



Committee on Appropriations – Democrats

NO MONEY SHALL BE DRAWN FROM THE TREASURY WITHOUT AN APPROPRIATION MADE BY LAW. U.S. CONSTITUTION ARTICLE I, SECTION 9, CLAUSE 7



Congresswoman Ilita Lowey,
Ranking Democratic Member

6 Things to Know About ‘Security Minibus’

The House is expected to consider an Appropriations package this week made up of the Defense, Military Construction & VA, Legislative Branch, and Energy & Water Appropriations bills, in addition to funding for a border wall. Here are 6 important things to know:

1. It wastes \$1.6 billion on a useless, immoral border wall.

The bill is likely to include President Trump’s full 2018 request to begin construction of new sections of wall on the U.S.-Mexico border.

2. The numbers are fraudulent.

The majority claims the bill would increase defense funding, but those additional funds would be sequestered without a fix to the Budget Control Act defense cap. The majority’s slate of bills would breach this cap by more than \$72 billion, resulting in a mandatory 13.2% sequester of all defense accounts.

3. It guts critical investments in clean energy and advanced energy research.

The Energy & Water division would eliminate ARPA-E advanced energy research and the Title 17 Innovative Loan Guarantee Program, and would slash Energy Efficiency & Renewable Energy investments by nearly \$1 billion.

4. It includes poison pill riders.

The Energy & Water division would hinder the Corps of Engineers’ ability to prevent water pollution, allow firearms on Corps of Engineers lands, and prohibit inter-agency coordination on ocean policy.

5. It strips a provision requiring Congress to debate use of force.

The Appropriations Committee adopted a bipartisan amendment to the Defense bill authored by Rep. Barbara Lee (D-CA) requiring Congress to do its job and debate the legal basis for ongoing military conflicts. In an underhanded and undemocratic step, majority leadership stripped this bipartisan provision in the dead of night without a vote.

6. It leaves nondefense Appropriations with no path forward.

The 8 Appropriations bills not included in this minibus cannot gain Democratic votes because they gut services and investments critical to working families; without Democratic votes, they cannot be enacted into law. Yet majority leadership has failed to work with Democrats on a new budget agreement raising caps on defense & nondefense spending, raising the threat of a disastrous Republican government shutdown.

Division A: Defense

2017 enacted level, base:	\$516 billion
2017 enacted level, OCO:	\$83 billion
2018 budget request, base:	\$566 billion
2018 budget request, OCO:	\$64 billion
2018 House bill, base:	\$584 billion
2018 House bill, OCO:	\$74 billion

Key Points:

- By appropriating in excess of the Budget Control Act cap on defense spending but failing to actually raise the cap, the bill if enacted would trigger a 13% across-the-board sequestration of defense accounts in the Defense, Military Construction-VA, Energy & Water, Homeland Security, and Commerce Justice Science bills.
- Massive one-year increases in procurement and personnel also entail huge costs in the future, increasing unpredictability in budgeting for military commanders.
- The majority's need for Democratic votes in both the House and Senate to enact appropriations law, and the majority's continued attempts to underfund critical nondefense priorities raise the likelihood of an inability to enact year-long funding and need for Continuing Resolutions to prevent a disastrous government shutdown.
- The Appropriations Committee adopted a bipartisan amendment to the Defense bill authored by Rep. Barbara Lee (D-CA) requiring Congress to do its job and debate the legal basis for ongoing military conflicts. In an underhanded and undemocratic step, majority leadership stripped this bipartisan provision in the dead of night without a vote.

The Defense division provides:

- \$138.2 billion for Military Personnel, which is \$6.1 billion more than the FY2017 enacted level and \$96 million more than the President's request.
 - This funding level would increase end strength by 17,000.
- \$240.9 billion in for Operations and Maintenance, which is \$25.6 billion more than the FY2017 enacted level and \$ 4.3 billion more than the President's request.
- \$148.9 billion in for Procurement, which is \$ 31.2 billion more than the FY2017 enacted level and \$25.3 billion more than the President's request.
- \$84.3 billion for Research and Development, which is \$11.5 billion more than the FY2017 enacted level and \$ 941.9 million more than the President's budget request.
- \$7.94 billion for cyberspace operations, which is \$1.26 billion more than the 2017 enacted level and \$140 million less than the budget request.

- \$4.8 billion for the European Reassurance Initiative, which is \$1.4 billion more than the 2017 level and equal to the budget request.
- \$4.94 billion for the Afghanistan Security Forces Fund, which is \$675 million more than the 2017 enacted level and equal to the request.
- \$1.77 billion for Counter-ISIL Train and Equip, which is \$789 million more than the 2017 enacted level and equal to the budget request.
- \$1 billion for Congressional directed medical research programs, which is equal to the 2017 enacted level.
- \$705.8 million for the Israeli Missile Defense Cooperative program, which is \$105 million more than the 2017 enacted level and \$558 million more than the budget request. Additionally, \$47.5 million is provided for tunnel detection research.
- \$250 million, for the Rapid Innovation Fund to incorporate small business developments into DoD programs, which is equal to the 2017 enacted level.
- \$235 million for facilities maintenance of Department of Defense schools.
- \$25 million for continued implementation and expansion of the Sexual Assault Special Victim's Counsel Program.
- \$150 million in OCO for Ukraine, which is equal to the 2017 enacted level and the budget request.
- Provides a 2.4% military pay increase, compared to the President's request of 2.1%.
- Prohibits funding to propose, plan for, or execute a new BRAC round.
- Prohibits funding to transfer or release Guantanamo Bay detainees to the U.S.; for construction, acquisition, or modifying facilities in the U.S. to house detainees; for transfer of detainees except in accordance with National Defense Authorization Act; or to close or transfer Guantanamo Bay from DoD's jurisdiction.
- Seven National Defense Restoration Funds totaling \$28.6 billion, which are contrary to the responsibility of Congress to be a steward of taxpayer dollars rather than writing blank checks with little transparency or direction.

Division B: Legislative Branch

2017 Enacted level:	\$4.44 billion
2018 Budget request:	\$4.87 billion
2018 House bill:	\$3.58 billion (excluding Senate items)

The Legislative Branch bill provides:

- \$1.194 billion for the U.S. House of Representatives, which is \$5 million more than the 2017 enacted level.
 - Within that total, Members' Representational Allowances receive \$562.6 million, which is equal to the 2017 enacted level. Committee operations and leadership offices also receive the same amount as the 2017 enacted level.
- \$422.5 million for the U.S. Capitol Police, which is \$29.2 million more than the 2017 enacted level and \$193,000 more than the request. Within that amount, the House bill provides \$7.5 million for USCP overtime, training and equipment priorities requested in light of the recent shooting.
- \$20.5 million for the House Sergeant at Arms, which is \$2.4 million more than the 2017 enacted level. Within that amount, \$5 million is to be used for Member security, including security upgrades in district offices.
- \$48.5 million for the Congressional Budget Office, which is \$2 million more than the 2017 enacted level and \$1.4 million less than the budget request.
- \$581.8 million for the Architect of the Capitol (excluding Senate items), which is \$52.4 million more than the 2017 enacted level and \$95.1 million less than the budget request (but \$78.7 million less than AOC's revised budget request that reflects funding provided in the FY 2017 omnibus).
- \$648 million for the Library of Congress, which is \$16.1 million more than the 2017 enacted level and \$53.4 million less than the budget request (but \$39.7 million less than LOC's revised budget request that reflects funding provided in the FY 2017 omnibus).
 - Within that total, \$28.4 million is provided for the Copyright Office, which is \$5.3 million more than the 2017 enacted level and equal to the 2018 budget request.
- \$117.1 million for the Government Publishing Office, which is equal to the 2017 enacted level and equal to the budget request.
- \$568.3 million for the Government Accountability Office, \$450,000 more than the 2017 enacted level and \$46.2 million less than the budget request.
- \$5.6 million for the Open World Leadership Center Trust Fund, which is equal to the 2017 enacted level.

The House bill includes a provision to prevent a Cost of Living Increase for Members of Congress for FY2018.

The House bill **does not include** controversial language in last year's report forcing the Library of Congress to continue using a pejorative term in its subject headings.

Division C: Military Construction and Veterans Affairs

2018 House bill: \$88.166 billion (excluding OCO)

2018 OCO: \$638 million

2017 Enacted: \$82.326 billion (excluding OCO)

2017 OCO: \$432 million

President's Request:

MILITARY CONSTRUCTION: \$9.585 billion, which is \$197 million less than the President's budget request, is provided for Military Construction programs.

- Total funding for Active Components is \$6.8 billion, which is \$577 million less than the request.
- The total funding for Reserve Components is \$575 million, which is \$98 million less than the FY2017 enacted level and equal to the President's request.
- Family Housing construction is provided \$1.4 billion, which is \$131 million more than the FY2017 level and equal to the President's request.
- The Chairman's mark provides \$291 million for the Base Realignment and Closure (BRAC) account, which is \$51 million more than FY2017 level and \$35 million above President's budget request.
- The Chairman's mark continues language preventing the transfer of detainees and prohibiting closure or realignment of Naval Station Guantanamo Bay, Cuba.

VETERANS AFFAIRS: The Chairman's mark includes \$78.329 billion in discretionary funding, which is \$3.9 billion more than the 2017 level.

- As authorized by Congress in 2009, the VA medical services accounts are provided funding one year in advance, and the Chairman's mark includes the budget request of \$70.7 billion in discretionary funding for the FY2019 advance appropriations for VA medical services.
- The Chairman's mark includes \$2.650 billion for the current year budget request for medical services, which is equal to the request level. This is in addition to the FY 2018 advance appropriation provided in the FY 2017 law.
- The Chairman's mark provides \$698 million for Medical and Prosthetic Research, which is \$23 million above the FY 2017 enacted level and \$58 million above the President's request.
- The Chairman's mark provides \$411 million for Construction, Major Projects, which is \$118 million below the FY2017 enacted level and \$102 million below the President's request. The mark also continues restricting availability of funding for major construction projects costing more than \$100 million until VA certifies having obtained independent design and construction oversight for the project.

- The Chairman's mark includes \$347 million for VA General Administration, which is \$1.5 million above the FY2017 enacted level and equal to the President's budget request.
- The Chairman's mark includes \$4.1 billion for VA Information Technology, which is \$143 million below the FY2017 enacted level and \$80 million above the President's request.
- The Chairman's mark includes the current year budget request of \$1 billion for Non-recurring maintenance in Medical Facilities.

OTHER VA ISSUES:

- **Electronic Health Records:** Consistent with previous Appropriations bills, the bill includes language requiring the VA to provide information on the acquisition of VA's commercial Electronic Health Record system before release of the funding provided.
- **Disability Claims Backlog:** The bill continues monthly reporting requirements from regional offices on disability claims processing performance and quality reports on remediation efforts at the poorest performing regional offices.

Division D: Energy & Water Development

2018 mark: \$37.6 billion

2018 budget request: \$34.3 billion

2017 enacted: \$37.8 billion

*While overall budget authority appears to be only a slight reduction from FY2017, the Chairman's mark would increase defense funding by \$1.1 billion and reduce nondefense funding by \$1.3 billion.

The Energy & Water bill provides:

- \$1.1 billion for Energy Efficiency and Renewable Energy, which is \$986 million less than the FY2017 enacted level.
- \$5.4 billion for the Department of Energy Office of Science, which is equal to the 2017 enacted level.
- \$218.5 million for activities to modernize the electricity grid and defend the U.S. energy sector against cyber and other attacks, which is \$11.5 million less than the 2017 enacted level.
- \$6.4 billion to clean up contamination from past nuclear weapons research and production activities, which is \$25 million less than the 2017 enacted level.
- \$10.2 billion for Weapons Activities, which is \$994 million more than the 2017 enacted level.
- \$1.8 billion for Nuclear Nonproliferation, which is \$106 million less than the 2017 enacted level.
- \$1.5 billion for Naval Reactors, which is \$66 million more than the 2017 enacted level.
- \$6.2 billion for the Army Corps of Engineers, which is \$120 million more than the FY2017 enacted level.
 - Of those funds, \$1.34 billion is for Harbor Maintenance Trust Fund projects, which is \$40 million more than the FY2017 enacted level and equal to the target established by the Water Resources Reform and Development Act.
- \$1.2 billion for water resources projects within the Department of Interior, which is \$79 million less than the 2017 enacted level.

The bill would completely eliminate:

- Advanced Research Projects Agency - Energy (ARPA-E), which received \$306 million in FY2017.
- Title 17 Innovative Loan Guarantee Program, which received \$7 million in FY2017. In addition, the bill rescinds all loan authority and appropriated subsidy.

The bill provides \$120 million to the Department of Energy and \$30 million to the Nuclear Regulatory Commission (NRC) for licensing activities related to Yucca Mountain. It also carries

provisions prohibiting use of funds to take any action related to closure of Yucca Mountain; and funding for interim storage activities.

The bill includes controversial riders hindering the Corps of Engineers ability to prevent water pollution.

- Authorization to withdraw the Waters of the United States rule without regard to any other provision of law.
- Prohibiting the Corps of Engineers from requiring permits for certain agricultural practices.

The bill includes a rider allowing firearms to be carried on all Corps of Engineers lands.

The bill includes a rider prohibiting funds to develop a National Ocean Policy, which would prevent federal agencies from coordinating with each other on fishing regulations, port and harbor issues, and many other maritime challenges.

Division E: Border Wall

It is expected that the Rules Committee will include an amendment submitted by Rep. John Carter (R-TX), Chairman of the Appropriations Homeland Security Subcommittee, which would provide \$1.571 billion for the Department of Homeland Security to construct physical barriers in the Rio Grande Valley of Texas and in San Diego, California, including:

- \$784 million for 32 miles of new border bollard fencing in the Rio Grande Valley, Texas;
- \$498 million for 28 miles of new bollard levee wall in the Rio Grande Valley, Texas;
- \$251 million for 14 miles of secondary fencing in San Diego, California; and
- \$38.2 million for planning for border wall construction.