



Fiscal Year 2023 Military Construction Appropriations Act

H.R. 8238

*Summary of House Appropriations Committee's
Military Construction and Veterans Affairs Appropriations Bill for
Fiscal Year 2023*



As of July 20th, 2022

Bill Status

	Passed in Committee	Passed in Chamber	Agreement	Final Passage	Signed into Law
House	June 23, 2022	July 20, 2022	N/A	N/A	N/A
Senate	N/A	N/A		N/A	

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 <https://www.nationalguard.mil/leadership/joint-staff/personal-staff/legislative-liaison/>.

Summary:

On July 20th, 2022, The House passed H.R. 8238, the FY23 Military Construction, Veterans Affairs, and Related Agencies Appropriations Act. In total, the legislation would provide \$314.1 billion in funding, which is \$23 billion above the fiscal year 2022 enacted level and \$2.8 billion above the FY23 budget request. Of this, \$325.6 million is provided for Army National Guard military construction and \$193.9 million for Air National Guard military construction.



Army National Guard

(All Dollars in Thousands)

Army National Guard	FY23 President's Budget Request	HAC-M Mark	Delta from FY23 Request	SAC-M Mark	Delta From FY23 Request	Final Bill	Delta From FY23 Request
MILCON Total	\$297,278	\$325,658	\$28,380				
Minor Construction	\$35,933	\$48,933	\$13,000				
Planning & Design	\$28,245	\$40,245	\$12,000				



Air National Guard

(All Dollars in Thousands)

Air National Guard	FY23 President's Budget Request	HAC-M Mark	Delta from FY23 Request	SAC-M Mark	Delta From FY23 Request	Final Bill	Delta From FY23 Request
MILCON Total	\$148,883	\$193,983	\$45,100				
Minor Construction	\$44,171	\$57,171	\$13,000				
Planning & Design	\$28,412	\$40,412	\$12,000				

House Provisions of Interest

Sec. 131. For an additional amounts for "Military Construction, Army National Guard", \$89,000,000; "Military Construction, Air National Guard", \$11,000,000, to remain available in the specified amounts to address cost increases identified subsequent to the fiscal year 2023 budget

request for authorized major construction projects included in that request, to remain available until September 30, 2027.

Sec. 134. For an additional amount for the accounts and in the amounts specified; “Military Construction, Army National Guard”, \$15,243,000, for barracks and unaccompanied personnel housing to remain available until September 30, 2027.

House Report Language of Interest

National Guard Training Center. The Committee recognizes the importance of the National Guard Texas Training Center, which has been in development since 2010 and has had execution delays. The Committee recognizes that the Texas Training Center remains a high priority and the Texas Army National Guard shall continue its efforts to establish the Center.

ARNG Aviation Support Facilities. The Committee is concerned that ARNG Aviation Support Facilities (AASF) are not prepared to protect and properly maintain next generation airframe priorities simultaneously as the Army. The operation and maintenance of new aircraft platforms requires significant investment in AASFs across the country so that they can provide the required shelter and support for new airframes, as well as regular maintenance for the existing airframes. The Committee urges both the Army and the ARNG to prioritize facilities that support readiness of ARNG aviation units as they prepare to gain new aircraft platforms.

Air National Guard Infrastructure. The Committee recognizes that some Aviation Support Facilities are not configured to protect and maintain modern airframes and encourages the Air National Guard to upgrade these facilities using unspecified minor military construction funds as appropriate.

Green Energy Projects. The Committee is aware of National Guard green energy projects that are at 35 percent design, shovel ready, and are below the unspecified minor military construction threshold. However, these projects are not receiving priority funding from the National Guard. The Committee encourages the Air National Guard to prioritize green energy projects that are ready and eligible for current unspecified minor military construction funding.

Per- and Polyfluoroalkyl Substances (PFAS). The Committee continues to be very concerned about the extent of PFAS contamination at U.S. military installations and how that contamination is measured. Therefore, the Committee includes an additional \$200,000,000 above the budget request within the Base Closure Account to increase the pace of cleanup at the military installations affected by PFAS and directs the Department to provide a spend plan to the Committees on Appropriations of both Houses of Congress not later than 60 days after enactment of this Act.

PFAS Regulation and Research. The Committee expects the Department to continue working with the U.S. Environmental Protection Agency on its regulatory initiatives and engaging Federal health agencies, including the Agency for Toxic Substances and Disease Registry, to ensure that it is using the best and most up-to-date science to guide DOD remediation plans and processes.

PFAS Reporting Requirement. Over the past three fiscal years, the Committee has directed the Department to keep it apprised of new findings of PFAS at BRAC sites. The Committee recognizes that the Services have provided some information. However, the process for identifying PFAS contamination at BRAC sites and determining the appropriate remediation plan remains unclear. Therefore, the Deputy Assistant Secretary of Defense for Environment is directed to prepare an updated comprehensive report for the congressional defense committees no later than 60 days after enactment of this Act that establishes a baseline of information regarding PFAS at closed military installations. At a minimum, the report should (1) provide a list of all closed military

installations; (2) indicate whether PFAS has been detected in drinking water and groundwater; (3) indicate the level of contamination that has been detected; (4) provide information on the likely sources of contamination; (5) explain current mitigation efforts and proposed remediation plans; (6) discuss the status of remediation; (7) provide a timeline for cleanup; and (8) estimate the total cost of detection, mitigation and remediation.

Military Sexual Assault. The Committee continues to be aware of the high prevalence of sexual assault, among both men and women, during their service. Effects from this assault persist once servicemembers return home and can manifest in mental health disorders such as depression, PTSD, substance use disorders, eating disorders, and anxiety. Because sexual trauma is so prevalent, the Committee recommends that all veterans seeking treatment services are screened for sexual assault using an evidence-based screening tool in order to successfully treat those who have experienced assault.



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
DE/New Castle	NG Readiness Center	\$16,000	\$16,000	N/A	N/A
FL/Camp Blanding	Automated Multipurpose Machine Gun Range ¹	--	\$1,080	N/A	N/A
FL/Camp Blanding	Scout Recce Gunnery Complex ²	--	\$2,300	N/A	N/A
FL/Palm Coast	NG Vehicle Maintenance Shop	\$12,000	\$12,000	N/A	N/A
HI/Kapolei	NG Readiness Center Addition	\$29,000	\$29,000	N/A	N/A
IN/Atlanta	NG Readiness Center	\$20,000	\$20,000	N/A	N/A
IA/West Des Moines	NG Readiness Center	\$15,000	\$15,000	N/A	N/A
MI/Grayling	NG Readiness Center	\$16,000	\$16,000	N/A	N/A
MN/New Ulm	NG Readiness Center	\$17,000	\$17,000	N/A	N/A
NV/Reno	NG Readiness Center Add/Alt	\$18,000	\$18,000	N/A	N/A
NY/Troy	NG Vehicle Maintenance Shop	\$17,000	\$17,000	N/A	N/A
NC/McLeansville	NG Vehicle Maintenance Shop	\$15,000	\$15,000	N/A	N/A
VT/Bennington	NG Readiness Center	\$14,800	\$14,800	N/A	N/A
WV/Buckhannon	NG Readiness Center Add/Alt	\$14,000	\$14,000	N/A	N/A
WY/Sheridan	NG Vehicle Maintenance Shop	\$14,800	\$14,800	N/A	N/A
PR/Camp Santiago	Engineering/Housing Maintenance Shops (DPW)	\$14,500	\$14,500	N/A	N/A

1. Rep. Waltz (FL-6) Congressional Add - \$1.08M for an Automated Multipurpose Machine Gun Range at Camp Blanding.

2. Rep. Waltz (FL-6) Congressional Add - \$2.3M for a Scout Recce Gunnery Complex at Camp Blanding.



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
AL/Birmingham	Security and Services Training Facility	\$7,500	\$7,500	N/A	N/A
AL/Montgomery	F-35 Weapons Load Crew Training Facility ¹	--	\$6,800	N/A	N/A
AZ/Tucson	Land Acquisition	\$10,000	\$10,000	N/A	N/A
AZ/Morris ANGB	Base Entry Complex ²	--	\$12,000	N/A	N/A
FL/Jacksonville IAP	F-35 Construct Flight Simulator Facility	\$22,200	\$22,200	N/A	N/A
FL/Jacksonville IAP	F-35 Munitions Storage Area Administration & Pad (P&D) ³	--	\$770	N/A	N/A
FL/Jacksonville IAP	F-35 Munitions Maintenance & Inspections Facility ⁴	--	\$530	N/A	N/A
IN/Fort Wayne IAP	Munitions Maintenance & Storage Complex	\$12,800	\$12,800	N/A	N/A
TN/McGhee-Tyson Airport	KC-135 Maintenance Shops	\$23,800	\$23,800	N/A	N/A

1. Rep. Sewell (AL-7) Congressional Add - \$6.8M for an F-35 Weapons Load Crew Training Facility at Montgomery Regional Airport.

2. Rep. Kirkpatrick (AZ-2) Congressional Add - \$12M for a Base Entry Complex at Morris ANGB.

3. Reps. Rutherford (FL-4) and Waltz (FL-6) Congressional Add - \$770K for an F-35 Munitions Storage Area Administration & Pad at Jacksonville IAP.

4. Reps. Rutherford (FL-4) and Waltz (FL-6) Congressional Add - \$530K for an F-35 Munitions Maintenance & Inspections Facility at Jacksonville IAP.