

**Congress of the United States**  
**Washington, DC 20515**

March 13, 2019

The Honorable Patrick Shanahan  
Acting Secretary of Defense  
The Pentagon  
Washington, DC 20301

Dear Secretary Shanahan:

We write to express strong objection to the President's recent issuance of a "national emergency" declaration and decision to use Title 10 USC §2808 to repurpose congressionally authorized and appropriated funds for military construction to build a physical barrier at the nation's Southwest border. In particular, we adamantly oppose any diversion of funds obligated to New Jersey's military installations, including Joint Base McGuire-Dix-Lakehurst (JBMDL), Picatinny Arsenal and the 177<sup>th</sup> Fighter Wing at Atlantic City International Airport, to pay for such a barrier. As you are aware, the United States Constitution grants Congress, through Article I, the power to appropriate funds, not the Executive Branch. Congress used its Article I power to appropriate funds to specific, critical military construction projects in New Jersey to support the Armed Forces, which this national emergency declaration could either delay or terminate.

In New Jersey, there are military construction projects with funds appropriated towards construction at JBMDL, Picatinny Arsenal and Atlantic City International Airport to support our Armed Forces operations within the state. These projects have gone through a multi-year process of review and selection by both the Department of Defense (DOD) and Congress. Any delay or disruption of any one of these military construction projects will ultimately hinder the ability of our Armed Forces to carry out their missions effectively.

JBMDL, as a power projection platform, is the nation's only tri-service military installation and home to 88 mission partners covering 42,000 acres. A core mission of JBMDL is the airlift and air refueling missions of the 305<sup>th</sup> Air Mobility Wing (Active Duty) and 514<sup>th</sup> Air Mobility Wing (Reserve). The Air Force selected JBMDL as the Main Operating Base 4 to host the next generation of KC-46A air refueling tankers. Congress has appropriated critical resources as requested from the Department of Defense to prepare the base for the arrival of the new refueling tankers. If funding is rescinded or reprogrammed this would interfere with the Air Force's vital mission requirement for refueling military aircraft and hinder overall mission readiness and capabilities across the Armed Forces.

Military construction funding for JBMDL is also going to essential projects such as a Hot Cargo Hydrant System that will replace the existing fuel piping and hydrant pit located on the Hot Cargo Loading Area. Due to the failure of outdated fueling systems, aircraft must be fueled using tanker trucks. DOD stated that without this replacement there will be "increased operational risk," "increased man-hours spent on refueling, and longer aircraft turn-around times." Additionally, the Marine Corps Reserve aviation unit at JBMDL is in the process of expanding aircraft parking for its Helicopter Marine Light Attack units. DOD also stated that without this

project the "efficiency of training operations for the squadron" will be "degraded" as it will "significantly hamper the access and maintenance of the aircraft."


Picatinny Arsenal is beginning construction of a Munitions Disassembly Complex. Currently, this mission work is conducted in a World War II era facility that performs disassembly, stripping and inerting of first seen foreign munitions in order to perform foreign material exploitation for all DOD services and the National Ground Intelligence Center. This critical facility is currently limited to net explosive weights of 15 pounds, which significantly limits its ability to provide intelligence on the latest threats our Armed Services face abroad. DOD has stated that if this project is not completed, the Explosive Ordnance Disposal Technology Directorate will "continue to operate under operational, environmental, safety, and health deficiencies and limitations, restricting the full potential of the mission." Furthermore, the "current test and research facilities cannot support the continued weapons evolution within overseas contingency operations and future potential threats," which will directly harm our Armed Forces fighting abroad and could lead to increased casualties.

The 177<sup>th</sup> Fighter Wing of the New Jersey Air National Guard provides critical air defense across the East Coast and was activated in response to the September 11<sup>th</sup> attacks. Military construction funding is essential to the replacement of a fuel cell and corrosion control facility for the 177<sup>th</sup> Fighter Wing. The previous facility was designed for older aircraft and no longer adequately supports the F-16C aircraft that the 177<sup>th</sup> Fighter Wing flies. Without the new facility, DOD believes that there would be "decreased aircraft availability and corresponding aircrew training" as a result, which is not a desirable outcome for a unit critical for the defense of our Country.

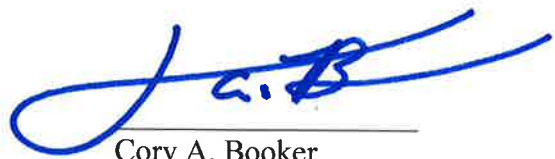
Completion of these projects are essential for JBMDL, Picatinny Arsenal and the 177<sup>th</sup> Fighter Wing to have the full capacity to carry out their respective missions. It would be irresponsible to prevent these military installations in our state from receiving this critical funding. Furthermore, it would weaken our national security and mission readiness if these installations were not properly equipped. If your objective is to make the nation safer, transferring money away from the military's vital operations in New Jersey would do the exact opposite.

With all of this information, we remind you that these projects meet critical mission requirements determined by the service branches. Any attempts to reduce, reprogram or divert funding from these installations will severely undermine our military readiness.

Sincerely,



Robert Menendez  
United States Senator



Cory A. Booker  
United States Senator



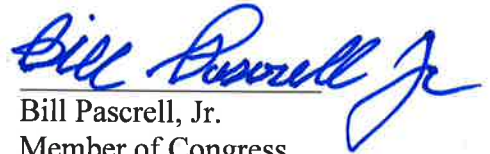
Donald Norcross  
Member of Congress



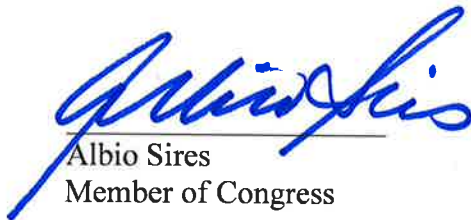
Andy Kim  
Member of Congress



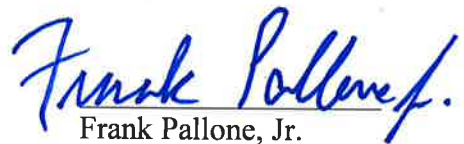
Mikie Sherrill  
Member of Congress



Bill Pascrell, Jr.  
Member of Congress



Albio Sires  
Member of Congress



Frank Pallone, Jr.  
Member of Congress



Bonnie Watson Coleman  
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Josh Gottheimer  
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Jeff Van Drew  
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Donald M. Payne, Jr.  
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Tom Malinowski  
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