suburban encroachment on Oceana, which is now the Navy's main East Coast jet base. The commission gave Virginia Beach until the end of March to choose.

But City Manager James Spore told council members the city has yet to receive any formal documents spelling out the commission's demands. Even after those documents arrive -- probably late this week -- the city will need to discuss them thoroughly with the U.S. comptroller general's office, which would be responsible for deciding whether the city had complied, Spore said.

The council was advised to stay calm and keep all its options open in the meantime. But the strain was beginning to show for some council members, who may have to vote whether to give up Virginia Beach's largest employer or spend hundreds of millions of dollars to displace residents who have lived on the fringe of the air base for as long as 30 years.

A half-dozen of those residents attended the meeting yesterday carrying placards with messages such as "Save Our Homes" and "Stand up for Your Citizens." Councilwoman Rosemary Wilson told them that taking their land by eminent domain "is the very last thing we'd ever want to do." Councilwoman Reba McClanan said, "I don't want people to think the decision has already been made."

Councilman Ron Villanueva suggested Virginia "get equally cutthroat" with Florida, which aggressively lobbied the base-closing commission to move the jets to Cecil Field near Jacksonville. Villanueva said Virginia should send representatives to the Sunshine State to undercut its arguments that Cecil Field would be a better location. But state Sen. Kenneth W. Stolle, R-Virginia Beach, said the opportunity to make such a case apparently had passed.

Other council members suggested the state challenge the legality of the base-closing commission's ultimatum to Virginia Beach. Stolle and state Del. Terrie L. Suit, R-Virginia Beach, suggested lawyers were looking into that but declined to discuss specifics. Stolle cautioned that Florida officials were closely monitoring what Virginia officials said and did about Oceana.

Several council members said the city should research the history of development on the edge of Oceana so the public would know whom to blame for the encroachment. They said the news media had placed an unfair portion of that blame on past city zoning decisions.

Suit stressed there were no plans to close Oceana, only to move the jets. But she said it was unclear what Navy operations and jobs would exist at the base if the jets left. That is one more crucial piece of information the city needs to decide what to do, she said. Suit compared Oceana to "a high-performance car that we're looking at losing the engine from."

Mayor Oberndorf said Gov. Mark R. Warner was appointing a state task force to deal with Oceana and other Virginia base closures and realignments, and that representatives from cities throughout Hampton Roads probably would take part, because the loss of the jets would affect the entire region. The City Council took steps to form its own task force and said it would seek public comments.

The base-closing process is lengthy and complex. The commission is due to present its recommendations to President Bush at the end of this week, and Bush can accept them, reject them, or send them back for revision. If he accepts them, Congress is to consider them in January.

If the recommendations survive Bush and Congress, Virginia Beach would have until the end of March to decide whether to comply with the commission's demands or to let the jets leave. The comptroller general's office would decide in June whether the city had complied.

September 7, 2005

State Politicians Ask U.S. Judge To Stop Fort Monmouth Closing

By Geoff Mulvihill, Associated Press

TRENTON - Lawyers for several New Jersey politicians asked a judge yesterday to issue a ruling that could keep Fort Monmouth open despite a federal commission's recommendation to close it.

U.S. District Judge Mary L. Cooper told them that she would rule quickly but did not specify when. She could order the base removed from the list of installations to be closed, keep it on the list, or set up hearings on the matter.

By federal law, a list must be submitted to President Bush by tomorrow. He has pledged to pass the list on to Congress without any changes.

Congress can only vote the closures up or down. In past rounds of base closures, Congress accepted the Defense Base Closure and Realignment Commission's plan.

A Justice Department lawyer, Carl Nichols, argued yesterday during a hearing before Cooper in Trenton that it was too early for Fort Monmouth's supporters to make their case, in part because Bush and Congress had not approved the closures.

Last month, the commission recommended closing or consolidating 62 major military bases and 775 smaller installations across the country. Only Fort Monmouth came with an asterisk: It should be closed, the commission said, only if doing so would not interfere with its support in the war on terror.

Fort Monmouth is headquarters of the Army's Communications Electronics Command, which designs radios, computers and software that keep troops in contact with each other. Closing it would mean the loss of thousands of military and civilian contractors' jobs.

Lawyers for a coalition including U.S. Sens. Jon Corzine and Frank Lautenberg, acting Gov. Richard J. Codey, and other political and union leaders argued that the commission had not followed six of Congress' eight criteria when it decided to close Fort Monmouth.

Saving Fort Monmouth in the courts is probably a long shot, the lawyers conceded. But lawyer Frank G. Capece said Cooper's announced intention to issue a written rather than an oral opinion gave some hope.

Corzine insisted the lawyers "leave no procedural stone unturned," Capece said, and pursuing a lawsuit now leaves open the possibility of further action later.

4. The Hill
September 6, 2005

Successful Lobby Shops Build On BRAC Victories

By Roxana Tiron

Some high-powered Washington lobbying shops are banking on their freshly collected laurels to get even more

business from the communities that hired them to get military bases off the Pentagon's chopping block.

As the independent Base Closure and Realignment (BRAC) Commission is getting ready to send its final deliberations to President Bush on Sept. 8, lobbyists are monitoring the BRAC process here in Washington while corralling communities to extend their contracts.

³They have done well in BRAC, and we [want] to continue the momentum because the Department of Defense is making many changes,² said John Simmons, a senior adviser at law firm Akin Gump Strauss Hauer & Feld LLP.

The Pentagon is undertaking a sweeping review of capabilities, called the quadrennial defense review.

A boon in business for the Washington lobbying shops can come from a whole range of issues, from defense appropriations to military construction, such as new technology centers and housing for those bases that are receiving more troops.

Among Washington lobbying shops scoring large victories for their clients are the Rhoads Group and Kutak Rock LLP, which represented Ellsworth Air Force Base in South Dakota; the Washington Group, which defended the Naval Submarine Base New London in Connecticut; Patton Boggs, which represented the Portsmouth Naval Shipyard in Maine; Akin Gump, which worked for the states of New York, Kansas, Maryland and Arkansas; and Spectrum Group, which represented the state of Louisiana and a large Defense Finance and Accounting Service center in Cleveland.

³We are up to speed on [the communities'] issues as part of BRAC, as we argued their military value. They are comfortable with us, and we are going to compete for more contracts,² Simmons told The Hill.

Because no other BRAC round is planned yet, the success of a lobbying firm in the 2005 BRAC round can lead to representation of defense issues for installation-related matters, said Jim Noone, a lobbyist with the Washington Group, a Ketchum company.

³Getting BRAC residual business is down the road,² said Noone, who was part of the team representing New London, Conn.

While several lobbying shops contacted by The Hill said that they did not receive so-called ³success fees² for their work on BRAC, Keith Ashdown with Taxpayers for Common Sense said that it is possible for these firms to have an understanding with the communities to be retained for several more years.

Akin Gump, which worked with the lobbying group Hyjek and Fix to represent a number of states and communities in this BRAC round and has achieved a 100 percent success rate for its clients, according to Simmons.

The lobby consortium represented the state of New York, the state of Kansas, three communities in Maryland, the Alliance of Pine Bluff, Ark., and the state of New Mexico.

Maryland is one of the largest gainers in BRAC, and it is in Maryland that the firm has its eyes on further representation. Akin Gump represented the Navy Alliance at Indian Head, Md., the Southern Maryland Navy Alliance at Patuxent River, Md., and Harford County.

The community at Indian Head is planning to build an energetics center in proximity to the University of Maryland, which has a strong program in energetics, Simmons said. The Indian Head alliance already spent upward of \$290,000 in lobbying fees since 2003.

With the Navy's budget unpredictable in the future, Patuxent River will also have to continue its legislative presence, said Simmons.

³This is something they need to meet about, but we were told that they were interested,² Simmons said. The southern Maryland alliance also hired the PMA Group to lobby for its defense interests.

Meanwhile, Cannon Air Force Base in New Mexico, which was slated for closure, will stay open until 2009. The BRAC Commission directed the Pentagon to evaluate its need for the base.

³It could be the home of the future Airborne Laser Program,² Simmons said, hinting at potential lobbying material for the firm.

Kansas, projected to receive thousands of new soldiers at several installations, may need to continue its military counsel, said Simmons. ³That is something that they would be discussing later this fall,² he said. ³We would compete for that contract.²

New York state has the longest-standing relationship with Hyjek and Fix and Akin Gump. Hyjek and Fix has been representing New York communities' interest since 1998.

Akin Gump won a contract two years ago to represent New York state interests. The state was reeling from previous base closures, Simmons said, and was trying not to repeat mistakes.

According to lobbying disclosures, the Empire State Development Co. paid \$520,000 in lobbying fees to Akin Gump by the end of 2004.

The Niagara Area Chamber of Commerce spent \$380,000 in fees to Hyjek and Fix up to the end of 2004. Disclosures for 2005 are not yet available, and the companies refused to reveal their fees.

³New York was set to lose more than 1,000 jobs, had the DoD recommendations been adopted,² Simmons said.

³As a result of the BRAC decisions, the state will gain more than 1,000 jobs.²

Punching power comes with a certain price tag. Former Rep. Bill Paxon (R-N.Y.), who was chairman of the National Republican Congressional Committee and is now a senior adviser at Akin Gump, represented the interests of New York.

Best regards,

Phil

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Los Angeles, CA 90046
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Cirillo, Frank, CIV, WSO-BRAC

From: Cirillo, Frank, CIV, WSO-BRAC
Sent: Wednesday, August 31, 2005 9:21 PM
To: Hill, Christine, CIV, WSO-BRAC; Hague, David, CIV, WSO-BRAC; Napoli, Andrew, CIV, WSO-BRAC
Cc: Hanna, James, CIV, WSO-BRAC; Fetzer, William, CIV, WSO-BRAC; Battaglia, Charles, CIV, WSO-BRAC
Subject: RE: HOT! - BRAC Report Final Changes
Attachments: Oceana Report - Community Concerns & Findings

I YIELD To David on this one as I know it is a bouncing and sensitive ball. I thought the President was still in but understand the GAO is now OMB???

David - is this what you and Charlie agree to?

Earlier, by the attached, Bill sent this language out for incorporation.



Oceana Report -
Community Conc...

From: Hill, Christine, CIV, WSO-BRAC
Sent: Wednesday, August 31, 2005 8:39 PM
To: Fetzer, William, CIV, WSO-BRAC; Cirillo, Frank, CIV, WSO-BRAC; Hanna, James, CIV, WSO-BRAC
Subject: RE: HOT! - BRAC Report Final Changes

wasn't the President taken out of the report requirement for this motion? or am I thinking of another

Christine

Christine O. Hill
Director, Legislative Affairs
BRAC Commission
703-699-2950

From: Fetzer, William, CIV, WSO-BRAC
Sent: Wednesday, August 31, 2005 1:54 PM
To: Napoli, Andrew, CIV, WSO-BRAC; Hill, Christine, CIV, WSO-BRAC
Cc: Hanna, James, CIV, WSO-BRAC; Kessler, Michael, CIV, WSO-BRAC
Subject: RE: HOT! - BRAC Report Final Changes

Christine/Andy, I was hoping that changes that I sent earlier this morning following LEGAL review would have made the final copy. However, they are not there, so I am attaching below the full sections of Community Concerns/Commission findings and Recommendations again:

Please advise if you have any questions. Thanks.

Bill

COMMUNITY CONCERNS

The Virginia Beach, Virginia community places high value on the military's contribution to the community and fears the loss of over 11,000 direct jobs would devastate the local economy. The state has invested significant resources in improved roads around the base and moving schools out of the Accident Prevention Zones. They acknowledged noise complaints by a small, but vocal, minority of

residents but pointed out that planning commissions are developing new community planning overlays to limit encroachment and reduce development in the Accident Potential Zones. They argued funds needed to implement the Commission's consideration to relocate the Master Jet Base to Cecil Field, Florida could be better spent on the Navy's more pressing needs. They believe the Navy has no better or affordable alternative than remaining at NAS Oceana and managing encroachment.

The Jacksonville, Florida community offered to return all of the former NAS Cecil Field property, improved and unencumbered - free and clear. Local governments are prepared to absorb and support the approximately 11,000 personnel that would be associated with the relocation of the Navy's Atlantic Fleet Master Jet Base to Cecil Field. The community has invested \$133 million to upgrade Cecil Field's infrastructure and has secured \$130 million in funding for a high speed access road from Cecil Field to Interstate Highway 10. All required base conversion activities, including a new or updated Environmental Impact Statement, can be completed in time to allow the Navy to establish and occupy a new Master Jet Base within the BRAC timeframe.

COMMISSION FINDINGS

The Commission found that significant residential and commercial encroachment had continued around NAS Oceana and NALF Fentress for many years and was exacerbated when the 1995 BRAC Commission redirected F-18 aircraft and supporting assets from MCAS Cherry Point, NC and MCAS Beaufort, NC to NAS Oceana to take advantage of the excess capacity at NAS Oceana. It was the sense of the Commission that the encroachment issues were having a detrimental affect on the operations and training of the Navy's Atlantic Fleet Strike Fighter Wings and on the safety and welfare of the citizens of Virginia Beach and Chesapeake, Virginia. Consequently, the future for NAS Oceana as a Master Jet Base was severely limited, whereas Jacksonville, Florida had taken effective and positive measures to protect the Air Installation Compatibility Use Zones (AICUZ) around Cecil Field, FL.

The intent of the Commission is to ensure that the State of Virginia and the municipal governments of Virginia Beach and Chesapeake take immediate and positive steps to halt the encroaching developments that are pending before them now and in the future, and also to roll back the encroachment that has already occurred in the Accident Potential Zones (APZ) around NAS Oceana and NALF Fentress, particularly in the APZ-1 areas. The Commission also considers that the more severe encroachment problems were created by the state and local governments by not considering the Navy's repeated objections to incompatible residential and commercial developments under the AICUZ guidelines. Consequently, the funds to halt and reverse the encroachment should not come from federal funds, but rather state and local funding sources.

It is the sense of the Commission that the Secretary of Defense deviated from the BRAC criteria by failing to consider NAS Oceana for closure or realignment. The longstanding and steadily worsening encroachment problem around NAS Oceana, without strong support from state and city governments to eliminate current and arrest future encroachment, will in the long term create a situation where the military value of NAS Oceana will be unacceptable degraded. The remedies presented to the Commission thus far have been unconvincing. It is also the sense of the Commission that the future of naval aviation is not Naval Air Station Oceana. The Commission urges the Navy to begin immediately to mitigate the noise encroachment and safety issues associated with flight operations around the Virginia Beach area by transitioning high-density training evolutions to other bases that are much less encroached, such as Naval Outlying Field Whitehouse, Florida, or Kingsville, Texas.

The Secretary of Defense is directed to cause a rapid, complete due diligence review of the offer of the state of Florida to reoccupy the former NAS Cecil Field and to compare this review against any plan to build a new master jet base at any other location. This review is to be completed within 6 months from the date that the BRAC legislation enters into force and is to be made public to the affected states for comment. After review of the states' comments, which shall be submitted within 120 days after publishing the review, the Secretary of Defense shall forward to the oversight committees of Congress the review, the state comments, and his recommendation on the location of the Navy's future Atlantic Fleet master jet base.

COMMISSION RECOMMENDATIONS

The Commission finds that when the Secretary of Defense failed to recommend the realignment of Naval Air Station Oceana, Virginia Beach, Virginia, he substantially deviated from Final Selection Criteria 1, 2, 3, 4, and 5, and the Force Structure Plan; that the Commission add to the list of installations to be closed or realigned the recommendation: Realign Naval Air Station Oceana, Virginia by relocating the East Coast Master Jet Base to Cecil Field, Florida, if the Commonwealth of Virginia and the municipal governments of Virginia Beach, Virginia, and Chesapeake, Virginia, fail to enact and enforce legislation to prevent further encroachment of Naval Air Station Oceana by the end of March 2006, to wit: enact state-mandated zoning controls requiring the cities of Virginia Beach and Chesapeake to adopt zoning ordinances that require the governing body to follow Air Installation Compatibility Use Zone (AICUZ) guidelines in deciding discretionary development applications for property in noise levels 70 dB day-night, average noise level DNL or greater; enact state and local legislation and ordinance to establish a program to condemn and purchase all the incompatible use property located within the Accident Potential Zone 1 areas for Naval Air Station Oceana, as depicted for 1999 AICUZ pamphlet published by the U.S. Navy and to fund and expend no less than \$15 million annually in furtherance of the aforementioned program; codify the 2005 final Hampton Roads Joint Land Use Study recommendations; legislate requirements for the cities of Virginia Beach and Chesapeake to evaluate undeveloped properties in noise zones 70 DB DNL or greater for rezoning classification that would not allow uses incompatible

under AICUZ guidelines; establish programs for purchase of development rights of the inter-facility traffic area between NAS Oceana and NALF Fentress; enact legislation creating the Oceana-Fentress Advisory Council. It shall be deemed that the actions prescribed to be taken by the Commonwealth of Virginia, and the Cities of Virginia Beach, and Chesapeake respectively, by the end of March 2006 have not been taken in their entirety, unless the General Accountability Office certifies in writing to the President and oversight committees of Congress by June 1, 2006; and,

if the State of Florida appropriates sufficient funds to relocate commercial tenants presently located at Cecil Field, Florida, appropriates sufficient funds to secure public-private ventures for all the personnel housing required by the Navy at Cecil Field to accomplish this relocation and turns over fee simple title to the property comprising the former Naval Air Station Cecil Field, including all infrastructure improvements that presently exist, to the Department on or before December 31, 2006, if the Commonwealth of Virginia and the municipal government of Virginia Beach, Virginia, and Chesapeake, Virginia, decline from the outset to take the actions required above or within 6 months of the Commonwealth of Virginia and the municipal governments of Virginia Beach, Virginia, and Chesapeake, Virginia, failing to carry through with any of the actions set out above, whichever is later. The State of Florida may not encumber the title by any restrictions other than a reversionary clause in favor of the state of Florida and short-term tenancies consistent with the relocation of the Master Jet Base to Cecil Field. It shall be deemed that the actions prescribed to be taken by the State of Florida and the City of Jacksonville respectively by the end of 31 December 2006 have not been taken in their entirety unless the Government Accountability Office certifies in writing to the President and oversight committees of Congress by June 1, 2007. If the Commonwealth of Virginia and the municipal governments of Virginia Beach, Virginia, and Chesapeake, Virginia, fail to take all of the prescribed actions and the State of Florida meets the conditions established by this recommendation, the units and functions that shall relocate to Cecil Field will include but are not limited to all of the Navy F/A-18 strike fighter wings, aviation operations and support schools, maintenance support, training, and any other additional support activities the Navy deems necessary and appropriate to support the operations of the Master Jet Base.

From: Napoli, Andrew, CIV, WSO-BRAC
Sent: Wednesday, August 31, 2005 1:14 PM
To: Hill, Christine, CIV, WSO-BRAC; mla dd - WSO BRAC
Subject: RE: HOT! - BRAC Report Final Changes

The files are in the process of being uploaded onto the S drive. So far I have the Army file for Chapter 1 and the Navy/Marine file for Chapter 1.

These are currently locked and cannot be opened without a password. The people who need the passwords to get this project done have it. If you need to submit a change, then submit a proposed change in hardcopy or separate file to Christine.

S:\Editor -- Final Report\FINAL REPORT FILES

Andrew V. Napoli
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Defense Base Closure and Realignment Commission (BRAC)
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From: Hill, Christine, CIV, WSO-BRAC
Sent: Wednesday, August 31, 2005 12:36 PM
To: mla dd - WSO BRAC
Subject: HOT! - BRAC Report Final Changes
Importance: High

Charlie has asked me to be the single point of contact for all changes (substantive and technical) that need to be made to the BRAC final report before it goes out for formatting tomorrow morning.

Andy will be placing the draft version of the report on the S: drive within the next hour. I will send an e-mail out informing all of its location. This draft will be locked, so if anyone sees the need for correction, or if a prior correction request was not made, please inform me of the exact changes and their location within the report **NO LATER THAN 6PM TODAY**.

You may either send them to me via e-mail or bring an annotated hard copy by in person. GC will also be placing a locked version of the bill on the S: drive for reference.

Christine

Christine O. Hill
Director, Legislative Affairs
BRAC Commission
703-699-2950

Cirillo, Frank, CIV, WSO-BRAC

From: Cirillo, Frank, CIV, WSO-BRAC
Sent: Wednesday, August 31, 2005 12:56 PM
To: Sillin, Nathaniel, CIV, WSO-BRAC
Cc: Cowhig, Dan, CIV, WSO-BRAC; Hague, David, CIV, WSO-BRAC; Hill, Christine, CIV, WSO-BRAC; Cook, Robert, CIV, WSO-BRAC; Battaglia, Charles, CIV, WSO-BRAC
Subject: FW: Oceana Report Recommendation

Nat: In addition to the (what I count as) 44 amended recommendations. You will also have to drop in the five Commission Adds - in full collaboration with Dan.

From: Fetzer, William, CIV, WSO-BRAC
Sent: Wednesday, August 31, 2005 11:48 AM
To: Napoli, Andrew, CIV, WSO-BRAC
Cc: Hanna, James, CIV, WSO-BRAC; Cowhig, Dan, CIV, WSO-BRAC; Hague, David, CIV, WSO-BRAC; Cirillo, Frank, CIV, WSO-BRAC; Cook, Robert, CIV, WSO-BRAC
Subject: Oceana Report Recommendation

Andy,

Below is the latest version of the Report Recommendation for entry into Oceana 193. It is based on the latest bill language from Dan. I'm not sure about the punctuation, but this is a little long, and some strategic punctuation might make it less cumbersome.

I am still working on the Findings Section to include the sense of the commission regarding the clarifications that were removed from the recommendation in order to reflect the public transcript.

Bill Fetzer

COMMISSION RECOMMENDATIONS

The Commission finds that when the Secretary of Defense failed to recommend the realignment of Naval Air Station Oceana, Virginia Beach, Virginia, he substantially deviated from Final Selection Criteria 1, 2, 3, 4, and 5, and the Force Structure Plan; that the Commission add to the list of installations to be closed or realigned the recommendation: Realign Naval Air Station Oceana, Virginia by relocating the East Coast Master Jet Base to Cecil Field, Florida, if the Commonwealth of Virginia and the municipal governments of Virginia Beach, Virginia, and Chesapeake, Virginia, fail to enact and enforce legislation to prevent further encroachment of Naval Air Station Oceana by March 31, 2006, to wit: enact state-mandated zoning controls requiring the cities of Virginia Beach and Chesapeake to adopt zoning ordinances that require the governing body to follow Air Installation Compatibility Use Zone (AICUZ) guidelines in deciding discretionary development applications for property in noise levels 70 dB day-night, average noise level DNL or greater; enact state and local legislation and ordinance to establish a program to condemn and purchase all the incompatible use property located within the Accident Potential Zone 1 areas for Naval Air Station Oceana, as depicted for 1999 AICUZ pamphlet published by the U.S. Navy and to fund and expend no less than \$15 million annually in furtherance of the aforementioned program; codify the 2005 final Hampton Roads Joint Land Use Study recommendations; legislate requirements for the cities of Virginia Beach and Chesapeake to evaluate undeveloped properties in noise zones 70 DB DNL or greater for rezoning classification that would not allow uses incompatible under AICUZ guidelines; establish programs for purchase of development rights of the inter-facility traffic area between NAS Oceana and NALF Fentress; enact legislation creating the Oceana-Fentress Advisory Council. It shall be deemed that the actions prescribed to be taken by the Commonwealth of Virginia, and the Cities of Virginia Beach, and Chesapeake respectively, by the end of March 2006 have not been taken in their entirety, unless the General Accountability Office certifies in writing to the President and oversight committees of Congress by June 1, 2006; and, if the State of Florida appropriates sufficient funds to relocate commercial tenants presently located at Cecil Field, Florida, appropriates

sufficient funds to secure public-private ventures for all the personnel housing required by the Navy at Cecil Field to accomplish this relocation and turns over fee simple title to the property comprising the former Naval Air Station Cecil Field, including all infrastructure improvements that presently exist, to the Department on or before December 31, 2006, if the Commonwealth of Virginia and the municipal government of Virginia Beach, Virginia, and Chesapeake, Virginia, decline from the outset to take the actions required above or within 6 months of the Commonwealth of Virginia and the municipal governments of Virginia Beach, Virginia, and Chesapeake, Virginia, failing to carry through with any of the actions set out above, whichever is later. The State of Florida may not encumber the title by any restrictions other than a reversionary clause in favor of the state of Florida and short-term tenancies consistent with the relocation of the Master Jet Base to Cecil Field. It shall be deemed that the actions prescribed to be taken by the State of Florida and the City of Jacksonville respectively by the end of 31 December 2006 have not been taken in their entirety unless the Government Accountability Office certifies in writing to the President and oversight committees of Congress by June 1, 2007. If the Commonwealth of Virginia and the municipal governments of Virginia Beach, Virginia, and Chesapeake, Virginia, fail to take all of the prescribed actions and the State of Florida meets the conditions established by this recommendation, the units and functions that shall relocate to Cecil Field will include but are not limited to all of the Navy F/A-18 strike fighter wings, aviation operations and support schools, maintenance support, training, and any other additional support activities the Navy deems necessary and appropriate to support the operations of the Master Jet Base.

Cirillo, Frank, CIV, WSO-BRAC

From: Cirillo, Frank, CIV, WSO-BRAC
Sent: Friday, August 26, 2005 10:19 AM
To: Heckman Gary Maj Gen AF/XP
Subject: Re: We have Holloman and Mountain Home as our remaining 'Cecil Fields'

I will try

This e-mail has been sent from the Blackberry of Frank Cirillo, Director of Review and Analysis, Defense Base Closure and Realignment Commission

-----Original Message-----

From: Heckman Gary Maj Gen AF/XP <Gary.Heckman@pentagon.af.mil>
To: Cirillo, Frank, CIV, WSO-BRAC <Frank.Cirillo@wso.whs.mil>; Small, Kenneth, CIV, WSO-BRAC <Kenneth.Small@wso.whs.mil>
CC: MacGregor, Timothy, CIV, WSO-BRAC <Timothy.MacGregor@wso.whs.mil>
Sent: Fri Aug 26 10:03:26 2005
Subject: We have Holloman and Mountain Home as our remaining 'Cecil Fields'

Cirillo, Frank, CIV, WSO-BRAC

From: Cirillo, Frank, CIV, WSO-BRAC
Sent: Thursday, August 25, 2005 10:58 AM
To: Hanna, James, CIV, WSO-BRAC; Hague, David, CIV, WSO-BRAC; Battaglia, Charles, CIV, WSO-BRAC
Cc: Fetzer, William, CIV, WSO-BRAC
Subject: RE: Official Motion - 193-4A (2)

All:

In case the "underlined" did not come across - this is the C Skinner piece:

- enact state and local legislation and ordinances to establish a program to condemn and purchase all the property located within all the Accident Potential Zone One areas for Naval Air Station Oceana as depicted for 1999 AICUZ Pamphlet published by the U.S. Navy and to appropriate and spend \$15 million dollars annually for such purposes and ;

-----Original Message-----

From: Hanna, James, CIV, WSO-BRAC
Sent: Thursday, August 25, 2005 9:21 AM

To: Cirillo, Frank, CIV, WSO-BRAC; Hague, David, CIV, WSO-BRAC; Battaglia, Charles, CIV, WSO-BRAC
Cc: Fetzner, William, CIV, WSO-BRAC
Subject: Official Motion - 193-4A (2)

This is the motion as read and amended. Underlined is Skinner's amendment. Chairman made the motion and Skinner, Hill, and Newton all seconded. Skinner made the motion to amend and again, multiple seconds...but not Gehman....

Motion Number: 193-4A

Overview: A Motion to Make Additional Recommendation 3, Naval Air Station, Oceana, Virginia, to appear at Chapter XI, Section 193 of the Bill. Realigns Naval Air Station Oceana, Virginia Beach, VA by relocating the East Coast Master Jet Base to Cecil Field, FL, conditioned on prior actions by the State of Florida.

Group: Navy

Full Text

I move:

- that the Commission find that when the Secretary of Defense failed to recommend the realignment of Naval Air Station Oceana, Virginia Beach, Virginia, he substantially deviated from Final Selection Criteria 1, 2, 3, 4 and 5 and the Force Structure Plan;
- that the Commission add to the list of installations to be closed or realigned the recommendation:
 - Realign Naval Air Station Oceana, Virginia by relocating the East Coast Master Jet Base to Cecil Field, Florida,
 - if the Commonwealth of Virginia and the municipal governments of Virginia Beach, Virginia and Chesapeake, Virginia fail to enact and enforce legislation to prevent further encroachment of Naval Air Station Oceana by the end of March 2006, to wit:
 - enact State-mandated zoning controls requiring the cities of Virginia Beach and Chesapeake to adopt zoning ordinances that require the governing body to follow Air Installation Compatibility Use Zone (AICUZ) guidelines in deciding discretionary development applications for property in Noise Level 70 dB Day Night Average Noise Level DNL or greater;
 - enact state and local legislation and ordinances to establish a program to condemn and purchase all the property located within all the Accident Potential Zone One areas for Naval Air Station Oceana as depicted for 1999 AICUZ Pamphlet published by the U.S. Navy and to appropriate and spend \$15 million dollars annually for such purposes and ;
 - codify the 2005 Final Hampton Roads Joint Land Use Study (JLUS) recommendations;
 - legislate requirements for the cities of Virginia Beach and Chesapeake to evaluate undeveloped properties in Noise Zones 70dB DNL or greater for rezoning classifications that would not allow uses incompatible under AICUZ guidelines;
 - establish programs for purchase of development rights of the Inter-facility Traffic Area between NAS Oceana and NALF Fentress; Enact legislation creating the Oceana/Fentress Advisory Council.□ at Chapter XI, Section 193 of the Bill, and;
- and if the State of Florida:
 - appropriates sufficient funds to relocate commercial tenants presently located at Cecil Field, Florida,
 - appropriates sufficient funds to secure Public Private Ventures for all the personnel housing required by the Navy at Cecil Field to accomplish this relocation, and;
 - turns over fee simple title to the property comprising the former Naval Air Station Cecil Field, including all infrastructure improvements that presently exist, to the Department of Defense on or before December 31, 2006, if the Commonwealth of Virginia or and the municipal governments of Virginia Beach, Virginia and Chesapeake, Virginia decline from the outset to take the actions required above, or within six months of the Commonwealth of Virginia or and the municipal governments of Virginia Beach, Virginia and Chesapeake, Virginia failing to carry through with any of the actions set out above, whichever is later. The State of Florida may not encumber the title by any restrictions other than a reversionary clause in favor of the State of Florida and short-term tenancies

consistent with the phased relocation of the Master Jet Base to Cecil Field.

- If the Commonwealth of Virginia and the municipal governments of Virginia Beach, Virginia and Chesapeake, Virginia fail to take the all of the prescribed actions, and the State of Florida meets the conditions established by this recommendation, the units and functions that shall relocate to Cecil Field will include, but are not limited to, all of the Navy F/A-18 Strike Fighter Wings, aviation operations and support schools, maintenance support, training and any other additional support activities the Navy deems necessary and appropriate to support the operations of the Master Jet Base.□ at Chapter XI, Section 193 of the Bill, and;

- that the Commission find this additional recommendation is consistent with the Final Selection Criteria and Force Structure Plan.

Additional statement of the Commission:

The BRAC 2005 report language shall state:

□It is the sense of the Commission that the Secretary of Defense deviated from the BRAC criteria by failing to consider NAS OCEANA for closure or realignment. The long standing and steadily worsening encroachment problem around NAS OCEANA, without strong support from State and City governments to eliminate current and arrest future encroachment, will in the long term, create a situation where the military value of NAS OCEANA will be unacceptably degraded. The remedies presented to the Commission thus far have been unconvincing.

It is also the sense of the Commission that the future of Naval Aviation is not Naval Air Station Oceana. The Commission urges the Navy to begin immediately to mitigate the noise encroachment and safety issues associated with flight operations around the Virginia Beach area by transitioning high intensity training evolutions to other bases that are much less encroached such as Navy Outlying Field Whitehouse, Florida or Kingsville, Texas.

The Secretary of Defense is directed to cause a rapid, complete, due diligence review of the offer of the State of Florida to reoccupy the former NAS Cecil Field and to compare this review against any plan to build a new master jet base at any other location. This review is to be completed within six months from the date the BRAC legislation enters into force, and is to be made public to the effected states for comment.

After review of the states comments, which shall be submitted with 120 days after publishing the review, the Secretary of Defense shall forward to the oversight committees of Congress the review, the states comments and his recommendation on the location of the Navy's future Atlantic Fleet Master Jet Base.□

Cirillo, Frank, CIV, WSO-BRAC

From: Cirillo, Frank, CIV, WSO-BRAC
Sent: Thursday, August 25, 2005 10:00 AM
To: Hanna, James, CIV, WSO-BRAC
Subject: RE: Official Motion - 193-4A (2)

Charlie and David agree with our recommendation and are stopping/pulling

-----Original Message-----

From: Hanna, James, CIV, WSO-BRAC
Sent: Thursday, August 25, 2005 9:29 AM
To: Cirillo, Frank, CIV, WSO-BRAC; Cook, Robert, CIV, WSO-BRAC
Subject: FW: Official Motion - 193-4A (2)

-----Original Message-----

From: Hanna, James, CIV, WSO-BRAC
Sent: Thursday, August 25, 2005 9:29 AM
To: Hague, David, CIV, WSO-BRAC
Cc: Cowhig, Dan, CIV, WSO-BRAC
Subject: RE: Official Motion - 193-4A (2)

Website is incorrect. Anser is feeding directly from the hall with no QA. What we sent you was the language as read and amended. Gehman did not second as the website states. New London is also significantly incorrect in that it shows deviations in Criteria 1-4 when what Newton read was deviation in criteria 1 only. Strongly suggest that all motion posting stop immediately. This is a huge problem for at least the Navy team.

Jim

-----Original Message-----

From: Hague, David, CIV, WSO-BRAC
Sent: Thursday, August 25, 2005 9:25 AM
To: Hanna, James, CIV, WSO-BRAC
Cc: Cowhig, Dan, CIV, WSO-BRAC
Subject: Re: Official Motion - 193-4A (2)

Jim. Can you tell me if the website is correct. David. Ps. I understand we may need to make a correction. Thks. David

-----Original Message-----

From: Hanna, James, CIV, WSO-BRAC <James.Hanna@wso.whs.mil>
To: Cirillo, Frank, CIV, WSO-BRAC <Frank.Cirillo@wso.whs.mil>; Hague, David, CIV, WSO-BRAC <David.Hague@wso.whs.mil>; Battaglia, Charles, CIV, WSO-BRAC <C.Battaglia@wso.whs.mil>
CC: Fetzer, William, CIV, WSO-BRAC <William.Fetzer@wso.whs.mil>
Sent: Thu Aug 25 09:20:54 2005
Subject: Official Motion - 193-4A (2)

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Motion Number: 193-4A

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Group: Navy

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 - enact State-mandated zoning controls requiring the cities of Virginia Beach and Chesapeake to adopt zoning ordinances that require the governing body to follow Air Installation Compatibility Use Zone (AICUZ) guidelines in deciding discretionary development applications for property in Noise Level 70 dB Day Night Average Noise Level DNL or greater;
 - enact state and local legislation and ordinances to establish a program to condemn and purchase all the property located within all the Accident Potential Zone One areas for Naval Air Station Oceana as depicted for 1999 AICUZ Pamphlet published by the U.S. Navy and to appropriate and spend \$15 million dollars annually for such purposes and ;
 - codify the 2005 Final Hampton Roads Joint Land Use Study (JLUS) recommendations;
 - legislate requirements for the cities of Virginia Beach and Chesapeake to evaluate undeveloped properties in Noise Zones 70dB DNL or greater for rezoning classifications that would not allow uses incompatible under AICUZ guidelines;
 - establish programs for purchase of development rights of the Inter-facility Traffic Area between NAS Oceana and NALF Fentress; Enact legislation creating the Oceana/Fentress Advisory Council. at Chapter XI, Section 193 of the Bill, and;
- and if the State of Florida:
 - appropriates sufficient funds to relocate commercial tenants presently located at Cecil Field, Florida,
 - appropriates sufficient funds to secure Public Private Ventures for all the personnel housing required by the Navy at Cecil Field to accomplish this relocation, and;
 - turns over fee simple title to the property comprising the former Naval Air Station Cecil Field, including all infrastructure improvements that presently exist, to the Department of Defense on or before December 31, 2006, if the Commonwealth of Virginia or and the municipal governments of Virginia Beach, Virginia and Chesapeake, Virginia decline from the outset to take the actions required above, or within six months of the Commonwealth of Virginia or and the municipal governments of Virginia Beach, Virginia and Chesapeake, Virginia failing to carry through with any of the actions set out above, whichever is later. The State of Florida may not encumber the title by any restrictions other than a reversionary clause in favor of the State of Florida and short-term tenancies consistent with the phased relocation of the Master Jet Base to Cecil Field.
 - If the Commonwealth of Virginia and the municipal governments of Virginia Beach, Virginia and Chesapeake, Virginia fail to take the all of the prescribed actions, and the State of Florida meets the conditions established by this recommendation, the units and functions that shall relocate to Cecil Field will include, but are not limited to, all of the Navy F/A-18 Strike Fighter Wings, aviation operations and support schools, maintenance support, training and any other additional support activities the Navy deems necessary and appropriate to support the operations of the Master Jet Base. at Chapter XI, Section 193 of the Bill, and;
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Additional statement of the Commission:

The BRAC 2005 report language shall state:

It is the sense of the Commission that the Secretary of Defense deviated from the BRAC criteria by failing to consider NAS OCEANA for closure or realignment. The long standing

and steadily worsening encroachment problem around NAS OCEANA, without strong support from State and City governments to eliminate current and arrest future encroachment, will in the long term, create a situation where the military value of NAS OCEANA will be unacceptably degraded. The remedies presented to the Commission thus far have been unconvincing.

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After review of the states comments, which shall be submitted with 120 days after publishing the review, the Secretary of Defense shall forward to the oversight committees of Congress the review, the states comments and his recommendation on the location of the Navy's future Atlantic Fleet Master Jet Base.□

Cirillo, Frank, CIV, WSO-BRAC

From: Cirillo, Frank, CIV, WSO-BRAC
Sent: Thursday, August 25, 2005 9:59 AM
To: Reborchick, Margaret, CIV, WSO-BRAC; Hanna, James, CIV, WSO-BRAC
Cc: Hague, David, CIV, WSO-BRAC
Subject: FW: Official Motion - 193-4A (2)

Marci: Info - not sure of your action yet.

Jim: Your "Underlines" did not come across?

-----Original Message-----

From: Hanna, James, CIV, WSO-BRAC
Sent: Thursday, August 25, 2005 9:21 AM
To: Cirillo, Frank, CIV, WSO-BRAC; Hague, David, CIV, WSO-BRAC; Battaglia, Charles, CIV, WSO-BRAC
Cc: Fetzer, William, CIV, WSO-BRAC
Subject: Official Motion - 193-4A (2)

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Motion Number: 193-4A

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Group: Navy

Full Text

I move:

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 - enact State-mandated zoning controls requiring the cities of Virginia Beach and Chesapeake to adopt zoning ordinances that require the governing body to follow Air Installation Compatibility Use Zone (AICUZ) guidelines in deciding discretionary development applications for property in Noise Level 70 dB Day Night Average Noise Level DNL or greater;
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 - turns over fee simple title to the property comprising the former Naval Air Station Cecil Field, including all infrastructure improvements that presently exist, to the Department of Defense on or before December 31, 2006, if the Commonwealth of Virginia or and the municipal governments of Virginia Beach, Virginia and Chesapeake, Virginia decline from the outset to take the actions required above, or within six months of the Commonwealth of Virginia or and the municipal governments of Virginia Beach, Virginia and Chesapeake, Virginia failing to carry through with any of the actions set out above, whichever is later. The State of Florida may not encumber the title by any restrictions other than a reversionary clause in favor of the State of Florida and short-term tenancies consistent with the phased relocation of the Master Jet Base to Cecil Field.
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Cirillo, Frank, CIV, WSO-BRAC

From: Cirillo, Frank, CIV, WSO-BRAC
Sent: Thursday, August 25, 2005 9:40 AM
To: Reborchick, Margaret, CIV, WSO-BRAC
Cc: Cowhig, Dan, CIV, WSO-BRAC; Cook, Robert, CIV, WSO-BRAC
Subject: Fw: Official Motion - 193-4A (2)

Dun

This e-mail has been sent from the Blackberry of Frank Cirillo, Director of Review and Analysis, Defense Base Closure and Realignment Commission

-----Original Message-----

From: Hanna, James, CIV, WSO-BRAC <James.Hanna@wso.whs.mil>
To: Cirillo, Frank, CIV, WSO-BRAC <Frank.Cirillo@wso.whs.mil>; Cook, Robert, CIV, WSO-BRAC <Robert.Cook@wso.whs.mil>
Sent: Thu Aug 25 09:36:38 2005
Subject: FW: Official Motion - 193-4A (2)

fyi

-----Original Message-----

From: Hague, David, CIV, WSO-BRAC
Sent: Thursday, August 25, 2005 9:34 AM
To: Hanna, James, CIV, WSO-BRAC
Subject: Re: Official Motion - 193-4A (2)

Agree. Dan. Pls pass to chris to stop real time posting of motions. David

-----Original Message-----

From: Hanna, James, CIV, WSO-BRAC <James.Hanna@wso.whs.mil>
To: Hague, David, CIV, WSO-BRAC <David.Hague@wso.whs.mil>
CC: Cowhig, Dan, CIV, WSO-BRAC <Dan.Cowhig@wso.whs.mil>
Sent: Thu Aug 25 09:29:01 2005
Subject: RE: Official Motion - 193-4A (2)

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Sent: Thursday, August 25, 2005 9:25 AM
To: Hanna, James, CIV, WSO-BRAC
Cc: Cowhig, Dan, CIV, WSO-BRAC
Subject: Re: Official Motion - 193-4A (2)

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To: Cirillo, Frank, CIV, WSO-BRAC <Frank.Cirillo@wso.whs.mil>; Hague, David, CIV, WSO-BRAC <David.Hague@wso.whs.mil>; Battaglia, Charles, CIV, WSO-BRAC <C.Battaglia@wso.whs.mil>
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Cirillo, Frank, CIV, WSO-BRAC

From: Cirillo, Frank, CIV, WSO-BRAC
Sent: Thursday, August 25, 2005 9:17 AM
To: Hague, David, CIV, WSO-BRAC
Cc: Cowhig, Dan, CIV, WSO-BRAC; Hanna, James, CIV, WSO-BRAC; Fetzer, William, CIV, WSO-BRAC; Reborchick, Margaret, CIV, WSO-BRAC; Cole, Christopher, CTR, WSO-BRAC
Subject: RE: Web

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 - enact state and local legislation and ordinances to establish a program to condemn and purchase all the property located within all the Accident Potential Zone One areas for Naval Air Station Oceana as depicted for 1999 AICUZ Pamphlet published by the U.S. Navy;
 - codify the 2005 Final Hampton Roads Joint Land Use Study (JLUS) recommendations;
 - legislate requirements for the cities of Virginia Beach and Chesapeake to evaluate undeveloped properties in Noise Zones 70dB DNL or greater for rezoning classifications that would not allow uses incompatible under AICUZ guidelines;
 - establish programs for purchase of development rights of the Inter-facility Traffic Area between NAS Oceana and NALF Fentress; Enact legislation creating the Oceana/Fentress Advisory Council." at Chapter XI, Section 193 of the Bill, and;
 - and if the State of Florida:
 - appropriates sufficient funds to relocate commercial tenants presently located at Cecil Field, Florida,
 - appropriates sufficient funds to secure Public Private Ventures for all the personnel housing required by the Navy at Cecil Field to accomplish this relocation, and;
 - turns over fee simple title to the property comprising the former Naval Air Station Cecil Field, including all infrastructure improvements that presently exist, to the Department of Defense on or before December 31, 2006, if the Commonwealth of Virginia or and the municipal governments of Virginia Beach, Virginia and Chesapeake, Virginia decline from the outset to take the actions required above, or within six months of the Commonwealth of Virginia or and the municipal governments of Virginia Beach, Virginia and Chesapeake, Virginia failing to carry through with any of the actions set out above, whichever is later. The State of Florida may not encumber the title by any restrictions other than a reversionary clause in favor of the State of Florida and short-term tenancies consistent with the phased relocation of the Master Jet Base to Cecil Field.
- If the Commonwealth of Virginia and the municipal governments of Virginia Beach, Virginia and Chesapeake, Virginia fail to take the all of the prescribed actions, and the

State of Florida meets the conditions established by this recommendation, the units and functions that shall relocate to Cecil Field will include, but are not limited to, all of the Navy F/A-18 Strike Fighter Wings, aviation operations and support schools, maintenance support, training and any other additional support activities the Navy deems necessary and appropriate to support the operations of the Master Jet Base." at Chapter XI, Section 193 of the Bill, and;

- that the Commission find this additional recommendation is consistent with the Final Selection Criteria and Force Structure Plan.

Additional statement of the Commission:

The BRAC 2005 report language shall state:

"It is the sense of the Commission that the Secretary of Defense deviated from the BRAC criteria by failing to consider NAS OCEANA for closure or realignment. The long standing and steadily worsening encroachment problem around NAS OCEANA, without strong support from State and City governments to eliminate current and arrest future encroachment, will in the long term, create a situation where the military value of NAS OCEANA will be unacceptably degraded. The remedies presented to the Commission thus far have been unconvincing.

It is also the sense of the Commission that the future of Naval Aviation is not Naval Air Station Oceana. The Commission urges the Navy to begin immediately to mitigate the noise encroachment and safety issues associated with flight operations around the Virginia Beach area by transitioning high intensity training evolutions to other bases that are much less encroached such as Navy Outlying Field Whitehouse, Florida or Kingsville, Texas.

The Secretary of Defense is directed to cause a rapid, complete, due diligence review of the offer of the State of Florida to reoccupy the former NAS Cecil Field and to compare this review against any plan to build a new master jet base at any other location. This review is to be completed within six months from the date the BRAC legislation enters into force, and is to be made public to the effected states for comment.

After review of the states comments, which shall be submitted with 120 days after publishing the review, the Secretary of Defense shall forward to the oversight committees of Congress the review, the states comments and his recommendation on the location of the Navy's future Atlantic Fleet Master Jet Base."

Vote

Session: Wednesday, August 24 (1300-1800)

Result: PASSED.

Offered By: Chairman Principi

Seconded By: Commissioner Gehman

-----Original Message-----

From: Hague, David, CIV, WSO-BRAC

Sent: Thursday, August 25, 2005 9:11 AM

To: Cirillo, Frank, CIV, WSO-BRAC

Cc: Cowhig, Dan, CIV, WSO-BRAC

Subject: Web

Frank. Has oceana been corrected on the web. David

Cirillo, Frank, CIV, WSO-BRAC

From: Cirillo, Frank, CIV, WSO-BRAC
Sent: Sunday, August 21, 2005 4:26 PM
To: 'Ed Brown'; Cirillo, Frank, CIV, WSO-BRAC
Cc: Cook, Robert, CIV, WSO-BRAC
Subject: RE: Today's Hearings

No coats and ties needed at all.

Craziness not in the noted rules - sanity check still in order - as I type this Commissioner recusal internal dialogue in progress.

See you Mon AM - All Commissioners on board -

-----Original Message-----

From: Ed Brown [mailto:edbrown61@verizon.net]
Sent: Sunday, August 21, 2005 1:55 PM
To: Cirillo, Frank, CIV, WSO-BRAC
Cc: Bob Cook
Subject: Re: Today's Hearings

Frank:

I'll be there. Are coat and tie necessary?

I noticed the Commission passed five procedural rules at the end of the hearing and the Chairman stated they would be posted on the web site -- they aren't yet. Are some of these the craziness you refer to?

As I mentioned before, I am not a Commission staff member; hence, should not have been in the picture. Also, I went to the Redskins game and got home too late for an old man to get up so early.

Ed

----- Original Message -----

From: "Cirillo, Frank, CIV, WSO-BRAC" <Frank.Cirillo@wso.whs.mil>
To: <edbrown61@verizon.net>; "Cook, Robert, CIV, WSO-BRAC" <Robert.Cook@wso.whs.mil>
Sent: Saturday, August 20, 2005 8:54 PM
Subject: Re: Today's Hearings

> Great insight Ed. We definitely have gone beyond an independent
> Commission to independent commissioners. Indeed many of us are tired -
> we have had 4 days of skulling Commissioners u way beyond in the past.
> Topmorrow is the first swing through dry runs- very different pattern
> this year. Also tomorrow SASC begins a very accusatory Second 2903 Review.
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> Jan and Sherry came to the Great Jet Off. VA did not shine. Not sure
> either.
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> Ed - we would love you to come in Monday - even Sunday but Mon would
> be great - for some sanity checksm Some craziness going on regarding
> voting process.
>
> Missed you at the photo op this AM :)
>
> Frank
>
>
> This e-mail has been sent from the Blackberry of Frank Cirillo,
> Director of Review and Analysis, Defense Base Closure and Realignment

> Commission
>
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> From: Ed Brown <edbrown61@verizon.net>
> To: Frank Cirillo <Frank.Cirillo@wso.whs.mil>; Bob Cook
> <Robert.Cook@wso.whs.mil>
> Sent: Sat Aug 20 17:44:49 2005
> Subject: Today's Hearings
>
> Frank and Bob:
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> Interesting hearings today. I got a sense that many Commissioners are
> prepared to reject some of DoD's recommendations based on geographical
> presence, military personnel savings (I, too, still do not understand
> the DoD explanation), questionable centers of excellence, etc. The
> Oceana-Cecil arguments were good theater and again I couldn't predict
> the outcome.
> There
> seems to be quite a difference of opinion among former Navy aviators.
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> why they just started doing something about arresting encroachment but
> failed to answer the question.
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> The staff I could see looked tired. I hope there will some time to
> get some rest before the final deliberation hearings. To us who have
> not had personal contact with the Commissioners, it will be
> enlightening to see how their questions and statements during hearings
> compare to their final votes.
>
> One week to go!!
>
> Ed
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Cirillo, Frank, CIV, WSO-BRAC

From: Cirillo, Frank, CIV, WSO-BRAC
Sent: Thursday, August 18, 2005 5:41 PM
To: RSS dd - WSO BRAC Final Delibrations Line by Line
Subject: Accepted: Hearing to address Cecil Field, FL and NAS Oceana, VA

Cirillo, Frank, CIV, WSO-BRAC

From: Cirillo, Frank, CIV, WSO-BRAC
Sent: Wednesday, August 17, 2005 1:39 PM
To: Hill, Christine, CIV, WSO-BRAC
Subject: RE: Commissioner Schedule

xlnt

-----Original Message-----

From: Hill, Christine, CIV, WSO-BRAC
Sent: Wednesday, August 17, 2005 12:14 PM
To: Cirillo, Frank, CIV, WSO-BRAC
Subject: RE: Commissioner Schedule

We getting it set up right now so that any changes go to "invitees" as soon as they are changed via outlook

Christine
Christine O. Hill
Director, Legislative Affairs
BRAC Commission
703-699-2950

-----Original Message-----

From: Cirillo, Frank, CIV, WSO-BRAC
Sent: Wednesday, August 17, 2005 10:19 AM
To: Hill, Christine, CIV, WSO-BRAC
Cc: Sillin, Nathaniel, CIV, WSO-BRAC; Cook, Robert, CIV, WSO-BRAC
Subject: RE: Commissioner Schedule

Thanks Christine: Disregarding the message below (?) - what we need is:

- Notification of any more changes as they happen
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HUH?

I'll put the Saturday/Sunday stuff on his calendar....which is the answer I think you wanted

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Christine O. Hill
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From: Carnevale, Diane, CIV, WSO-BRAC
Sent: Wednesday, August 17, 2005 7:22 AM
To: Cirillo, Frank, CIV, WSO-BRAC; Baxter, Kristen, CIV, WSO-BRAC; Battaglia, Charles, CIV, WSO-BRAC
Cc: Cole, Jason, CIV, WSO-BRAC; Hill, Christine, CIV, WSO-BRAC; Cook, Robert, CIV, WSO-BRAC; Dinsick, Robert, CIV, WSO-BRAC; 'edbrown61@verizon.net'; Hanna, James, CIV, WSO-BRAC; Sillin, Nathaniel, CIV, WSO-BRAC; Small, Kenneth, CIV, WSO-BRAC; Van Saun, David, CIV, WSO-BRAC
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Diane

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To: Baxter, Kristen, CIV, WSO-BRAC <Kristen.Baxter@wso.whs.mil>; Battaglia, Charles, CIV, WSO-BRAC <C.Battaglia@wso.whs.mil>
CC: Carnevale, Diane, CIV, WSO-BRAC <diane.carnevale@wso.whs.mil>; Cole, Jason, CIV, WSO-BRAC <jason.cole@wso.whs.mil>; Hill, Christine, CIV, WSO-BRAC <Christine.Hill@wso.whs.mil>; Cirillo, Frank, CIV, WSO-BRAC <Frank.Cirillo@wso.whs.mil>; Cook, Robert, CIV, WSO-BRAC <Robert.Cook@wso.whs.mil>; Dinsick, Robert, CIV, WSO-BRAC <robert.dinsick@wso.whs.mil>; Ed Brown (edbrown61@verizon.net) <edbrown61@verizon.net>; Hanna, James, CIV, WSO-BRAC <James.Hanna@wso.whs.mil>; Sillin, Nathaniel, CIV, WSO-BRAC <Nathaniel.Sillin@wso.whs.mil>; Small, Kenneth, CIV, WSO-BRAC <Kenneth.Small@wso.whs.mil>; Van Saun, David, CIV, WSO-BRAC <David.VanSaun@wso.whs.mil>
Sent: Wed Aug 17 07:08:32 2005
Subject: Commissioner Schedule

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2521 Clark Street, Suite 600, Arlington, VA 22202 voice (703) 699-2903 - cell (703)
501-3357 Frank.Cirillo@wso.whs.mil fcirillo@terpalum.umd.edu

Cirillo, Frank, CIV, WSO-BRAC

From: Cirillo, Frank, CIV, WSO-BRAC
Sent: Wednesday, August 17, 2005 1:36 PM
To: Carnevale, Diane, CIV, WSO-BRAC
Subject: RE: Commissioner Schedule

Thanks Diane - hey, how about tying Dan Cowig up and locking him in the storage room?

-----Original Message-----

From: Carnevale, Diane, CIV, WSO-BRAC
Sent: Wednesday, August 17, 2005 12:03 PM
To: Cirillo, Frank, CIV, WSO-BRAC
Subject: RE: Commissioner Schedule

Frank, please let me know how I can help you with anything!! Do not hesitate!

-----Original Message-----

From: Cirillo, Frank, CIV, WSO-BRAC
Sent: Wednesday, August 17, 2005 10:19 AM
To: Carnevale, Diane, CIV, WSO-BRAC
Subject: RE: Commissioner Schedule

ok

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Director, Review and Analysis
Base Closure and Realignment Commission
2521 Clark Street, Suite 600, Arlington, VA 22202 voice (703) 699-2903 - cell (703) 501-3357 Frank.Cirillo@wso.whs.mil fcirillo@terpalum.umd.edu

Cirillo, Frank, CIV, WSO-BRAC

From: Cirillo, Frank, CIV, WSO-BRAC
Sent: Wednesday, August 17, 2005 10:18 AM
To: Hill, Christine, CIV, WSO-BRAC
Cc: Sillin, Nathaniel, CIV, WSO-BRAC; Cook, Robert, CIV, WSO-BRAC
Subject: RE: Commissioner Schedule

Good - keep us all in the loop if you can - thanks.

From: Hill, Christine, CIV, WSO-BRAC
Sent: Wednesday, August 17, 2005 8:43 AM
To: Cirillo, Frank, CIV, WSO-BRAC
Subject: RE: Commissioner Schedule

Frank the schedule is already changing - mostly just moving your session times - I've Got Jason and Nat working it to make sure all changes are known and put out there for all to see

Christine

Christine O. Hill
Director, Legislative Affairs
BRAC Commission
703-699-2950

From: Cirillo, Frank, CIV, WSO-BRAC
Sent: Wednesday, August 17, 2005 7:09 AM
To: Baxter, Kristen, CIV, WSO-BRAC; Battaglia, Charles, CIV, WSO-BRAC
Cc: Carnevale, Diane, CIV, WSO-BRAC; Cole, Jason, CIV, WSO-BRAC; Hill, Christine, CIV, WSO-BRAC; Cirillo, Frank, CIV, WSO-BRAC; Cook, Robert, CIV, WSO-BRAC; Dinsick, Robert, CIV, WSO-BRAC; Ed Brown (edbrown61@verizon.net); Hanna, James, CIV, WSO-BRAC; Sillin, Nathaniel, CIV, WSO-BRAC; Small, Kenneth, CIV, WSO-BRAC; Van Saun, David, CIV, WSO-BRAC
Subject: Commissioner Schedule
Importance: High

Charlie / Kristen:

Please let us know of any changes to the Commissioners' availability over these next several days of critical sessions.

We lost two sessions with the Chairman yesterday and understand from Commissioner Skinner via 20 minute phone call last night that we will not see him until Saturday as he is going to Cecil. We show a pretty busy day today with Commissioners Coyle, Gehman and Skinner. We have a pretty good system and synergy set up and changes, although inevitable, detract.

As a PS - I believe I got a lot accomplished in speaking to C Skinner last night but we are way behind and getting to him with specifics which is bad for the process as he is very steady, very smart and in my opinion, very influential. We need to really get him all day Saturday if at all possible. We may even ask to use him for dry runs Saturday and Sunday as, if he has the patience, we can accomplish two junctures at once. He is very supportive of the Chairman's memo on motions.

Thanks for any info you might have.

Nat is our focal point for all these sessions.

Frank

Frank A. Cirillo, Jr., P. E.

Director, Review and Analysis

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Frank.Cirillo@wso.whs.mil

fcirillo@terpalum.umd.edu

Cirillo, Frank, CIV, WSO-BRAC

From: Cirillo, Frank, CIV, WSO-BRAC
Sent: Wednesday, August 17, 2005 6:47 AM
To: Small, Kenneth, CIV, WSO-BRAC
Subject: RE:

We will not see Skinner until Saturday - he got pulled into the Cecil visit. I spoke to him for 20 minutes last night - this is a serious loss.

PS: I spoke to him about the AGAUS issue as well as the crazy push for JSF to Cannon.

Frank

From: Small, Kenneth, CIV, WSO-BRAC
Sent: Tuesday, August 16, 2005 7:50 PM
To: Cirillo, Frank, CIV, WSO-BRAC
Subject: RE:

We will. I put a copy of this e-mail on his desk (this morning) so he gets it when he comes in.

Ken

From: Cirillo, Frank, CIV, WSO-BRAC
Sent: Tuesday, August 16, 2005 6:40 PM
To: Small, Kenneth, CIV, WSO-BRAC
Cc: McRee, Bradley, CIV, WSO-BRAC; MacGregor, Timothy, CIV, WSO-BRAC; Hill, Christine, CIV, WSO-BRAC
Subject: RE:

Yep - see my note.

You also need to tell this story to C Skinner when you brief him.

From: Small, Kenneth, CIV, WSO-BRAC
Sent: Tuesday, August 16, 2005 8:17 AM
To: Cirillo, Frank, CIV, WSO-BRAC
Cc: McRee, Bradley, CIV, WSO-BRAC; MacGregor, Timothy, CIV, WSO-BRAC; Hill, Christine, CIV, WSO-BRAC; Small, Kenneth, CIV, WSO-BRAC
Subject: FW:

The format of the attachment is the same format as the "excursion" that was floated two weeks ago before the TAGs meeting. It does not represent any formal position taken by anybody, certainly neither the BRAC Commission or the Air Force.

McGuire does not retain KC-135s in the AGAUS plan that was presented at the AGAUS hearing last week.

We, the commission, are working to resolve the conflict that there are not enough KC-135s to cover the existing units. We do have a solution apparent that requires one more loop of coordination within the R&A staff before its ready for prime time.

However, with respect with McGuire, the R&A solution as it stands at the moment does not call for retaining KC-135s at McGuire. The ANG at McGuire has the old model KC-135Es that become officially unsafe to fly in 2007. McGuire is a large East coast tanker base. There are two KC-10A units at McGuire with AFRes reserve associate units. There is also an active duty C-17 unit. There should be plenty of opportunity for the professional Guard personnel to pickup with the associate units.

Bottom line is that the Air Force is removing over 100 old KC-135s from the Air Force. The planes were built between 1954 and 1957. With the exception of the installation of used jet engines from the commercial fleet (which caused them to be identified as KC-135E rather than KC-135A), the E models are old airplanes.

Ken Small
Air Force Team Leader
BRAC Commission R&A

From: Cirillo, Frank, CIV, WSO-BRAC
Sent: Tuesday, August 16, 2005 7:15 AM
To: McRee, Bradley, CIV, WSO-BRAC; Small, Kenneth, CIV, WSO-BRAC; MacGregor, Timothy, CIV, WSO-BRAC; Hill, Christine, CIV, WSO-BRAC
Subject: FW:

Ken: Please verify and clear up any possible confusion with C Skinner.

Christine: info

From: Rhoads, Barry [mailto:brhoads@rhoadsdc.com]
Sent: Monday, August 15, 2005 5:37 PM
To: 'timothy.macgregor@wso.whs.mil'; 'tim.macgregor@wso.whs.mil'; 'frank.cirillo@wso.whs.mil'
Subject:

Tim and Frank:

During a telephone call on Friday between Congressman Saxton and Commissioner Skinner, Mr. Saxton noted that the AGAUS plan provided for eight KC-135R aircraft to be assigned to the 108th ARW at McGuire AFB.

Commissioner Skinner indicated that he had not yet seen that plan, and asked to see it. Please find the plan attached.

Thanks,
Barry

<<GuardPlan.xls>>

Barry Rhoads
Rhoads Group