

May 6, 2020

The Honorable Mark Esper
Secretary
Department of Defense
1000 Defense Pentagon
Washington, DC 20301-1000

Dear Secretary Esper:

On behalf of the Presidentially appointed Council of Governors (Council), we write to thank you for your continued support of our previous request to use the National Guard in Title 32 status in response to the novel coronavirus (COVID-19). Additionally, we appreciate you taking the time last month to discuss this with us co-chairs directly.

As you know, the President has authorized the use of our National Guard in Title 32 only through May 31. Given the nature of the COVID-19 crisis, each state and territory has experienced the virus in a different way, and at different times. This remains true for response and will be true for recovery and reopening.

The President's recent *Guidelines for Opening Up America Again* specifically defines several core state preparedness responsibilities for testing and contact tracing; health care system capacity; and plans. We believe that the ten mission areas listed within those *federally defined state responsibilities* can and should be done by our National Guard under Title 32.

Likewise, it is our understanding that the Department of Defense is working on guidance related to the termination of Title 32 orders – to include extending medical benefits and accounting for quarantine measures. We appreciate the Department's willingness to ensure that our guard members are supported after their service. We urge you to issue this guidance as soon as possible to provide certainty and stability for guard members and their families, which is so important during these unprecedented times.

Finally, Congress has illustrated its support for Title 32 for COVID-19 operations, providing nearly \$1.5 billion for National Guard accounts in the Coronavirus Aid, Relief, and Economic Security Act (CARES Act). Governors – through the National Governors Association – have and will continue to advocate to Congress that federal National Guard accounts receive adequate funding to support Title 32 operations for COVID-19 response and recovery efforts.

Funding for operations should not be the primary consideration for using Title 32.

All disaster and emergencies are federally supported, state managed and locally executed. Governors across the country are working diligently and rapidly to respond to the COVID-19 crisis. As each state and territory looks towards reopening, we believe it is critical that this partnership with the federal government continue.

We appreciate your consideration of this important issue and ask you to work with the White House to extend the use of Title 32 as part of COVID-19 recovery and reopening efforts.

Sincerely,

A handwritten signature in black ink that reads "Asa Hutchinson". The signature is written in a cursive style with a large, sweeping flourish at the end.

Governor Asa Hutchinson
Arkansas
Co-Chair

A handwritten signature in black ink that reads "David Ige". The signature is written in a cursive style with a large, sweeping flourish at the end.

Governor David Ige
Hawai'i
Co-Chair