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# **NAOC Annual Meeting December 2024**





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# Agenda

- 2024 Election Results
- Review of CY2024/FY25 legislative plan/goals
- Funding trends
- DOD inaction
- FY25 Appropriation/Authorization Status
- 2026 legislative agenda/goals



# 2024 Election Results

- Senate
  - 53 Republicans/47 Democrats
- House
  - 220 Republicans/215 Democrats
  - Temporarily vacant seats
    - House - Walz, Gaetz, Stefanik
    - Senate - Rubio
- Sen. McConnell SAC(D) Chair
- HAC(D) – No Expected change
- HASC/SASC leadership unchanged



# Defense Outlook under President Trump

- Defense increase expected but not assured
  - PEACE through STRENGTH
  - Promise to Strengthen and Modernize
  - +\$225B versus Obama for Trump V1
  - SASC Chair Wicker proposes +\$55B
- DEI and “Green” positions/offices eliminated
- Allied uncertainty
- SECDEF uncertainty



# CY2024 - FY25 Legislative Goals

- Work with champions in both House & Senate
- Sustain MMRP funding in PFAS era
  - Money requested for MMRP should be used for that purpose
  - Services should budget for PFAS - not pilfer other ER accounts
  - Language in Defense appropriations and NDAA committee reports to keep funding in program for which it was requested (i.e., prevent MMRP being spent for PFAS)
- Amend FY19 NDAA to include “Munitions-Related Services” as not appropriate for LPTA contracting



# CY2024 -FY25 Authorization & Appropriation Funding Request

- \$300M above the PB for the MMRP
  - Of that \$300M, \$150M is specifically for ER, FUDS.
- Report language directing DOD and the Services to execute funding for the MMRP in a manner consistent with their budget requests
- Amend FY19 NDAA - To ensure qualified, trained, and experienced munitions response personnel, that will address the complexity of munitions remediation, it is recommended that contracting selection classify “munitions related services” in the same category as those important services listed in FY19 NDAA





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# FY25-FY24 PB Request Comparison

## FY25 President's Budget

- ER, FUDS: \$234,475,000
- ER, Army: \$268,069,000
- ER, Navy: \$343,591,000
- ER, Air Force: \$320,256,000

## FY24 Enacted

- ER, FUDS: \$232,806,000
- ER, Army: \$241,860,000
- ER, Navy: \$410,240,000
- ER, Air Force: \$384,744,000

**\$103M BELOW FY24 Enacted Level**  
**Enforces our mantra: "Chronically under-funded"**





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# DOD Lack of Transparency

## Failure to Comply with Congressional Direction

- The Committee notes that **the Department of Defense Appropriations Act, 2023 (Public Law 117–328) included new reporting requirements relating to these programs which have not been met by the Secretary of Defense and Service Secretaries. Therefore, the Committee directs the Secretary of Defense and the Service Secretaries to provide a report on Environmental Restoration Program implementation to the congressional defense committees not later than 90 days after enactment of this act. The report shall include an explanation of the evaluation processes and criteria, and a spend plan for account activities along with project location, funding history, and total cost. In addition, the Committee directs the Secretary of Defense and the Service Secretaries to provide quarterly budget execution briefings to the Committees on Appropriations of the House of Representatives and Senate not later than 45 days after the enactment of this act.**



# FY25 Status

FY 25 PB	HASC	SASC	HAC	SAC
ER, FUDS: \$234,475,000	ER, FUDS: \$234,475,000	ER, FUDS: \$234,475,000	ER, FUDS: \$234,475,000	ER, FUDS: \$257,207,000 +\$22,732 MMRP
ER, Army: \$268,069,000	ER, Army: \$268,069,000	ER, Army: \$338,069,000	ER, Army: \$268,069,000	ER, Army: \$323,069,000 +\$25M MMRP
ER, Navy: \$343,591,000	ER, Navy: \$343,591,000	ER, Navy: \$343,591,000	ER, Navy: \$343,591,000	ER, Navy: \$343,591,000
ER, Air Force: \$320,256,000	ER, Air Force: \$320,256,000	ER, Air Force: \$330,256,000	ER, Air Force: \$320,256,000	ER, Air Force: \$327,524,000 +\$2,268M MMRP
ER, Defense-wide: \$8,800,000	ER, Defense-wide: \$8,800,000	ER, Defense-wide: \$8,800,000	ER, Defense-wide: \$8,800,000	ER, Defense-wide: \$9,480,000 +\$680K MMRP

\*Note: Senate has NOT passed their FY 25 NDAA or Defense Appropriations Bills





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# FY25 Language

- Lowest Price Technically Acceptable Contracts for “Munitions-Related Services”

Amended FY19 Bill Language now reads as follows: AVOIDANCE OF USE OF LOWEST PRICE TECHNICALLY ACCEPTABLE SOURCE SELECTION CRITERIA IN CERTAIN PROCUREMENTS.—

**To the maximum extent practicable, the use of lowest price technically acceptable source selection criteria shall be avoided** in the

case of a procurement that is predominately for the acquisition of—

(1) information technology services, cybersecurity services, systems engineering and technical assistance services, advanced electronic testing, audit or audit readiness services, health care

services and records, telecommunications devices and services, **munitions response services**

or other knowledge-based professional services;

(2) personal protective equipment; or

(3) knowledge-based training or logistics services in contingency operations or other operations outside the United States, including in Afghanistan or Iraq.





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# FY25 Language

- HASC
  - SEC. 923. DESIGNATION OF DEPUTY UNDER SECRETARY OF THE ARMY AS PRINCIPAL OFFICIAL RESPONSIBLE FOR EXPLOSIVE ORDNANCE DISPOSAL. (a) IN GENERAL.—Section 7014 of title 10, United States Code, is amended by adding at the end the following new subsection: “(g)(1) The Secretary of the Army shall designate the Deputy Under Secretary of the Army as the official within the Office of the Secretary of the Army with principal responsibility for the explosive ordnance disposal enterprise of the Army. “(2) The responsibilities of the Deputy Under Secretary of the Army under this subsection shall include— “(A) providing oversight and strategic direction for the management and operations of the explosive ordnance disposal enterprise of the Army, including planning, programming, budgeting, and execution;“(B) providing strategic direction for the funding of the enterprise, including funding for— “(i) manning, training, organizing, equipping (including any associated research and development), and sustaining the enterprise; and “(ii) supporting military installations that comprise the enterprise; 1 “(C) providing strategic direction for the activities of the enterprise in providing explosive ordnance disposal support for— “(i) the President; “(ii) combatant commanders;“(iii) military installations; and“(iv) civilian law enforcement agencies (in accordance with sections 282 and 283 of this title); and “(D) providing strategic direction on the activities of the enterprise over the full range of military operations from irregular warfare to large-scale ground combat.”(3) **On an annual basis, the Deputy Under Secretary of the Army shall provide to the Committees on Armed Services of the Senate and the House of Representatives a briefing on the status of the explosive ordnance disposal enterprise of the Army.** The briefing shall include, with respect to the period covered by the most recent future-years defense program submitted to Congress under section 221 of this title (as of the date of the briefing), an estimate of the total obligatory authority for the enterprise and the numbers and types of personnel expected to be assigned to the enterprise. “(4) In this subsection, the terms ‘explosive ordnance’ and ‘explosive ordnance disposal’ have the meanings given those terms in section 2284(d).”(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect 180 days after the date of the enactment of this Act





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# FY25 Language

- HAC(D)
  - Planning, Programing, Budgeting, and Execution Reform: ...The Committee recommendation also supports changes requested to the environmental restoration accounts to allow the collection and use of funds recovered by the Department through successful litigation. This will allow millions of dollars collected to be utilized toward cleanup of perfluoroalkyl and polyfluoroalkyl substances that plague many military installations and their communities.
  - PUEBLO OF ISLETA  
The Committee is concerned with the pace and scope of munitions and unexploded ordnance (UXO) removal on the Pueblo of Isleta, as well as the veracity of communications with the public on the types and amounts of debris and ordnance that might threaten public health. Therefore, the Committee directs the Assistant Secretary of the Air Force for Energy, Installations, and Environment and the Assistant Secretary of the Army for Installations, Energy and Environment to **submit a report to the congressional defense committees, not later than 90 days after the enactment of this Act, detailing all munitions and UXO removal and decontamination authorities and plans for Pueblo of Isleta; current and prospective tribal consultation and public communications in the survey and removal of munitions and UXO; and resources required from the Native American Lands Environmental Mitigation Program and the Defense Environmental Restoration Program to achieve a thorough restoration of the site.**





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# FY25 Language

- HAC(D)

- VIEQUES AND CULEBRA

The Committee remains concerned by the pace and scope of environmental restoration on the island municipalities of Vieques and Culebra in Puerto Rico. The Committee encourages the Secretaries of the Army and the Navy to work closely with the Environmental Protection Agency, the United States Fish and Wildlife Service, and the Puerto Rico Environmental Quality Board to maximize public participation and transparency in the decontamination process in order to achieve a thorough decontamination result on both

islands. The Committee is also concerned about public safety on the northwest peninsula of Culebra due to unexploded ordnance identified there by the Army. The Committee encourages the Secretary of the Army to exercise available authorities, including the authority clarified through the National Defense Authorization Act for Fiscal Year 2015, to decontaminate the northwest peninsula.

Additionally, the Committee directs the Secretaries of the Army and Navy each to submit a report to the congressional defense committees, not later than 90 days after the enactment of this Act, detailing all respective decontamination authorities and plans applicable to Vieques and Culebra, to include particular emphasis on the decontamination of the northwest peninsula of Culebra. The Committee also notes there are information gaps about the types and amounts of ordnance used on Vieques and Culebra, as well as about potential links between the ordnance used and present threats to public health. **The Committee directs the Secretaries of the Army and the Navy to submit a report to the congressional defense committees, not later than 60 days after the enactment of this Act, on previously released information related to the ordnance on the two islands.** The Committee also urges the Secretaries to publish the relevant documents on the internet in a single location and in a user-friendly format.



# FY25 Language

- HAC(M)
  - Unexploded Ordinance on Military Construction in Guam.—The Committee continues to recognize the significant environmental, planning, and construction activities on Guam and the impact unexploded ordnance removal has on these projects. **The Committee directs the Assistant Secretary of the Navy for Installations, Energy, and Environment within 180 days of enactment to provide a report on efforts to address this issue and to help keep construction projects on-time and on-budget.**



# CY2025 -FY26 Legislative Goals

- Increase MMRP funding across the services - specifically FUDS - similar to previous year's request
- Highlight need to execute MMRP funding in line with Service's budget requests
- Engage SASC/HASC PSM's early
  - Highlight current contracting issues – work to find solutions with decision makers
  - Ensuring all parties (Corps of Engineers, EPA, State Regulatory Agencies, Federal Landowners) are on the same page PRIOR to executing contracts
  - Similar issues have occurred with LPTA
- Engage Trump Administration DOD/IE&E
  - Bureaucratic/contracting inefficiency resulting in wasted taxpayer dollars should resonate





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# CY2025 -FY26 Legislative Goals

- Engage and Educate leading members of the UXO Caucus
- Sustain MMRP/FUDS funding
  - Money requested for MMRP should be used for that purpose
  - Services should budget for PFAS - not pilfer other ER accounts
  - Continue to highlight Language in Defense appropriations and NDAA committee reports to keep funding in program for which it was requested (i.e., prevent MMRP being spent for PFAS) and execution transparency (where does the money go)



# 2025 NAOC DC Fly-In

- March 12 or 26?
- Share your stories....specific MMRP/FUDS project examples for key members (i.e., challenges faced during project execution --- ROEs, work plans, data validation/acceptance)



# Outlook

- Government is currently operating under a three-month continuing resolution (CR) that runs through December 20.
- Speculation suggested that Congress will pass another short-term funding bill – known as a “continuing resolution” (CR) – that would last until March 2025.
  - However, some are pushing to finalize an FY25 spending bill before the end of the year to give the new Congress and administration a clean slate for the new term.
  - Still a need for Top Line numbers
  - Limited floor time remaining
  - With Senate Democrats losing control of the chamber in the next Congress, leadership is focused on judicial nominations and finalizing the fiscal 2025 National Defense Authorization Act - Bill passed for the last 63 years
  - Confirmations
  - Disaster Relief Packages





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# Questions?