AUTHENTICATED
U.S. GOVERNMENT
INFORMATION
GPO

111th Congress, 2d Session – – – – – – – – – – – – House Document 111–104

REQUEST FOR FY 2011 BUDGET AMENDMENT

MESSAGE

FROM

THE PRESIDENT OF THE UNITED STATES

TRANSMITTING

FY 2011 BUDGET AMENDMENTS FOR THE DEPARTMENT OF TRANSPORTATION



APRIL 15, 2010.—Message and accompanying papers referred to the Committee on Appropriations and ordered to be printed

U.S. GOVERNMENT PRINTING OFFICE

89–012 WASHINGTON : 2010

THE WHITE HOUSE,
Washington, April 5, 2010.

Hon. NANCY PELOSI,
Speaker of the House of Representatives,
Washington, DC.

DEAR MADAM SPEAKER: I ask the Congress to consider the enclosed amendment to Fiscal Year (FY) 2010 proposals in my FY 2011 Budget. In particular, I am requesting authority to allow the Department of Defense to transfer up to $50 million of funds that will expire in FY 2010 to the Department of Transportation's Maritime Administration for improvements to the Port of Guam. Modernization of the Port is a critical prerequisite for the military construction program supporting the realignment of U.S. Marine Corps forces from Japan to Guam, a part of the overall U.S. strategy for military forces in the Pacific region.

In addition, this transmittal contains a FY 2010 proposal for the Legislative Branch. As a matter of comity between branches, appropriations requests of the Legislative Branch are transmitted without change.

The details of this amendment are set forth in the enclosed letter from the Director of the Office of Management and Budget.

Sincerely,

BARACK OBAMA.

Enclosure.

[Estimate No. 4, 111th Cong., 2d Sess.]

EXECUTIVE OFFICE OF THE PRESIDENT,
OFFICE OF MANAGEMENT AND BUDGET,
Washington, DC, April 5, 2010.

The PRESIDENT,
The White House.

Submitted for your consideration is an amendment to the Fiscal Year (FY) 2010 proposals in your FY 2011 Budget. The amendment is for the Department of Defense and Transportation and is described in more detail in the enclosure.

This request would provide the authority for the Department of Defense to transfer up to $50 million of funds that will expire in FY 2010 to the Department of Transportation Maritime Administration's Port of Guam Improvement Enterprise Fund for capital improvements to the Port of Guam. The Port modernization is critical to national security, as the Port's operational capacity must be increased to meet the requirements of the on-going military construction program for the realignment of U.S. Marine Corps forces from Japan to Guam. The proposed total budget authority for FY 2010 in the FY 2011 Budget would not be affected by this amendment.

In addition, this transmittal contains a FY 2010 proposal for the Legislative Branch. As a matter of comity between branches, appropriations requests of the Legislative Branch are transmitted without change.

Recommendation

I have carefully reviewed this request and am satisfied that it is necessary at this time. Therefore, I join the heads of the affected Departments in recommending you transmit this proposal to the Congress.

Sincerely,

PETER R. ORSZAG,
Director.

Enclosure.

FY 2010 Supplemental Proposal in the FY 2011 Budget

DEPARTMENT OF DEFENSE

GENERAL PROVISIONS

Estimate #3 Submitted March 24, 2010, Page: 11
FY 2011 Budget Appendix Page: 1362
FY 2010 Pending Supplemental Request: —
Proposed Amendment: Language
FY 2010 Revised Supplemental Request: —

(In the appropriations language under the above heading, insert the following new section immediately following section 12:)

SEC. 13. (a) Notwithstanding any other provision of law, from funds available to the Department of Defense, the Secretary of Defense may transfer an amount not to exceed $50,000,000 to the Port of Guam Improvement Enterprise Fund established by section 3512 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417): Provided, That funds transferred under this section shall be merged with and available for obligation for the same time period and for the same purposes as the appropriation to which transferred: Provided further, That only funds that would otherwise expire at the end of fiscal year 2010 and that are appropriated to the Department of Defense in this Act or any prior appropriation act may be transferred: Provided further, That these funds may be transferred by the Secretary of Defense only if he determines such amounts are required to improve facilities, relieve port congestion, and provide greater access to port facilities: Provided further, That no amounts may be transferred from amounts that were designated by the Congress as an emergency requirement or as appropriations for overseas deployments and other activities pursuant to the Concurrent Resolution on the Budget or the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

(b) Any amounts transferred pursuant to this section shall be available to the Secretary of Transportation, acting through the Administrator of the Maritime Administration, to carry out under the Port of Guam Improvement Enterprise Program planning, design, and construction of projects for the Port of Guam to improve facilities, relieve port congestion, and provide greater access to port facilities.

(c) The transfer authority in this section is in addition to any other transfer authority available to the Department of Defense.

(d) The Secretary shall, not fewer than five days prior to making transfers under this authority, notify the congressional defense committees in writing of the details of any such transfer.

This provision would enable the Department of Defense to provide funding to the Department of Transportation's Port of Guam Improvement Enterprise Fund for the planning, design, and construction of projects for the Port of Guam to improve facilities, relieve port congestion, and provide greater access to port facilities. Section 3512 of the FY 2009 National Defense Authorization Act (Public Law 110–417) designated the Department of Transportation's Maritime Administration (MARAD) as the lead Federal

agency for all aspects of the Port of Guam Improvement Enterprise Program and established the Port of Guam Improvement Enterprise Fund. MARAD provides oversight and management for all Federal and non-Federal contributions to the Port of Guam modernization effort through the Enterprise Fund.

The provision would authorize the transfer of up to $50 million of funds made available to the Department of Defense that will expire in FY 2010 to MARAD for the purposes of funding capital improvements to the Port of Guam, including critical modernization and repair. The Port of Guam's capabilities are critical to national defense as demonstrated by the U.S. military's reliance on this port to ship goods and supplies to military bases located on Guam. The Port was designated a "strategic port" in September 2009 and port modernization will benefit both the military and commercial activities and enable the Port to fulfill its role in handling increased cargo volumes during periods of military deployment. In addition, the Port of Guam's throughput requirement will significantly increase in the near term because of construction-related supplies, materials, and equipment that must be shipped through the Port to support the construction efforts associated with the U.S. Marine Corps relocation to Guam.

The proposed total budget authority for FY 2010 in the FY 2011 Budget would not be affected by this amendment.

FY 2010 Supplemental Proposal in the FY 2011 Budget

LEGISLATIVE BRANCH

CAPITOL POLICE

GENERAL EXPENSES

Estimate #3 Submitted March 24, 2010, Page: 1
FY 2011 Budget Appendix Page: 1345
FY 2010 Pending Supplemental Request: —
Proposed Amendment: $15,956,000
FY 2010 Revised Supplemental Request: $15,956,000

(In the appropriations language, insert the above new agency, bureau and heading and the following new language just after the Bodoni dash and immediately before the heading "Department of Agriculture":)

For an additional amount for "Capitol Police, General Expenses" to purchase and install and implement the indoor coverage portion of the new radio system for the Capitol Police, $15,956,000, to remain available until September 30, 2012: Provided, That the Chief of the Capitol Police may not obligate any of the funds appropriated under this heading without approval of an obligation plan by the Committees on Appropriations of the Senate and the House of Representatives.

This proposal would enable the U.S. Capitol Police to include the indoor coverage for the new VHF trunked radio system in order to achieve adequate in-buildings, garages, basements and in-tunnels radio coverage throughout the Capitol campus.

This proposal would increase the outlay for FY 2010 by $16 million.

○