



# NGAUS



## LEGISLATIVE REPORT

United States House of Representatives  
Fiscal Year 2021 Military Construction-Veterans Affairs  
Appropriations (H.R.7608, as amended)

**Produced by:**  
**NGAUS Legislative Staff**  
*(As of July 25, 2020)*

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## OVERVIEW

On July 24, 2020, the United States House of Representatives approved **H.R.7608**, Military Construction-Veterans Affairs (MILCON-VA) appropriations legislation for Fiscal Year (FY) 2021.

The House recommends providing **\$104.8 billion** in base and discretionary funding for the Department of Veterans Affairs (VA) in FY21. The House also recommends **\$10.4 billion** in MILCON funding for the Department of Defense (DoD), which includes **\$384.2 million** for Army National Guard construction projects and **\$118.9 million** for Air National Guard construction projects.

## BILL HIGHLIGHTS

*All page references below are within the legislation text document unless otherwise noted.*

### General Provisions

- **\$90.0 billion** for VA medical care, includes:
  - \$10.3 billion for targeted mental health care (pg. 46, Report Language)
  - \$300.0 million for rural health initiatives (pg. 56, Report Language)
- **\$2.6 billion** for VA Electronic Health Record implementation (pg. 677)
- Additional **\$200.0 million** to increase pace of PFAS cleanup at military installations (pg. 28, Report Language)

### Army National Guard

- **\$384.2 million** for Army National Guard MILCON, includes funding for 20 projects in 16 states, Puerto Rico, and the U.S. Virgin Islands (pg. 24, Report Language)
- **\$15.0 million** for the Army to update the Army National Guard Readiness Center Transformation Master Plan (RCTMP) (pg. 24, Report Language)

### Air National Guard

- **\$118.9 million** for Air National Guard MILCON, includes funding for seven projects in five states and Guam (pg. 26, Report Language)

To view the full text of the legislation, please visit:

<https://www.congress.gov/116/bills/hr7608/BILLS-116hr7608eh.pdf>

To view MILCON-VA Report Language authored by the House Appropriations Committee, please visit:

<https://www.congress.gov/116/crpt/hrpt445/CRPT-116hrpt445.pdf>

# FY21 NATIONAL GUARD MILITARY CONSTRUCTION OVERVIEW

## Army National Guard\*

Account	FY20 Levels		FY21 Request	FY21 HASC NDAA	FY21 House NDAA	FY21 HAC Mark	FY21 House Approps.	FY21 SASC NDAA	FY21 Senate NDAA	FY21 SAC Mark	FY21 Senate Approps.	Final NDAA Levels	Change from FY20	Final Levels
<b>Total MILCON Funding</b>	<b>\$210,819</b>		<b>\$321,437</b>	<b>\$337,172</b>	<b>\$337,172</b>	<b>\$384,272</b>	<b>\$384,272</b>	<b>\$371,272</b>	<b>\$371,272</b>					
MILCON By State	Location	Project	FY21 Request	FY21 HASC NDAA	FY21 House NDAA	FY21 HAC Mark	FY21 House Approps.	FY21 SASC NDAA	FY21 Senate NDAA	FY21 SAC Mark	FY21 Senate Approps.	Final NDAA Levels	Change from FY20	Final Levels
Arizona	Tucson	National Guard Readiness Center	\$18,100	\$18,100	\$18,100	\$18,100	\$18,100	\$18,100	\$18,100					
Arkansas	Fort Chaffee	National Guard Readiness Center						\$15,000	\$15,000					
California	Bakersfield	Vehicle Maintenance Shop				\$9,300	\$9,300	\$9,300	\$9,300					
Colorado	Peterson AFB	National Guard Readiness Center	\$15,000	\$15,000	\$15,000	\$15,000	\$15,000	\$15,000	\$15,000					
Indiana	Shelbyville	National Guard/Reserve Building	\$12,000	\$12,000	\$12,000	\$12,000	\$12,000	\$12,000	\$12,000					
Kentucky	Frankfort	National Guard/Reserve Building	\$15,000	\$15,000	\$15,000	\$15,000	\$15,000	\$15,000	\$15,000					
Mississippi	Brandon	Vehicle Maintenance Shop	\$10,400	\$10,400	\$10,400	\$10,400	\$10,400	\$10,400	\$10,400					
Nebraska	North Platte	Vehicle Maintenance Shop	\$9,300	\$9,300	\$9,300	\$9,300	\$9,300	\$9,300	\$9,300					
New Jersey	JB McGuire-Dix-Lakehurst	National Guard Readiness Center	\$15,000	\$15,000	\$15,000	\$15,000	\$15,000	\$15,000	\$15,000					
Ohio	Columbus	National Guard Readiness Center	\$15,000	\$15,000	\$15,000	\$15,000	\$15,000	\$15,000	\$15,000					
Oklahoma	Ardmore	Vehicle Maintenance Shop				\$9,800	\$9,800	\$9,800	\$9,800					
Oregon	Hermiston	Enlisted Barracks	\$9,300	\$25,035	\$25,035	\$25,035	\$25,035	\$25,035	\$25,035					
Puerto Rico	Fort Allen	National Guard Readiness Center	\$37,000	\$37,000	\$37,000	\$37,000	\$37,000	\$37,000	\$37,000					
South Carolina	JB Charleston	National Guard Readiness Center	\$15,000	\$15,000	\$15,000	\$15,000	\$15,000	\$15,000	\$15,000					
Tennessee	McMinnville	National Guard Readiness Center	\$11,200	\$11,200	\$11,200	\$11,200	\$11,200	\$11,200	\$11,200					
Texas	Fort Worth	Aircraft Maintenance Hangar Add.	\$6,000	\$6,000	\$6,000	\$6,000	\$6,000	\$6,000	\$6,000					

\*All Dollars in Thousands

**Army National Guard (Continued)\***

MILCON By State	Location	Project	FY21 Request	FY21 HASC NDAA	FY21 House NDAA	FY21 HAC Mark	FY21 House Approps.	FY21 SASC NDAA	FY21 Senate NDAA	FY21 SAC Mark	FY21 Senate Approps.	Final NDAA Levels	Change from FY20	Final Levels
Texas	Fort Worth	Vehicle Maintenance Shop	\$7,800	\$7,800	\$7,800	\$7,800	\$7,800	\$7,800	\$7,800					
Utah	Nephi	National Guard Readiness Center	\$12,000	\$12,000	\$12,000	\$12,000	\$12,000	\$12,000	\$12,000					
Virgin Islands	St. Croix	Army Aviation Support Facility	\$28,000	\$28,000	\$28,000	\$28,000	\$28,000	\$28,000	\$28,000					
		CST Ready Building	\$11,400	\$11,400	\$11,400	\$11,400	\$11,400	\$11,400	\$11,400	\$11,400				
Wisconsin	Appleton	National Guard Readiness Center	\$11,600	\$11,600	\$11,600	\$11,600	\$11,600	\$11,600	\$11,600					
Worldwide/Various		Minor Construction	\$32,744	\$32,744	\$32,744	\$45,744	\$45,744	\$45,744	\$32,744					
		Planning & Design	\$29,593	\$29,593	\$29,593	\$44,593	\$44,593	\$44,593	\$29,593					

**Air National Guard\***

Account	FY20 Levels	FY21 Request	FY21 HASC NDAA	FY21 House NDAA	FY21 HAC Mark	FY21 House Approps.	FY21 SASC NDAA	FY21 Senate NDAA	FY21 SAC Mark	FY21 Senate Approps.	Final NDAA Levels	Change From FY20	Final Levels
<b>Total MILCON Funding</b>	<b>\$164,471</b>	<b>\$64,214</b>	<b>\$64,214</b>	<b>\$64,214</b>	<b>\$118,914</b>	<b>\$118,914</b>	<b>\$93,714</b>	<b>\$93,714</b>					

MILCON By State	Location	Project	FY21 Request	FY21 HASC NDAA	FY21 House NDAA	FY21 HAC Mark	FY21 House Approps.	FY21 SASC NDAA	FY21 Senate NDAA	FY21 SAC Mark	FY21 Senate Approps.	Final NDAA Levels	Change from FY20	Final Levels
Alabama	Montgomery Regional Airport (ANG) Base	F-35 Simulator Facility	\$11,600	\$11,600	\$11,600	\$11,600	\$11,600	\$11,600	\$11,600					
		Base Supply Complex				\$10,200	\$10,200	\$12,000	\$12,000					
Guam	Joint Region Marianas	Space Control Facility #5	\$20,000	\$20,000	\$20,000	\$20,000	\$20,000	\$20,000	\$20,000					
Maryland	JB Andrews	F-16 Mission Training Center	\$9,400	\$9,400	\$9,400	\$9,400	\$9,400	\$9,400	\$9,400					
North Dakota	Hector International Airport	Consolidated RPA Facility				\$17,500	\$17,500	\$17,500	\$17,500					
Texas	JB San Antonio	F-16 Mission Training Center	\$10,800	\$10,800	\$10,800	\$10,800	\$10,800	\$10,800	\$10,800					
Washington	Camp Murray	Air Support Ops. Complex				\$27,000	\$27,000							
Worldwide/Various		Minor Construction	\$9,000	\$9,000	\$9,000	\$9,000	\$9,000	\$9,000	\$9,000					
		Planning & Design	\$3,414	\$3,414	\$3,414	\$3,414	\$3,414	\$3,414	\$3,414					

\*All Dollars in Thousands

## LEGISLATIVE PROVISIONS

### **Military Construction, Army National Guard.**

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Army National Guard, and contributions therefor, as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, \$349,437,000, shall be used for the projects, and in the amounts specified under the heading “Military Construction, Army National Guard” in the report accompanying this Act, to remain available until September 30, 2025: Provided, That, of the amount, not to exceed \$44,593,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Director of the Army National Guard determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

### **Military Construction, Air National Guard.**

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Air National Guard, and contributions therefor, as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, \$64,214,000, shall be used for the projects, and in the amounts specified under the heading “Military Construction, Air National Guard” in the report accompanying this Act, to remain available until September 30, 2025: Provided, That, of the amount, not to exceed \$3,414,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Director of the Air National Guard determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

### **SEC. 123.**

For an additional amount for the accounts and in the amounts specified, to remain available until September 30, 2025:

“Military Construction, Army,” \$342,600,000, shall be used for the projects, and in the amounts, specified under the heading “Military Construction, Army” in the report accompanying this Act;

“Military Construction, Navy and Marine Corps,” \$765,937,000, shall be used for the projects, and in the amounts, specified under the heading “Military Construction, Navy and Marine Corps” in the report accompanying this Act;

“Military Construction, Air Force,” \$428,000,000, shall be used for the projects, and in the amounts, specified under the heading “Military Construction, Air Force” in the report accompanying this Act;

“Military Construction, Army National Guard,” \$34,835,000, shall be used for the projects, and in the amounts, specified under the heading “Military Construction, Army National Guard” in the report accompanying this Act;

“Military Construction, Air National Guard,” \$54,700,000 shall be used for the projects, and in the amounts, specified under the heading “Military Construction, Air National Guard” in the report accompanying this Act; and

“Military Construction, Army Reserve,” \$48,900,000, shall be used for the projects, and in the amounts, specified under the heading “Military Construction, Army Reserve” in the report accompanying this Act:

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 2021 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 and receive approval from the Committees on Appropriations of both Houses of Congress prior to obligation.

## **REPORT LANGUAGE**

### **Access Control Points at Air Force and Air National Guard Installations in Urban Areas**

The Committee expects the Air Force to accelerate funding for current access control point construction projects to installations that face high-security risks to critical missions. Priority in allocating funds shall be given to access control points in heavily congested areas in large urban settings that place major transportation links at risk of incident closures, or that are required for heavy traffic hazard mitigation, airport security and installation force protection.

### **Regional Training Institutes**

The Committees recognize the importance of Regional Training Institutes (RTI) across the country for the readiness of Army National Guard (ARNG) and are concerned about the lack of infrastructure to support the mission of the RTIs. For example, the RTI at Fort Hood is lacking sufficient facilities to provide the proper training to achieve optimum readiness. The Committee urges the Department to prioritize facilities for this important and vital mission of ARNG and Army Reserve.

### **Army National Guard (ARNG) Readiness Center Transformation Master Plan**

The ARNG completed its Readiness Center Transformation Master Plan (RCTMP) in 2015; however, since that time, the investment in executing the military construction required under the RCTMP has not kept up with the demand. The Committee is concerned that the mission readiness of these critical facilities is further deteriorating, and it encourages increased investments in ARNG Readiness Centers over the FYDP. Further, given the changing conditions of readiness centers across the country since the last RCTMP was completed, the Committee encourages the ARNG to update the RCTMP to ensure its current military construction priorities align with the Transformation Master Plan. Accordingly, the Committee provides an additional \$15,000,000 in Army National Guard planning & design for completion of a Readiness Center Transformation Master Plan update.

### **Army National Guard Readiness Centers Investment**

The Committee appreciates the Army's prioritization of Army National Guard Readiness Centers in its budget request for fiscal year 2021. The Committee remains concerned by the failure of the Army to prioritize investment in ARNG Readiness Centers and arsenals. These facilities are critical to protecting the homeland and responding to domestic emergencies. Their deteriorating conditions are detrimental to the readiness of the ARNG and, in some cases, present significant safety concerns. The Committee encourages the Army to accelerate investments in Readiness Centers in the fiscal year 2022 budget request and Future Years Defense Program and include \$1,200,000,000 for the ARNG Transformation Plan.



### **Army National Guard Infrastructure and Unspecified Minor Military Construction**

The Committee is concerned with the state of ARNG infrastructure across the country. The ARNG has been continuously underfunded for the last several decades. The Committee is aware that reviews have found that billions of dollars will be needed to bring Readiness Centers up to modern standards, yet despite that little progress has been made. With new higher thresholds for Unspecified Minor Military Construction (UMMC), many smaller projects can be accomplished with an increase in this account. While not completely solving the ARNG military construction appropriations issue, this will speed up projects across the country and increase the readiness of the ARNG. The Committee provides \$13,000,000 for this effort in fiscal year 2021 and directs DOD to properly budget for the UMMC account in future years.

### **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.

### **National Guard Training Center**

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.

### **Maneuver Area Training Equipment Site (MATES)**

The Committee recognizes the critical role of the Maneuver Area Training Equipment Site (MATES) in providing needed wheel vehicle maintenance for M1 Abrams Tanks and M2 Bradley Infantry Fighting Vehicles at installations such as Camp Shelby. Therefore, the Committee encourages the Army National Guard to prioritize the modernization of these types of facilities.

### **Wildland Fire Mission**

The Committee directs the National Guard Bureau to prioritize the remodeling and replacement of Air National Guard (ANG) Wing Buildings that support the wildland fire suppression mission and utilize the Modular Airborne Fire Fighting System but are not in compliance with Executive Order 13423. The Committee requests a report within 60 days of enactment of this Act regarding the condition of ANG facilities that support the wildland fire-fighting mission.

### **Perfluorooctane Sulfonate (PFOS) and Perfluorooctanoic Acid (PFOA)**

The Committee is concerned about the extent of PFOS/PFOA contamination at U.S. military installations and how that contamination is measured. The Committee believes the Department should prioritize protecting servicemembers, their families, and the Department's civilian employees from the health problems associated with exposure to these chemicals that are linked in various ways to developmental delays in fetuses and children; premature births and low birth weights; decreased fertility; immune suppression; liver damage; respiratory disorders; metabolic disorders; and prostate, kidney, and testicular cancer. 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 PFOS/PFOA.

### **PFOS/PFOA Regulation and Research**

Recognizing that this issue is not limited to DOD and affects many communities across the Nation, the Committee is encouraged by the Environmental Protection Agency's (EPA) February 2020 announcement that it plans to regulate PFOS/PFOA and to require that proposed new uses be reviewed under the Toxic Substances Control Act. DOD and affected communities are urged to work closely with EPA on these regulatory initiatives. DOD is also encouraged to engage the research community so as to ensure that it is using the best and most up-to-date science to guide DOD remediation plans and processes.

### **PFOS/PFOA Reporting Requirement**

In fiscal year 2020, the Committee directed the Department to keep it apprised of new findings of PFOS/PFOA at BRAC sites. The Committee recognizes that the Services have provided some information. However, the Committee is concerned that the process for identifying PFOS/PFOA contamination at BRAC sites and determining the appropriate remediation plan is not transparent. Therefore, the Deputy Assistant Secretary of Defense for Environment is directed to report to the congressional defense committees no later than 30 days after this report is filed with the Clerk of the U.S. House of Representatives, and quarterly thereafter, on the progress the Department is making on identifying and remediating PFOS/PFOA at closed military installations. At a minimum, the first report should include information on the existing process and make recommendations for improving its transparency; identifying all detections of PFOS/PFOA and existing remediation sites plans; and estimating current and future costs and timelines for remediation.

### **Community Clinic Mental Health Services**

The Committee remains concerned that in-person mental healthcare is not available to all Veterans who require this care. VA is encouraged to ensure critical in-person mental health services are available at facilities that currently are not served, even on a temporary basis.

### **Public-Private Partnerships**

The Committee is concerned by the alarming number of suicides committed by Veterans each day. While the Committee appreciates the important work being done by the Department to combat suicide and improve mental health among Veterans, more can and must be done. The Committee recommends the Department actively seek out public-private partnerships, in particular with research universities, teaching hospitals, and other partners, to expand upon its existing efforts related to suicide prevention, PTSD, traumatic brain injury (TBI), and substance use disorders. The Secretary shall report to the Committee no later than 60 days after enactment of this Act on the status of creating public-private partnerships related to suicide prevention, PTSD, TBI, and substance use disorders. Of the funds provided for mental health programs in fiscal year 2021, no less than \$5,000,000 is to expand the public-private partnerships.

### **Wrongfully Turned Away Due to “Bad Paper”**

The Committee is concerned about reports that VA has erroneously and unlawfully turned away Veterans who seek VA care and whose DD Form 214, Certificate of Release or Discharge from Active Duty, does not reflect an “Honorable Discharge,” also known as “bad paper.” Studies have shown that higher rates of Veterans with bad paper suffer from mental health conditions. The Committee directs the Secretary to submit a report no later than 90 days after enactment of this Act on (1) actions taken, such as requiring VHA staff to notify denied Veterans of their appeal rights and VHA staff retraining, to eliminate wrongful turn away of Veterans, and (2) plans to collaborate with VSOs, Veterans Claims Officers, and state and local Veterans services on correcting any misinformation on eligibility of VA care for all Veterans.

### **Suicide Prevention Outreach**

The Committee directs the Secretary to submit a report to the Committees on Appropriations of both Houses of Congress on Suicide Prevention Outreach activities within 60 days of enactment of this Act. The report should include how VA has executed Federal funding for the last two fiscal years and an assessment on what funding and resources are needed to accomplish the Department’s suicide prevention outreach mission. Furthermore, the report should include the number of Veterans that VA has reached out to through the suicide prevention outreach initiative, and an analysis of the program’s effectiveness, including how COVID–19 has impacted this initiative in fiscal year 2020.

### **Models of Care for Suicide Prevention**

Soldier and Veteran suicide remains a significant scourge on America. Despite diligent efforts to prevent suicide, the existing clinical care model does not appear to be improving outcomes. As such, the Committee encourages VA to determine whether current clinical care practices should be enhanced, and new models of care developed. In making such a determination, the Department should involve its clinical leaders and experts, academia, advocate organizations, and other stakeholders and also ensure survivors of attempted suicide and families who have lost a loved one are provided the opportunity to engage in the process.