



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

November 5, 2009  
(Senate)

**STATEMENT OF ADMINISTRATION POLICY**  
**H.R. 3082 — Military Construction and Veterans Affairs Appropriations Act, 2010**  
(Sen. Inouye, D-Hawaii)

The Administration strongly supports Senate passage of H.R. 3082, with the Committee-reported text of S. 1407, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2010.

For the Department of Veterans Affairs (VA), this legislation answers the President's call to expand the care and benefits that the Nation provides to our veterans. The President has put forward a plan to increase funding for the VA by \$25 billion over the next five years, honoring veterans' service by providing more generous funding for their health care. The President also would create Centers of Excellence for VA medical care, with specialty services in areas like prosthetics, vision, spinal cord injury, aging, and women's health. Importantly, the President believes that the VA must be better prepared to care for the veterans of current conflicts with special focus on mental health screening and treatment for conditions such as post-traumatic stress disorder and traumatic brain injury. The VA will provide better outreach in rural areas with new Vet Centers and mobile health clinics.

The legislation, as considered by the Committee, rises to the President's challenge. It invests critical new dollars in programs that will significantly improve the quality of care and services for our Nation's veterans. Millions of patients, including more than 419,000 veterans of the operations in Iraq and Afghanistan, will receive medical treatment as a result of these investments. The legislation takes important steps forward to support the Administration's efforts to transform the VA into an agile, adaptive organization that is responsive to the changing needs of the veterans community.

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 for military construction projects. However, the Administration is concerned that the bill funds several of these projects incrementally, including a critical National Security Agency facility. Consistent with the President's Budget, the Administration encourages full funding of these programs to make the most efficient use of taxpayer resources.

### Guam Relocation

The Administration is concerned with the \$211 million reduction in military construction funding related to the Marines realignment from Japan to Guam. This level of reduction will adversely impact the agreement reached between the United States and Japan in February 2009.

### Department of Veterans Affairs

The Administration appreciates the Committee's support to VA and for providing advance appropriations for VA's Medical Care accounts so that veterans will always be provided, without interruption, the timely, accessible, and high-quality medical care they 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, in which case it would intrude on the President's discharge of his constitutional authorities and duties to protect national security. As a means of avoiding any constitutional difficulty, 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.

\* \* \* \* \*