



Fiscal Year 2019 Military Construction Appropriations Act

*Summary of the Military Construction and Veterans Affairs
Appropriations Bill for Fiscal Year 2019*



As of September 21st, 2018

Bill Status

	Passed in Committee	Passed in Chamber	Agreement	Final Passage	Signed into Law
House	<input checked="" type="checkbox"/> May 8, 2018	<input checked="" type="checkbox"/> June 8, 2018	<input checked="" type="checkbox"/> Sept 10, 2018	<input checked="" type="checkbox"/> Sept 13, 2018	<input checked="" type="checkbox"/> Sept 21, 2018
Senate	<input checked="" type="checkbox"/> June 7, 2018	<input checked="" type="checkbox"/> June 25, 2018		<input checked="" type="checkbox"/> Sept 12, 2018	

Executive Summary

This guide provides only a short summary and analysis of the many provisions in the bill. To obtain a complete understanding of any particular provision, users are encouraged to review the actual legislative language. The bill and accompanying report are available on the NGB-LL web page at www.nationalguard.mil/ll.

Summary:

The Senate and House passed the FY19 Minibus Appropriations for Military Construction and Veterans' Affairs. The minibus provides \$190.1M for Army National Guard MILCON and \$129.1M for Air National Guard MILCON. Also, Section 125 provides additional funding for the Army National Guard (\$22 million) and Air National Guard (\$54 million) for projects on the Services Unfunded Priority lists.



Army National Guard

(All Dollars in Thousands)

Army National Guard	FY19 President's Budget Request	HAC-M Mark	Delta from FY19 Request	SAC-M Mark	Delta From FY19 Request	Final Bill	Delta From FY19 Request
Total	\$180,122	\$180,122	-	\$190,122	\$10,000	\$190,122	\$10,000
Minor Construction	\$18,100	\$18,100	-	\$28,100	\$10,000	\$28,100	\$10,000
Planning & Design	\$16,622	\$16,622	-	\$16,622	-	\$16,622	-
Sec. 125	-	\$11,000	\$11,000	\$22,000	\$22,000	\$22,000	\$22,000
Sec. 126	-	-	-	-\$10,000	-\$10,000	-\$10,000	-\$10,000



Air National Guard

(All Dollars in Thousands)

Air National Guard	FY19 President's Budget Request	HAC-M Mark	Delta from FY19 Request	SAC-M Mark	Delta From FY19 Request	Final Bill	Delta From FY19 Request
Total	\$129,126	\$129,126	-	\$139,126	\$10,000	\$129,126	-
Minor Construction	\$23,626	\$23,626	-	\$33,626	\$10,000	\$23,626	-
Planning & Design	\$18,500	\$18,500	-	\$18,500	-	\$18,500	-
Sec. 125	-	\$62,000	\$62,000	\$11,000	\$11,000	\$54,000	\$54,000

Provisions of Interest

Sec. 104 – None of the funds made available in this title may be used to begin construction of new bases in the United States for which specific appropriations have not been made.

Sec. 107 – None of the funds made available in this title for minor construction may be used to transfer or relocate any activity from one base or installation to another, without prior notification to the Committees on Appropriations of both Houses of Congress.

Sec. 113 – The Secretary of Defense shall inform the appropriate committees of both Houses of Congress, including the Committees on Appropriations, of plans and scope of any proposed military exercise involving United States personnel 30 days prior to its occurring, if amounts expended for construction, either temporary or permanent, are anticipated to exceed \$100,000.

Sec. 125 – For an additional amount for the accounts and in the amounts specified, to remain available until September 30, 2023: "Military Construction, Army", \$94,100,000; "Military Construction, Navy and Marine Corps", \$196,850,000; "Military Construction, Air Force" \$118,450,000; **"Military Construction, Army National Guard", \$22,000,000; "Military Construction, Air National Guard", \$54,000,000;** "Military Construction, \$23,000,000; and Army Reserve" "Military Construction, Air Force Reserve", \$84,800,000: *Provided*, That such funds may only be obligated to carry out construction projects identified in the respective military department's unfunded priority list for fiscal year 2019 submitted to Congress: *Provided further*, That such projects are subject to authorization prior to obligation and expenditure of funds to carry out construction: *Provided further*, That not later than 30 days after enactment of this Act, the Secretary of the military department concerned, or his or her designee, shall submit to the Committees on Appropriations of both Houses of Congress an expenditure plan for funds provided under this section.

Sec. 126 – (Recession of Funds) Of the unobligated balances available to the Department of Defense from prior appropriation Acts, the following funds are hereby rescinded from the following accounts in the amounts specified: "NATO Security Investment Program", \$25,000,000; "Military Construction, Air Force" \$31,158,000; **"Military Construction, Army National Guard", \$10,000,000;** "Family Housing Construction, Navy and Marine Corps", \$2,138,000; and "The fund established in section 1013(d) of the Demonstration Cities and Metropolitan Development Act of 1966 (42 U.S.C. 337 4)", \$15,333,000: *Provided*, That no amounts may be rescinded from amounts that were designated by the Congress for Overseas Contingency Operations/Global War on Terrorism or as an emergency requirement pursuant to a concurrent resolution on the budget or the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

Sec. 127 – For the purposes of this Act, the term "congressional defense committees" means the Committees on Armed Services of the House of Representatives and the Senate, the Subcommittee on Military Construction and Veterans Affairs of the Committee on Appropriations of the Senate, and the Subcommittee on Military Construction and Veterans Affairs of the Committee on Appropriations of the House of Representatives.

Sec. 129 – Notwithstanding any other provision of law, none of the funds appropriated or otherwise made available by this or any other Act may be used to consolidate or relocate any element of a United States Air Force Rapid Engineer Deployable Heavy Operational Repair Squadron Engineer (RED HORSE) outside of the United States until the Secretary of the Air Force (1) completes an analysis and comparison of the cost and infrastructure investment required to consolidate or relocate a RED HORSE squadron outside of the United States versus within the United States; (2) provides to the Committees on Appropriations of both Houses of Congress ("the Committees") a report detailing the findings of the cost analysis; and (3) certifies in writing to the Committees that the preferred site for the consolidation or relocation yields the greatest savings for the Air Force: *Provided*, That the term "United States" in this section does not include any territory or possession of the United States.

House Report Language of Interest

Army National Guard Readiness Centers Investment—The Committee remains concerned by the failure of the Army to prioritize investment in Army National Guard Readiness Centers. These facilities are critical infrastructure in the protection of the homeland and in responding to domestic emergencies. Their deteriorating conditions are detrimental to the readiness of the Army Guard and present significant safety concerns. The Committee encourages the Army to accelerate investments in Readiness Centers within the fiscal year 2020 future years' defense program to include the \$1,200,000,000 for the Army National Guard transformation Plan.

Fiscal Year 2018 National Guard Reporting Requirement—Since fiscal year 2012 the Committee has noted the need to bolster National Guard resources and explore public-private partnerships with state and local governments. Due to the late passage of the fiscal year 2018 bill, the reporting requirement regarding this issue remains outstanding. Therefore, the Committee reiterates its interest in this report and looks forward to its submission.

Senate Report Language of Interest

Federal, State and Local Intelligence Collaboration — The Committee remains supportive of collaborative intelligence fusion centers that utilize National Guard facilities. These centers allow Federal, state, local, and tribal law enforcement officials to collaborate and share intelligence and threat information, and co-locating them with National Guard facilities offers opportunities for cost savings. The Committee urges the Department, the services, and the National Guard Bureau to prioritize needed workplace replacement projects, including Sensitive Compartmented Information Facility [SCIF] projects to conduct state and Federal intelligence analysis, in the fiscal year 2020 and future budget submissions.

Army National Guard Readiness Center Investment — The Committee remains concerned that the Department of the Army has not adequately prioritized funding to implement the “Affordable Readiness” strategy recommended by the 2014 Army National Guard Readiness Center Transformation Master Plan [RCTMP]. While the committee understands that the Army must balance these additional costs with existing infrastructure demands, the Committee also notes that the fiscal year 2019 Military Construction request for the Army National Guard was a 14 percent decrease from the fiscal year 2018 request, representing its smallest portion of the Army military construction budget since 2008. Except for the fiscal year 2015 budget request, the funding level is at its lowest in the post-2001 era. The Committee urges the Army to provide additional funding for the Army National Guard in its future years defense program in order to expedite execution of the RCTMP.

Canadian Forces Base Gagetown — The Committee is aware that many National Guard veterans engaged in training activities at Canadian Forces Base [CFB] Gagetown in the 1950s and 1960s. The Committee is also aware that Veterans Affairs Canada approved one-time, lump sum payments to eligible veterans exposed to Agent Orange and other defoliants who served at CFB Gagetown, and that American veterans who served there between June 20 and June 24, 1964, are currently eligible for an Agent Orange Registry Health Exam from the Veterans Health Administration. The Committee urges the Department to establish and maintain a health registry for American veterans who were stationed or underwent training at CFB Gagetown between 1956 and 2006 and who have subsequently experienced health problems which may be attributed to Agent Orange or other defoliants. The Committee further urges the Department to commission an independent study tasked with investigating the linkage between service at CFB Gagetown and the development of health problems and disease associated with exposure to Agent Orange.

Rescissions — The Committee recommends an administrative provision rescinding prior year unobligated funds due primarily to project bid savings and the slow execution of projects.

Conference Report Language of Interest

Perfluorooctane Sulfonate (PFOS) and Perfluorooctanoic Acid (PFOA) – The conference report provides \$14,000,000 in additional funds for identification, mitigation, and clean-up costs across the Department of Defense for PFOS and PFOA. DOD is directed to submit a spend plan for these additional funds to the Committees no later than 30 days after enactment of this Act.

Demolition of Previous BRAC Facilities – The conferees are concerned that the Department of Defense does not have an adequate plan for demolishing previous BRAC sites. For example, the Ontario International Airport was the Ontario Air National Guard Station that was established in 1949. This facility remained in operation for decades, assisting training and support for the Korean, Vietnam, and countless other wars and conflicts. In 1997, the facility was closed, yet the old site has sat largely unchanged for 20 years due to the environmental hazards of demolition. The conferees urge the Department to dedicate funds to demolish BRAC facilities and turn the land over to the local community as quickly as possible.



Army National Guard Project List

(All Dollars in Thousands)

State	ARNG Military Construction Project Description	President's Budget Request	HAC-M Mark	SAC-M Mark	Final Bill
AK	Joint Base Elmendorf-Richardson	\$27,000	\$27,000	\$27,000	\$27,000
IL	Marseilles Automated Record Fire Range	\$5,000	\$5,000	\$5,000	\$5,000
MT	Malta National Guard Readiness Center	\$15,000	\$15,000	\$15,000	\$15,000
NV	North Las Vegas National Guard Readiness Center	\$32,000	\$32,000	\$32,000	\$32,000
NH	Pembroke National Guard Readiness Center	\$12,000	\$12,000	\$12,000	\$12,000
ND	Fargo National Guard Readiness Center	\$32,000	\$32,000	\$32,000	\$32,000
OH	Camp Ravenna Automated Multipurpose Machine Gun Range	\$7,400	\$7,400	\$7,400	\$7,400
SD	Rapid City National Guard Readiness Center	\$15,000	\$15,000	\$15,000	\$15,000



Air National Guard Project List

(All Dollars in Thousands)

State	ANG Military Construction Project Description	President's Budget Request	HAC-M Mark	SAC-M Mark	Final Bill
CA	Channel Islands ANGS – C-130J Flight Simulator Facility	\$8,000	\$8,000	\$8,000	\$8,000
HI	Joint Base Pearl Harbor-Hickam – Addition to F-22 LO/CRF B3408	\$17,000	\$17,000	\$17,000	\$17,000
IL	Greater Peoria Regional Airport – New Fire Crash/Rescue Station	\$9,000	\$9,000	\$9,000	\$9,000
LA	New Orleans NORTHCOM – Construct Alert Apron	\$15,000	\$15,000	\$15,000	\$15,000
NY	Francis S. Gabreski Airport – Security Forces/ Comm. Training Facility	\$20,000	\$20,000	\$20,000	\$20,000
PA	Fort Indiantown Gap – Replace Operations Training/ Dining Hall	\$8,000	\$8,000	\$8,000	\$8,000
VA	Joint Base Langley-Eustis Construct Cyber Ops Facility	\$10,000	\$10,000	\$10,000	\$10,000