

**MILITARY CONSTRUCTION, VETERANS AFFAIRS, AND  
RELATED AGENCIES APPROPRIATIONS BILL, 2012**

, 2011.—Committed to the Committee of the Whole House on the State of  
the Union and ordered to be printed

Mr. CULBERSON, from the Committee on Appropriations,  
submitted the following

**R E P O R T**

[To accompany H.R.     ]

The Committee on Appropriations submits the following report in explanation of the accompanying bill making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2012, and for other purposes.

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facilities) associated with the Marine forces relocation programmed for fiscal year 2015, likely pushing the completion date for construction to 2017 and beyond. This fundamental disconnect on the target completion date between the U.S.-Japan agreement, the DEIS, and the FYDP leaves doubt regarding the most realistic and feasible timeline for the Guam buildup.

The EPA has raised a number of serious concerns regarding the quality of the DEIS, especially in relation to the cumulative impacts of the complex and interrelated actions needed not only to complete the relocation of Marine forces, but to provide transient berthing for an aircraft carrier and accommodate the expected influx of a large number of construction workers and associated personnel to execute the buildup.

The buildup of Guam is not a "military problem"; its main feature, the relocation of Marine Corps forces from Okinawa, results from a bilateral agreement negotiated between the U.S. and Japan governments, and therefore DOD should not be isolated as the sole source of funding for the necessary improvements to physical and human capital in Guam. The Committee notes with concern that the Administration has sent mixed signals on this issue.

The Committee believes that while DOD should have the greatest share of leadership for identifying and addressing island-wide impacts, non-DOD agencies must also be provided directly with the budgetary resources necessary to assist the people of Guam with "outside the fence line" problems. To date, however, much of the non-DOD work appears to be mired in the "planning" or "under consideration" phase. The Committee agrees with DOD, as expressed through the DEIS, that the rate of military construction execution for the Guam buildup should be seen as a tool to mitigate or avoid harmful and potentially irreparable consequences.

Charter Schools.—Department of Defense installations throughout the United States are struggling with the issue of dependent education for K-12 students. Frequent moves by military families highlight the differences and inequities among various state public school systems. An increasing number of families are opting for private or home schooling to compensate for lack of public education quality and to maintain continuity in their child's progress. The 2008 Quadrennial Review of Military Compensation (Volume II: Deferred and Noncash Compensation) (QRMC) from the U.S. Department of Defense, an assessment of the competitiveness of benefits, notes in a section on education for dependents that parents should be allowed to start charter schools at military installations and initiate them in the "same way that civilians can under state law." "Offering a charter school option in areas with less desirable local schools would give parents stationed in those locations another choice in addition to the private school or home schooling options," the report states. The Committee fully supports the QRMC and urges the Services to develop and publicize procedures for establishing Charter Schools at installations that are not supported adequately by the local public school system.

The Committee directs the Comptroller General of the United States to conduct a study of charter schools located on domestic and international military installations. This report shall include a detailed description of charter schools currently in operation on military installations, identify the potential challenges of devel-

oping and implementing charter schools on additional military installations, and examine how oversubscribed enrollment would affect the continuity of education for dependents of members of the Armed Forces. The Comptroller General shall present the report to the Committees on Appropriations of both Houses of Congress no later than December 31, 2011.

*Facilities management, life-cycle costs, and construction method alternatives.*—The Committee believes that the military construction program best serves both our military personnel and the taxpayers when projects are open to competitive bidding from contractors representing the widest possible range of construction methods. To that end, the Committee urges the Department of Defense and the execution agents for military construction, principally the Army Corps of Engineers and the Naval Facilities Engineering Command, to ensure that requests for proposals or qualifications do not arbitrarily foreclose, discourage, or privilege any type of construction method. The Committee continues to encourage a level playing field for both traditional construction methods and alternative methods such as permanent modular construction. The Committee also encourages DOD to evaluate the regular use of carbon fiber precast concrete technology in military construction projects.

The Committee believes that the best way to ensure a level playing field is to set and communicate clear standards and expectations regarding life-cycle cost management for military construction, backed by rigorous, objective analysis. The Committee understands that situations may arise in which objectives other than life-cycle cost may take precedence; for example, speed of construction may be a predominant concern in order to meet time-limited goals such as base realignments, force structure growth, new system bed-down, or urgent operational needs. At the same time, the Committee is concerned by the recent report from the Government Accountability Office (GAO-10-436) indicating that varying service attitudes toward the life-cycle costs of different construction methods were based more on pre-formed opinions, personal experiences, and anecdotal evidence rather than quantitative information or analyses. The Committee therefore urges DOD and the services to conduct further research regarding comparative life-cycle costs for differing types of construction, establish clear goals and benchmarks, and ensure these standards are communicated to contracting officials. Until such an empirical basis is established, the Committee urges DOD and the services to carefully reconsider blanket use of any new life-cycle approaches that depart from prior, standard practices.

The Committee also notes that over the past three years, the Deputy Under Secretary of Defense for Installations and Environment (DUSD I&E) has indicated efforts underway to shift from a measurement of the recapitalization rate of DOD facilities in terms of years to one based on the actual condition of facilities and mission priority. Under the 2007 Defense Installations Strategic Plan, this new methodology was to have been implemented by fiscal year 2010, but recent DUSD I&E testimony indicated this methodology was still under development. The Committee therefore directs the DUSD I&E to provide a status update on the development of this

