

MCLEAN CITIZENS ASSOCIATION RESOLUTION CONCERNING GROWING SECRECY SURROUNDING THE DULLES RAIL PROJECT

WHEREAS, recent news articles in the *Washington Post*, *Examiner* and other newspapers have described a growing atmosphere of secrecy surrounding recent deliberations by Virginia and the Metropolitan Washington Airports Authority over progress of the Dulles Rail Project, including the claim that the Airports Authority, which is intended to manage project, is not subject to either the federal or Virginia Freedom of Information Acts, and

WHEREAS, the *Washington Post* reports on April 27, 2007 that the Fairfax County Board of Supervisors met in secret session three times in recent weeks to discuss the Dulles Rail Project, and that some Board members and outside experts seriously question the legality of such secret meetings under Virginia's Freedom of Information Act, Section 2.2-3711, Code of Virginia, and

WHEREAS all of the money intended to be spent on this multi-billion dollar project is public money sought from (1) the federal government, (2) toll revenue from the Dulles Toll Road administered by the Airports Authority, a public body, (3) money appropriated by the Commonwealth of Virginia, and (4) proceeds of a special tax district created by Fairfax County, and

WHEREAS the Virginia Freedom of Information Act (Sec. 2.2-3700 et. seq.) requires that all meetings of public bodies be conducted in open public session and that public records be open for public inspection unless specified narrow exceptions are met, in recognition that secrecy breeds public distrust of government bodies,

NOW THEREFORE BE IT RESOLVED that the McLean Citizens Association calls on the responsible public officials to open the process to public view.

- In the interests of maintaining public support, public officials should release the maximum amount of information about the project and ongoing deliberations, including discretionary releases of information that could otherwise be argued to fit within an exception to public release.
- The General Assembly should enact changes to the Virginia Public Private Transportation Act or other laws deemed to support excessive secrecy for this and similar projects.
- The Congress and/or the General Assembly should enact changes to statutes governing the Airports Authority to make it subject to open government laws if the Authority asserts the right to operate outside those laws.

Copies of the resolution shall be sent to the following:

Honorable Tim Kaine, Governor of the Commonwealth of Virginia
Honorable Pierce Homer, Secretary of Transportation
Honorable Frank C. Wolf
Honorable Tom Davis
Honorable Jim Moran
James E. Bennett, President and CEO MWAA

Mame Reiley, Chairman, MWAA
State Senator Janet D. Howell
State Senator Jeannemarie Devo lites-Davis
State Delegate Vincent F. Callahan
State Delegate James M. Scott
State Delegate Stephen C. Shannon
David S. Ekern, Acting Commonwealth Transportation Commissioner
Matthew O. Tucker, Director of the Virginia Department of Rail and Public Transportation
Honorable J. Douglas Koelemay, Commonwealth Transportation Board, Northern Virginia District
Katharine D. Ichter, Acting Director Fairfax County Department of Transportation
Richard Stevens, Fairfax County Project Manager - Dulles Rail Project
Jonathan Gaffney, VP, MWAA
Corey W. Hill, Director of Administration and Capital Projects, Virginia Department of Rail and Public Transportation
Dennis C. Morrison, Northern Virginia District Administrator VDOT
Kevin B. Page, Director of Rail Transportation,
Providence District Council
Rosemary Ryan, Legislative Assistant
Nancy Hopkins, Planning Commissioner, Dranesville District
Ken Lawrence, Planning Commissioner, Providence District
Honorable Gerry Connolly, Chairman Fairfax County Board of Supervisors
Honorable Joan Dubois, Fairfax County Board of Supervisors, Dranesville District
Honorable Catherine M. Hudgins, Fairfax County Board of Supervisors, Hunter Mill District
Honorable Linda Q. Smyth, Fairfax County Board of Supervisors, Providence
Tysons Land Use Task Force
Fairfax County Planning Commission
Fairfax County Board of Supervisors