

2005 BRAC COMMISSION REGIONAL HEARINGS

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STATES TESTIFYING:

VIRGINIA

(OCEANA NAVAL AIR STATION)

COMMISSIONERS:

ANTHONY PRINCIPI, CHAIRMAN

ADMIRAL HAROLD GEHMAN, USN (RET.)

SAMUEL SKINNER

PRESIDING COMMISSIONER:

ANTHONY PRINCIPI

MR. PRINCIPI: Good afternoon. I'm Anthony Principi, and I'm pleased to be joined by my fellow commissioners, Admiral Harold Gehman and Secretary Sam Skinner, for today's session.

I believe Senator Warner has an opening statement or introduction of our first witness.
Senator Warner?

SENATOR JOHN WARNER (R-VA): Thank you, Mr. Chairman. I apologize for being a few minutes late. But in point of history, I'm the acting pro tem of the Senate today, and as such I'm signing all legislation. And the plane is loading up this afternoon headed to Texas, and I just signed the multi-billion dollar highway bill. Now, I think that's justification for a minute or two delay.

MR. PRINCIPI: Yes, sir.

SEN. WARNER: Mr. Chairman and members of the commission, I'd like to make a few opening comments. My first comments are as a United States senator, and my second framework of comments are wearing the hat, proudly and humbly, as Virginia's senator.

For three years of my 27 years on this committee, I have been working to get the BRAC legislation enacted and trying to preserve it at the request of the president, who stood steadfast as those of us that had to defend the BRAC process when there have been challenges legislatively to this process.

It is essential for this country that this process be completed, and completed in a way that it fulfills the goals of the legislation, which are goals that are in the best interest of our security interests of this country. And I commend you for undertaking this operation. I wish you well.

But I just recall a few nights ago -- well, go back a week ago. The defense bill was on the floor. We simply could not move that bill, primarily because of the deep concern -- and I'm not faulting any of my colleagues; they have justification, they have their own reasons -- the BRAC process.

There are several amendments on file, and there are likely to be more when this bill is brought up again at the conclusion of this recess. It has affected nominations pending in many ways. But I'm steadfastly going to move ahead legislatively with our bill, and hopefully there will not be any legislative changes to this law such that you can complete your work and make your report to the president.

But along the way, there has been for me, I would say, a somewhat disturbing situation, and that is information, just in the form of allegations -- I have no way of proving the credibility or lack of credibility -- but they came to my attention, and therefore I turn to the specific provision in the act, which is a provision that's been in the previous act, whereupon any senator can call upon the chairman of the Readiness Committee of the Armed Services Committee, in this instance Senator Ensign, to address issues that a senator feels, or others, that should be addressed as to the manner in which this process has been conducted.

And the commission is well aware of my letter. I'll put it into the record today. And I think there's been some initial examination by the commission with regard to these allegations and the receipt of ex parte information in the way of telephone calls and other communications, which raises the question of whether or not they laid a foundation for the decision or decisions as you go forward.

Now, in no way do I challenge the right -- because I participated and led the effort to write this statute -- the commission has a right to add bases and installations. And that's an important

one. But I say to you rhetorically, does not the community have the right to have the full body of factual evidence so that we can rebut it or otherwise examine it that led to the decision to add a base or an installation?

And that issue is before Senator Ensign and his committee, and I hope it's resolved in a manner that in no way will impede the progress to go forward. But the citizens of the several states, as they address this distinguished commission, have the right to know what were the facts.

And the law is specific. This is to be a process that's transparent, open to the public. The statute says that information has to be certified. I think that's the word that's used in the record. And the question is, do we have before us today, those of us who would defend Virginia's position on this very important base, all the facts? And that, I say, Mr. Chairman, respectfully, is an open question.

Let me just point out the following. After exhaustive research and analysis of alternatives, the United States Navy recommended -- that is, in the original round to the secretary of Defense -- that Naval Air Station Oceana be retained as their East Coast Master Jet Base.

In preparing his recommendations that were submitted to the commission on May 13th, 2005, the secretary of Defense concurred in the Navy's position. And after an exhaustive review of the certified data used by the Navy for the requirement of Section 2903, I personally cannot find anything that would call into question that decision originally made.

Any suggestion -- and this is a phrase once used by the deputy secretary, acting former secretary of the Navy, Gordon England, any suggestion of a "clean sheet" as he referred to it to solve Oceana's problems should also apply to the overwhelming majority of other military bases in this country which face a range of encroachment issues.

As we all heard from Navy representatives during the site visit to Oceana earlier this week, no viable options exist in their judgment to replace Oceana.

And with continued community support, none will be needed. I received a letter from the Department of Defense, which I will ask to put in the record, yesterday. It states in its conclusion, quote: "The Department's position has been and remains that NAS Oceana is the most suitable option as the Navy East Coast Master Jet Base, in support of East Coast fleet carrier operations, and we have a plan to ensure its viability into the future assuming community support."

This is a very interesting thing, which is the foundation for my concerns as I stated earlier. General Hill, a member of the commission, in a forthright manner, stated on July 19th at the hearing, and later he repeated that at our site visit Monday -- I heard him, and others heard him -- that Admiral Clark, quote, "wanted to close Oceana," end quote.

Now the actual Clark phrase is as follows. Here it is at the July 19th hearing, the record, and I'm reading from your record, Admiral Clark, whom I have had a tremendous amount of respect for, in fact, he is an E.F. Hutton person for me, when Admiral Clark talks, I listen, he said that he wanted to close Oceana. He simply couldn't find any other alternative, end quote.

Now that's in the record, and I would hope at some point the commission will show us the extent to which that was amplified, if it is true, by allegations of other conversations between various Department of Defense people and members of your commission staff and/or commissioners.

Now we have no way of reviewing how that all took place and what's behind it, and absent the supporting data, how do we explain to the people of Virginia, how do we, the distinguished governor of Virginia, Senator Allen, and others, come before you today and give us our best presentation?

I really feel that we've got one hand tied behind our back, and it concerns me.

So Mr. Chairman and members of the commission, I understand the desire of the commission to want to help the Navy. I believe that's a phrase that the commission has used from time to time. I also believe that you want the best military advice that's available.

Therefore, based on the commission's practice that a senior senator for a state set the agenda, I have asked the new chief of naval operations, Admiral Mullen, to testify today regarding the department's decision to retain Naval Air Station Oceana as the Navy's East Coast Master Jet Base.

I have not, to protect I think the importance of the Admiral's testimony, I have not collaborated with it. I do not know exactly what he will say. But at this time I'd like to yield the podium to the distinguished chief of naval operations.

He will be followed by the governor of Virginia, Senator Allen, and then to the extent I feel necessary, I may seek to make closing remarks.

I'd also like to ask that a statement on behalf of the organization called CAGN who have been very active in speaking for some people in the community against the continuation of this base, that statement be a part of the record.

And the mayor of Virginia Beach, Mayor Oberndorf, has a statement. The Congresswoman Drake has a statement. Delegate Suit has a statement, Delegate Cosgrove and Senator Stolle.

I ask that all of their statements be made a part of the record.

MR. PRINCIPI: Without objection.

SEN. WARNER: And unless you have questions for me at this point, I ask that the chief of naval operations be given the opportunity to testify.

MR. PRINCIPI: Thank you, Senator Warner. I very much appreciate your comments and your concerns. I want to assure you that this commission is committed to being open and transparent, and have taken unprecedented steps, and I would venture to guess, much more so than any previous commission, to ensure the public is aware of our deliberations, our meetings.

We have been subjected to the most intense lobbying effort by members of Congress and governors, and on many occasions we have, at their request, have contacted officials of the Defense Department to ask their opinions on certain issues, coming directly from members of Congress to make those calls.

We will go back and review all of our meetings, our telephone conversations, and ensure that everything that may have bearing on our deliberations is made part of the public record. Because I believe, as I know my fellow commissioners believe, that integrity is critical to the success of an effort that you have championed in the interest of our national security.

But I want to assure you, and I want to state for the record, that this commission has taken unprecedented steps to ensure that the public, members of Congress, state and local officials, have had access to this commission so that we have the benefit of their perspectives on the very, very important, critical decisions that we have to make.

I want to thank you very, very much, Senator.

SEN. WARNER: I thank you. But I judge from your statement you corroborate that there has been factual information that has come to the attention of the commission in various manners. You're going as you say in the future to make it a part of the record, so it confirms my concern today as to whether or not we, and perhaps the CNO who is trying to defend the position, are being able to do it I guess without the full knowledge of maybe all the facts, but led to the perfect right you have under the statute to add an installation.

I thank the chairman.

MR. PRINCIPI: I thank you very much, Senator.

We are honored that Governor Warner, Senator Warner, Senator Allen are with us for this afternoon's hearing, and will follow Admiral Mike Mullen who will testify for the Navy.

I also want to welcome Congresswoman Drake and the many state and local officials who are with us today.

This hearing will be one of Admiral Mullen's first duties as the Navy's 28th chief of naval operations. And I congratulate you, Admiral, on your promotion, and I wish you well as you take on the con (?) in the face of seas roiled by the winds of war.

I can think of few callings more challenging, and I can think of few obligations more significant, than responsibility for the officers and sailors who bring our Navy to life.

On July 19th this commission voted to consider closure or realignment of eight installations not included in the Defense Department's recommendations. NAS Oceana is one of those installations.

Our concerns are evidenced by our questions at our first hearing in May. We took this action not because of any desire to close more bases than the secretary of Defense recommended, indeed not, but rather to meet our obligation to the American people, and most importantly, to the uniformed men and women defending our freedoms.

We must make the best possible closure or realignment decisions consistent with the military value criteria established by the Congress in the BRAC law.

Training and readiness are critical components of military value. On Monday, August 1st, commissioners visited NAS Oceana and met with representatives of fleet forces command, the base commanding officers, representatives of naval air force, and the air wing commander.

We also spoke with several FA-18 instructor pilots who described the effects of flight restrictions and noise abatement procedures with which they must comply.

We heard that operations at Oceana are not consistent with operations at sea. For example, we heard that the first time new pilots in the fleet replacement squadrons can fly the pattern that they would around a ship is when they fly to the carrier for the first time.

A consistent comment from the students is that they wished they could have practiced this sooner.

I cannot help but note the analogy of a lieutenant commander landing signal officer quoted in the September, 2004 article published by the Hampton Roads Virginian Pilot.

He compared practice at Oceana and Fentress before landing on a carrier to practicing basketball on a 10-foot hoop, and then suddenly reducing the hoop to eight feet. He said, the differences are drastic.

The commission's agenda may read, NAS Oceana, but the issue is much more than a base. The question that the Navy, our nation, and our communities must answer is, how do we ensure that the naval aviators our nation orders into harm's way can train like they will when they have to fly and fight when they deploy to the carrier.

I want to be clear that I do not have a predetermined answer to this question. The commission's goal this afternoon is a thorough airing of the questions created by encroachment surrounding Oceana, and its impact on training and readiness, military value.

While we recognize the very recent steps taken by local government to control future encroachment, the past record of development creates a sense of uncertainty with respect to consistent enforcement as well as a sense of uncertainty with property owners who have development rights that predate the 2000 agreement with the Navy.

For example I learned this week that there are currently nearly 200 residential buildings approved for development in the accident potential zones around NAS Oceana.

In addressing these questions we must all, every one of us, remember that everyday we send young men and women to sea wearing wings of gold. They accept an obligation to place their lives on the line for us, and we have a reciprocal obligation to them to ensure that they get the best training possible, not unnecessarily limited by artificial or unrealistic constraints.

The commission is committed to keeping our deliberations and decisions devoid of politics, and ensuring that the people and communities affected by the BRAC proposals have through our site visits and public hearings a chance to provide us with the right input on the substance of the proposals and the methodology and assumptions behind them.

I want to take this opportunity to thank the thousands of involved citizens who have already contacted the commission. This week alone we have received nearly 2,000 comments from Virginians concerning Naval Air Station Oceana. We want them to know that their inputs are appreciated and taken into consideration in our review process.

Senator Warner, Senator Allen, Governor Warner, Admiral Mullen, again, I welcome you to this hearing and I look forward to your testimony.

I now request our witnesses to stand for the administration of the oath required by the BRAC statute. The oath will be administered by the commission's designated federal officer.

(Panelists sworn.)

SEN. WARNER: Mr. Chairman, for the record, I reaffirmed under the same oath the statements I made prior to take it.

MR. PRINCIPI: Thank you, Senator Warner.

Admiral Mullen.

ADM. MULLEN: Mr. Chairman, members of the commission, good afternoon.

It is both an honor and a privilege to be given this opportunity to appear before you, and I am very grateful for your time.

I am also grateful for the critical work you are doing on behalf of the nation, and fully appreciate and support your review of BRAC recommendations from the Department of Defense as a means to strengthen national security and generate the best possible outcomes from the current process.

I'm glad to have this chance to contribute to the dialogue.

I want to express my enduring gratitude to the people of Virginia. Their political leadership and especially the good citizens of Hampton Roads, who have been and remain true friends of the United States military.

It is a great service this area provides to our nation's security. I have myself been stationed in the Hampton Roads area for almost 25 percent of my career. It's a very special place to me and to my family.

As you know, I was invited to testify specifically about the military value of Naval Air Station Oceana in Virginia Beach. Let me say right up front that I fully support the DOD recommendation that emphasizes the need for an East Coast Master Jet Base.

That base, certainly for the foreseeable future, is NAS Oceana.

Oceana plays a central role in ensuring the effective training and readiness of East Coast naval air crews for the threat they face today and the ones they will face in the future.

In fact, in our ranking of bases in BRAC, Oceana ranked number five of 23 Department of the Navy air stations in military value, and also number five of 60 DOD air stations overall.

To be fair, and quite honest, we looked at alternatives, and we studied other options. None of them made much sense.

If the Navy were to leave NAS Oceana, a base valued at over \$1.4 billion, it would require our departure by 2011 in this process, which is simply unachievable.

Departure options include building a new base or split basing, which would -- the split basing piece would disperse functions and assets at various locations, neither of which is effective or affordable, and violates the very principles upon which the Navy BRAC process was based, which included improving readiness, fostering jointness, eliminating excess capacity, saving taxpayer dollars, and improving the quality of life for our people and their families.

I've assumed my duties at a time when the recapitalization of our Navy is critical and a top priority. The funds necessary to leave Oceana and build an entirely new Master Jet Base somewhere else would compete directly with my ability to do that.

I simply do not have the resources to do so, within the legal constraints of the BRAC process, which would require me to depart Oceana by 2011, should it be closed.

We also looked at the possibility of using other Navy and defense air stations. What prompted us to do so was encroachment in Virginia Beach, which, though manageable, continues to impact our training.

Current training there is not ideal. Though I am comfortable that the critical skills our pilots need to safely fly and operate from the decks of aircraft carriers are currently supported by Oceana and Fentress, encroachment remains a problem and has grown worse over the last few years.

Dealing with encroachment is a dual responsibility shared by the community of Virginia Beach and the Navy. I am increasingly troubled over a trend in recent years by local government to turn a blind eye to Navy concerns in favor of housing developers.

I will say that the recent adoption by local communities along with the Navy of the 2005 Hampton Roads joint land use study recommendations is very encouraging. I believe this study marks a point of departure. It is about the future; not about the past.

If implemented by those governments, the study's recommendations would allow us all to work more closely together so as to prevent future incompatible growth.

I believe your review of this issue has provided a wake-up call, and I thank you for that. It's critical that the Navy continue to pursue development of the North Carolina outlying field as a means to mitigate encroachment issues and reduce the stress on Oceana and Fentress.

With the construction of the OLF in Washington County, North Carolina, and the abatement of incompatible encroachment, I see a robust future for Oceana as the Navy's premier East Coast Master Jet Base.

That said, I intend to, as a minimum, review long term options for relocation should circumstances warrant.

Bottom line, Mr. Chairman, is that after a thorough analysis and study, we simply did not find a viable alternative to NAS Oceana, and although we recognize the hurdles posed there by encroachment, we are committed to working together with local authorities to ensure the viability of a Master Jet Base in Hampton Roads.

We know how important it is to our training. We know how important it is to our preparation for war fighting. We know how important it is to be good neighbors, and we will continue to be.

Our sailors and their families -- and I include my own family on that list -- enjoy living in the wonderful communities of the great state of Virginia.

Mr. Chairman, I need now -- your Navy needs now -- Naval Air Station Oceana.

Again, thank you for the chance to be here, and I look forward to your questions.

MR. PRINCIPI: Thank you, Admiral Mullen.

I'll begin with a few questions. Can you tell me what the status is of the current litigation in Washington County, North Carolina, with regard to the Navy's plan to build an outlying field at that location?

ADM. MULLEN: I'm reasonably -- I'm cautiously optimistic if you will that the process that we're in, which I certainly support, will support the future building of that outlying base.

We're clearly waiting for a couple of judgments from the, I think it's the 4th Circuit Court of Appeals, 4th Circuit judge, and we're also pursuing a parallel alternative within the law to continue to pursue that.

It has been a challenge in terms of moving through that, but as I said, I'm cautiously optimistic.

MR. PRINCIPI: If the plans are successful in getting a permanent injunction against the Navy going to Washington County, would you have to move Hornets to Cherry Point, additional Hornet squadrons to Cherry Point? What option would you have?

ADM. MULLEN: Well, we certainly -- we've looked at options, and in fact in the BRAC process, as a safety valve, we in fact kept options south of us in terms of -- in particular, Buford, in case the future was not going to be -- the predicted future for us did not come out that way.

MR. PRINCIPI: Thank you.

Secretary Skinner.

MR. SKINNER: Thank you, Mr. Chairman.

Admiral Mullen, thank you for your comments. To give you a little history, you've probably seen the transcript, but the process of discussing Oceana really began as we reviewed the

recommendations by the secretary in our first meeting. And I believe if we look at the transcript, you'll see that, as someone who was involved in transportation and has been involved -- who has had the opportunity to fly several times with, in the right seat, of airplanes doing the maneuvers that we talk about, and knowing the airspace around there, and having helped build a couple of brand new facilities, I was concerned as to whether or not we were missing an opportunity here to really look at any opportunity we could to make sure that the Navy flier and Marine Corps flier that use that facility or use any facility has the absolute best training possible as they go to the fleet.

Admiral Mullen indicated to us at that time that there were encroachment problems, and there are encroachment problems at a lot of airports. And while they clearly have to be considered in many cases, we have to override those considerations in the interests of national interest, and we've done that on a number of occasions, doing everything we can to mitigate it.

I live in Chicago, and O'Hare Field is an encroached airfield, the biggest in the nation. And we consciously do things to do that. But we continue to fly as the only available place, although there are plans in Illinois to build a new airport for that very reason, along with several others.

So that's how we got -- and then we asked very probing questions of Admiral Clark, who we all respect. And he indicated that the Navy did have an idea or a plan for a Master Jet Base, a new one -- at least they were beginning to think about maybe beyond the BRAC timetable, but clearly they had indicated to us that they believed that something -- they believed that something else should be at least considered in the long term. And I think it is those questions and those observations that began the process by this commission to make sure in this very unique opportunity that we were doing everything we could to facilitate the United States Navy and Marine Corps and naval pilots to get the absolute best training while at the same time protecting the

citizens around that area, not only from noise, but from safety issues. And that's how that process began. I just want to give you a history for that.

We also understood that on several occasions there were discussions with the Air Force about other fields that might be available, and those fields were not available, at least from the Air Force's viewpoint. The BRAC process obviously has the opportunity to make those fields available under the statute, if it was appropriate. And we began to say that if the analysis stopped at the Navy because the Air Force couldn't make the field available, but if the field was available, the Navy would use it. And we had the ability to begin that examination -- we should do so, facilitating all of that -- obviously not compromising the Air Force's mission, as well. And we began that process, at the same time opening the discussion for Moody and what other missions could be there.

So that's how the process began. So I don't want you to think that we have anything but absolute respect for what the work that's being done by the Navy in preparing the analysis, nor the fact of the work that is being done day in and day out by the people in Oceana, both civilian and military, in trying to deal with several problems that they have. But that's how that process began.

Have you had an opportunity -- and this goes to a question. Have you had an opportunity -- I'll ask you the same question that Admiral Clark was asked. Have you had a chance to -- putting aside the idea of a green field, which, by the way, was first suggested to us by Admiral Clark. Have you had a chance to look at all of the facilities on the East Coast and come to any kind of conclusion that if they were available, putting aside they may be with another branch, that they could alleviate the problems that -- the challenges -- they're not problems; they're challenges -- that face naval aviators at Oceana?

ADM. MULLEN: I think what is probably most representative of all of them in the process was Moody. And I have looked at analysis and recommendations with respect to Shaw, Seymour Johnson, Moody and those options considered in the BRAC process. And Moody, as I think you alluded to, certainly looked like it was the most viable, and it was a combination of, quite frankly, the investment required as well as the changes that needed to be made, which essentially concluded. And then, I mean, this was before I came back from Europe and took this job that this occurred. But I looked at that independently and essentially came to the same conclusion.

MR. SKINNER: I'm a little concerned on occasion that we talk about what it would cost to replace facility, and I recognize the strains and challenges you have as CNO on the budget, the capital budget for the United States Navy. But I've heard numbers thrown around of 1.5 to 2 billion (dollars). Have you ever quantified, or do you know if the Navy's ever quantified what it would cost to build a new field?

ADM. MULLEN: No, sir. I've seen in recent weeks numbers which have floated between 1 and 2 billion dollars. I used the \$1.4 billion of Oceana, and so I'm -- it's clearly somewhere in that ballpark. It is not inexpensive.

MR. SKINNER: Right. But I can't help but notice, because I now get all the publications -- as a member of the BRAC commission, one of the bonuses is to get every publication that is sent by everybody on what everything costs. It's increased my reading substantially, including on the way out here. But everything is costing money today. I mean the new destroyer; I hear numbers up to \$2 billion. A submarine is north of \$2 billion. I've got numbers all over the world what it costs us to build and equip and maintain a new aircraft carrier, which some people say is north of \$10 billion. The billion and a half dollars for a world-class -- \$2 billion for a world-class Master Jet Base on the East Coast, in the whole scale of things, does not seem to be abnormal. And so --

and I don't think I've heard anybody say it, but on occasion people say it would cost us a billion and a half. Well, frankly, as Senator Dirksen said, a billion here and billion there, pretty soon it's real money. But compared to what's being spent on other parts of the budget, it's not as real as it is on others. And I hope that doesn't -- whatever the planning and whatever the results here, I hope that doesn't get in the way.

And then one final question: Cecil Field -- as you know, the BRAC commission closed Cecil Field a number of years ago. That is -- I read in one of the articles that -- and I don't know that we have to bring in the aviators that were mentioned in this article to certify their data, because I think everybody agrees there's an encroachment problem. And the mission that's being flown by the aviators at Oceana on approaches and take-offs is not the same as it is in the fleet, when they do on a carrier, but we could clearly bring them to certify them if we had to. But they talk about -- and I notice in that one article, it was different at Cecil Field. A naval aviator said it was different at Cecil Field. Now that might have been Cecil Field when he was there, and Cecil Field might have as many encroachment problems today as Oceana, or more, because they have been closed, and I assume there have been some development. But do you know if they've looked at Oceana at all -- I mean at Cecil Field at all?

ADM. MULLEN: There's been no detailed study of Cecil. Clearly it wasn't part of the process, and I know you know that. We made a conscious decision to close that in the '93 BRAC. I certainly have not had a chance to look at any data with respect to that.

First of all, let me -- can I respond to a couple of your points, commissioner?

MR. SKINNER: Sure. Thank you.

ADM. MULLEN: Secondly --

MR. SKINNER: Take as long as I did to answer -- ask the question at least.

ADM. MULLEN: No, I won't do that. You know, the billion here, billion there piece, back to sort of -- back to the priorities that I talked about when I come in when -- this is just when I happen to be in the position as a CNO -- the re-capitalization in the future Navy is really at the top of my list. And when I compare that versus the risk that we're taking in the training and readiness side of this, the balance is I come out in the re-capitalization piece. And there is risk, but I -- and I think you've heard this term before: We really think it's manageable. And it isn't perfect. It's not ideal. It's why the OLF is so important to us. But at the same time, we've been doing this at Oceana for 30 years. This isn't -- you know, the pattern that you described is one that's been out there a long time. And combined with the fact that we've been through a number of wars; we've been very successful in that regard -- all of us would like it to be perfect. It isn't. I don't think -- it clearly isn't now. But within the constraints, the overall constraints on the readiness and training side that face us all and the risk associated with that, we -- I accept that risk at this point and the training challenge is manageable.

MR. SKINNER: I just would observe that the real concern is that, as the chairman said a minute ago, there's been a lot of encroachment, and it continues to grow. When we built -- and I participated and helped with the help of Senator Warner and others in the building of the new airport in Denver. When they built that new airport they built it wide, broad. They prevented encroachment for the foreseeable future. There's a lot of land being developed along the East Coast. And the alternative -- unfortunately, I'm a little concerned that if it is in the long-term plans, as some have indicated, it would be nice if we don't do something -- wherever it is -- Virginia, North Carolina, South Carolina, Florida -- if we don't do anything to capture the land now and prevent it from being further encroached, we will have the same situation. And by the way, the federal government has done a lot. I think the military has done a lot to try to convince the people

in that area of Oceana to do something. And unfortunately, the citizens -- and it's not uncommon -- have decided, you know, to build instead of to reserve. And that kind of has caused our interest because it's getting worse not better, and (inaudible) I think some plans have been in step.

So thank you very much for your testimony.

ADM. MULLEN: Thank you, sir.

MR. PRINCIPI: Thank you very much, Admiral -- Admiral Mullen.

Now I will call our second panel -- Governor Warner, Senator Warner and Senator Allen.

GOVERNOR MARK WARNER (D-VA): Thank you, Mr. Chairman. My name is Mark Warner, governor of the Commonwealth. I want to thank Admiral Mullen for his very productive testimony. We're joined as well by Congresswoman Drake, State Delegate Terrie Suit, Mayor Meyera Oberndorf, three members of Virginia Beach Council -- all of these local and state officials being from Virginia Beach, and I think represent the -- well north of 90 percent of the community in Virginia Beach that strongly supports Oceana.

I want to raise three points quickly, recognizing our time is short.

First, regarding state and local efforts to deal with encroachment: Going -- I think as Admiral Mullen said, we cannot simply look backward; we need to look forward. I think you heard -- and again, I thank you all for coming down to Oceana earlier this week -- but I think you heard from the base commander as well as other naval officials on Monday of the remarkably different relationship since the joint land use study has been put in place. I think there is a new sense of cooperation between the community and the Navy.

I would add, I got some information at least handed to me here that one of the -- for example, one of these examples you cited, Mr. Chairman, of the 200 additional housing units put in the potential crash field. My understanding is that was a larger development where actually the city

bought down 205 housing units. Yes, there are some that remain, but I think, again, shows a renewed vigor from the city to be proactive in assuring that there is no additional encroachment.

Secondly, I would add that the state has taken steps, as well. The Commonwealth of Virginia passed legislation this year looking at the best anti-encroachment legislation around the country -- I think we picked it from Georgia -- to ensure that every military installation, the base commander has appropriate input on land use decisions prior to any land use decision being made.

And speaking on my part and I think speaking for Delegate Suit and others, the state is prepared to further codify the restrictions that are put in place that are coming out of the joint land use study. So we are ready at both the local level and the state level to move very, very aggressively. We've heard this shot across the bow by your actions.

I would add as well, and I think we have conveyed this to your staff and to the Navy as well: While we firmly support the Washington County OLF site, should that site be held up for any reason, the Commonwealth of Virginia has prepared two additional sites that we think meet the Navy's requirements and commitments.

Secondly, I'd like to touch briefly -- and I think Admiral Mullen has done it perhaps better than any of us can -- on the value of Oceana. You have -- I believe, Mr. Chairman, that you raised appropriate questions, but all of those questions were reviewed by the Navy in making the determination that Oceana remains the best location for the Master Jet Base on the East Coast.

I would add: It's also my understanding that the landing patterns, which we spent some time with on Monday, as you'll recall, that many of those landing patterns had been in effect since the late '70s. This is not some new action that has come about because of recent encroachment. Again, I could stand to be corrected, but that is my understanding.

I also think that one of the points that we do need to continue to raise is -- and this came clear, loud and clear, from the naval aviators who we spoke with -- the value of the unrestricted air space; the fact that within five minutes of taking off from Oceana these aviators can be in totally unrestricted air space to do their mock combat, wonderful access to the Dare County ranges. And that that type of unrestricted air space really cannot be duplicated virtually anywhere else on the East Coast.

Final point, and Commissioner Skinner raised this -- and my colleague from Florida, I guess, I've seen in the press has raised this issue -- little bit about Cecil Field. I think the most compelling arguments about Cecil Field were, again, made by the naval officials we saw on Monday, including the admiral who, as you recall, was in charge of closing down Cecil Field after the last BRAC process, where he pointed out that clearly Oceana was a better option. I believe one of the members asked specifically, is Cecil Field a viable option? And the unanimous answer of all the naval officials on Monday was absolutely not -- not a good alternative. Compound that with whatever encroachment already takes place at Cecil and add to the fact that there is much less unrestricted air space because of the tremendous commercial air traffic in that area.

And again, we come back to the starting point of what the Navy has made its point: Oceana remains the best Master Jet Base on the East Coast. We from the Commonwealth and from local governments stand ready and committed to ensure that future encroachment is mitigated. We stand committed to make sure that the viability of this jet base is maintained for many, many years to come.

I would also simply add in a final point that the other issue that was raised at our testimony on Monday of the value of having the jet base adjacent to the carriers. The value to the military families' morale I think is a factor that also should be factored into your decision-making.

Mr. Chairman, I would be happy to answer any of your questions. Thank you very much.

MR. PRINCIPI: Thank you, Governor.

Senator Warner.

SENATOR JOHN WARNER (R-VA): In the interest of time and recognizing that we are to have another session in classified, I'm going to submit the balance of my remarks. I may make a remark at the end of my distinguished colleague, Senator Allen. But it was Admiral Bullard, Governor, that you and I heard very clearly state on Monday that he had recently studied all aspects of Cecil and that it was his professional judgment at that time. I would anticipate, given the CNO's testimony, that that study and level of information has not reached the CNO's desk, because he made the statement that he had not had an opportunity to look at it. But very definitely, below the chief, there are those that have made a close look at the Cecil situation.

So Mr. Chairman, I thank the chair and yield the floor to my good colleague.

MR. PRINCIPI: Thank you.

Senator Allen.

SEN. GEORGE ALLEN (R-VA): Thank you, Mr. Chairman, colleagues, Governor Warner.

Mr. Chairman, members of the commission, good afternoon. And it's good to spend a week with you all. (Laughter.)

I'm going to submit a statement for the record. And let me focus on some relevant, cogent facts that have been adduced in the scrutiny of Naval Air Station Oceana.

The testimony you've heard this week and today and through the weeks point out several key points. Oceana has high military value. It serves the Navy very well. The challenges concerning and regarding sustainment of operations, as far as encroachment, are manageable, that

moving the jets would be harmful to our military and would be costly to the taxpayers, and finally, that Oceana is the best option for Master Jet Base on the East Coast of the United States.

Now what are the salient factors for a jet base? What do you need? You need air space for training and flying. You need safe places to land. It is important operationally to be able to be near the fleet and, to the extent possible for synergy, have a jointness with other services.

Now one of the key and unique positive attributes of Oceana is its access to unrestricted, unfettered air space. You heard that at Oceana on Monday. Admiral Gehman touched upon the fact of the joint training, where you can have dissimilar planes, which is important so that the Navy pilots aren't flying against the same planes. Those coming out of Air Force base at Langley also use that air space, and so that is very helpful in having this tax range, which is a unique opportunity to train against each other. And, I might add, should the commission realign or close Oceana, it would be very difficult, if not nearly impossible, and very expensive, to duplicate this air space, which is unfettered, unimpeded by commercial or civil aviation anywhere else.

As I understand it, vis-a-vis Cecil Field, it is my understanding that the lack of unrestricted air space was a substantial reason for the closing of Cecil over 10 years ago. Oceana clearly has high military value, ranking fifth out of 60 of all Department of Defense airfields on the East -- across the whole country. The closeness and proximity to the fleet provides a unique synergy that enhances military readiness and gives Oceana -- and this is from the chief of Naval operations, Admiral Willard -- significant advantage above other Master Jet Bases.

I know there are individuals who are concerned, understandably, about the encroachment issue and how that may hinder the training and readiness of our pilots. As was stated by the governor, though, the difference is in turns and altitudes and the approach routes that the pilots are

presently taking at Oceana and Fentress are exactly the same movements and utilization of movements that they used back in 1979.

And the bottom line is that they do not impede the mission. We heard from Admirals Willard, Turcotte and now the CNO, Admiral Mullen, that there will be more cooperation in the future. But, the bottom line is that the encroachment at Oceana is manageable and, I think, in the future there will be even more of a cooperative effort with the local government and Oceana.

There are some residents, no doubt about it, who don't like jet noise. But I do know -- let me say this to you all as the former governor and now U.S. senator, I know that the vast majority of people in Virginia Beach are in support of Oceana. Every time a jet flies over, they'll get interrupted by the remark, that's the sound of freedom. They have this bumper sticker, we saw on our helicopter on top of a barn. I want to submit on behalf of thousands who have contacted my office, petitions from people in Virginia Beach, who want to keep Oceana open and serving our country.

And I also want to submit to the record a statement in support from Congressman Bobby Scott as well.

Now, Mr. Chairman, a significant -- and members of the commission -- a significant realignment of Oceana would clearly have detrimental effects on our military. But it also would have affect on the taxpayers. It really doesn't make much sense to me to move some or all of Oceana's jets to some other place, temporarily, and then go through all that expense, whatever amount of hundreds of millions of dollars that is, to have them there just temporarily while a new, from the ground up, Master Jet Base is being built. It just doesn't make any sense. In fact, the Navy concluded that even with a \$500, excuse me, \$500 million investment in another existing

base, Naval Air Station Oceana would still continue to be the best option for the Master Jet Base on the East Coast.

In fact, and this is the most salient point in evidence. The Navy ran scenarios for every aviation base, taking into account all branches. Not just the Navy, but the Air Force, Marines, Army, whatever Department of Defense air bases on the East Coast. And none, not a one of them met all the needs of a Master Jet Base, nor could they provide the positive attributes that Oceana presently provides. And, in fact, that was corroborated, of course, just now by Admiral Mullen.

Furthermore, Admiral Willard testified that dividing a wing from a Master Jet Base could impact mission and would cost significant sums of money.

So, Mr. Chairman and members of the commission, I understand you have to scrutinize everything. And the main issue here is military value, military strength, and also saving the taxpayers money and saving the Department of Defense money so that they're using that money, whether it's for ships, armament, training, salaries, whatever the benefits may be.

But, I think when you closely analyze all the evidence, it will be clear beyond any reasonable doubt that Oceana has the best attributes for our Navy and our nation's defense. And is also the best fiscal option for the taxpayers of this country.

So, I respectfully request that you uphold the Department of Defense and the Navy's decision to keep Oceana serving our Naval aviation training and operations. And I thank you for your dedicated efforts and service to our country.

MR. PRINCIPI: Thank you very much, Senator Allen.

Secretary Skinner, do you have any questions?

MR. SKINNER: I would just -- thank you very much. I would want to make one comment. It's really not a question but a comment.

First of all, Senator Warner, there wouldn't be a BRAC if it weren't for you and we all know that. The nation should know that.

SEN. WARNER: I'm just part of a team. I thank the leadership.

MR. SKINNER: When it came time to step to the plate, when there were questions of whether these nominations would get through on time, you stepped to the plate. And this nation should, I know we appreciate it, and I hope the nation does as well.

I would only observe that thinking outside the box, and we've seen this on several occasions. The Defense Department captures this land and puts a lot of infrastructure into it. Then when it comes time, and this isn't just directed at Oceana, but it would apply to Oceana -- when it comes time to realign it or close it or restructure it, it's turned over, in many cases, to a community. It then turns over a developer. There's no compensation back to the Defense Department to make up for the money they're going to have to spend somewhere else to refurbish. And, I think in talking to the fellow commissioners, you know, the time may come for, as we close these things, that the Defense Department has invested in this infrastructure ought to capitalize on the investment, the growth that happens.

Naval Air Station Glenview is a perfect example. We turned that over to the City of Glenview. You're smiling because you know it well. And it is now a thriving -- it's done great things for the community. It was a no-brainer, given where it was located. And yet, the Defense Department didn't capture any of the value that has risen there.

So, I say that that if the time ever were to come that the Navy were to decide to build a new Master Jet Base in Virginia that, for example, if you could figure a way to capture the value of that land around there and transfer that to the cost of a new facility, wherever it is, it could go a long way, given the value of some of these properties in areas like that to pay for that base.

But, other than that, we did have the opportunity to see ourselves down there at Oceana. They're obviously doing great work down there. And I don't want anyone to believe that this is the U.S. noise commission. It's the U.S. Defense Base Alignment and Closure commission. And our mission is to make sure that we understand the military value these facilities are providing. That there have been no mistakes in the process, which is a very complicated process. And if there are mistakes or options that weren't looked at, we should look at them. And that if they meet the criteria we go ahead. If they don't meet the criteria, we've at least gone through the exercise that happens right now about once every 10 years and is a unique opportunity.

So -- and I can also tell you that I know our commission. The information we will use to make a decision will be all certified data. And all the other information we see is nice, but we have the ability to factor that out and look and make the decision on certifiable data. And I want to make that representation to you, Senator Warner.

Thank you.

SEN. WARNER: Thank you, Mr. Skinner.

MR. PRINCIPI: Let me close this hearing.

(Cross talk.)

SEN. WARNER: If I could just --

MR. PRINCIPI: I'm sorry. Senator Warner?

SEN. WARNER: If I could just reply to his comments, Mr. Chairman.

Indeed I've been privileged to work with you in your official capacity as a secretary of a cabinet and officer serving this country well. You bring to the table a great deal of experience and background how government should work.

On your first point, I assure you that we have in drafting -- this is the fifth statute we've had on BRAC -- we've looked at how the government should deal with the excess property. And there are many, many factors that are brought to bear on that decision process. And it evokes some of the fiercest debate in both houses of the Congress as those provisions are drawn.

I bring to your attention -- there's a provision in some instances where the homeless get it, first choice, and things of that nature. I'm not suggesting they aren't deserving of everything that can be done to help them, but it's a complicated thing.

And when we looked at the statute this time, we, frankly, decided that we couldn't provide for exactly what you addressed. Mainly that if a base is closed, and if there has to be a substitute for it, the proceeds that would flow from the private sector eventually, or community getting that base, could be applied to the Defense budget. But we can't do it.

I also thank you for very clearly pointing out that the process of your commission is predicated on a lot of conversations and a lot of information. And I just want to make certain that those of us in the states that are brought to bear or carry forward a message to support our communities in situations like the one before us, we need all the facts at hand so that we can, in an informed way, rebut, if necessary, and otherwise comment on the decision process.

So, I would hope as the Chairman assured us, that eventually all facts relevant to putting this particular base on the list are on the public record. So, we'll await that information.

And we thank you again, gentlemen, and your able staff for helping us.

Mr. Chairman, I'm going to recommend that if it's the chair's desire, we'll go immediately to the closed session next door. I serve on the intel committee and I've got that room. And then if it's desirable that members here or others want to meet the press, we'll do it at a stakeout immediately following that.

MR. PRINCIPI: I agree. I just have one or two very, very brief comments.

I just want to thank the panel. I consider this a serious issue. And I believe that Governor Warner, Senator Warner and Senator Allen also recognize the importance of this issue, the importance of Oceana, the importance of working with the Navy, and local officials, too, to address the encroachment issue to ensure that we have the best training possible. So if, indeed, the commission elects to keep Oceana open as a jet master base on the East Coast, indeed, those issues will be addressed.

Senator Warner, you did raise an important issue concerning ex parte information that may have served as a basis for adding Oceana to our adds list. I think it would be helpful just to very briefly note where General Hill based his comments. In our May 17th hearing, and I'm reading from our transcripts of the May 17th hearing, and General Hill stated that "I was surprised when I saw the recommendation that Oceana was not in there, in terms of encroachment. There's probably -- you have probably no other place that's more encroached on your air space and your ability to train and to do all those things. Did you look at alternatives for Oceana, and even extreme alternatives, like maybe moving them to an Air Force base?" Admiral Clark, "The answer to your question is absolutely. I talked at length with John Jumper and asked him, can I have an Air Force base." And the dialogue goes on.

So, I think that there is some basis for the reason for Oceana on the list. But nonetheless, I certainly commit to you that this commission will cooperate with you and other ex parte communications with Defense officials to ensure that those are recorded and made part of the public record.

And I want to thank you very much.

SEN. WARNER: Thank you. Because I very much want you to have a successful commission. And it's in the interest of the country.

MR. PRINCIPI: I know you do.

SEN. WARNER: Thank you very much.

MR. PRINCIPI: This hearing is adjourned.

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