



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

July 27, 2010
(House Rules)

STATEMENT OF ADMINISTRATION POLICY
H.R. 5822— Military Construction and Veterans Affairs Appropriations Act, 2011
(Rep. Obey, D-Wisconsin)

The Administration strongly supports House passage of H.R. 5822, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2011. Providing facilities to support the men and women in our armed forces and benefits to take care of those who have served is a priority of the Administration.

The Administration would like to take this opportunity to share additional views regarding the Committee's version of the bill.

Military Construction

The Administration appreciates the overall level of funding provided by the Committee for military construction but is concerned with the use of incremental funding for the following projects: Sensitive Compartmented Information Facility, Wiesbaden, Germany; Finegayan Site Prep and Utilities, Guam; and the Air Force Technical Applications Center, Patrick Air Force Base, Florida. The Administration encourages full funding of these programs to make the most efficient use of taxpayer resources.

Guam Realignment

The Administration is very concerned with the reduction of \$273 million for Navy construction on Guam. To date, the government of Japan has demonstrated its commitment to support Guam realignment efforts by appropriating \$336 million for Guam development, and Japan is expected to provide an additional \$498 million in the near future. The U.S. Government's failure to provide a comparable amount for fiscal year 2011 could place Japan's financial commitment to Guam at risk. The Department of Defense (DOD) has worked closely with other Federal agencies to address concerns with the Draft Environmental Impact Statement. Final resolution of these concerns codified in a Record of Decision, as required by the National Environmental Policy Act, will allow DOD to move forward with construction.

Department of Veterans Affairs

The Administration appreciates the Committee's strong support for the Department in order to provide the timely and high-quality delivery of health care and benefits that veterans deserve.

Constitutional Concerns

Section 113 is phrased in a manner that could be construed to require the Executive Branch, without discretion, to notify the Congress 30 days in advance of certain military exercises, which would intrude on the President's discharge of his constitutional authorities and duties to protect national security. The Administration recommends revising section 113 to make explicit that 30 days' advance notice to the Congress is required where feasible and consistent with the President's constitutional responsibilities to protect national security.

* * * * *