

April 18, 2017

The Honorable John McCain  
Chairman  
Senate Armed Services Committee  
218 Russell Senate Office Building  
Washington, DC 20510

The Honorable Jack Reed  
Ranking Member  
Senate Armed Services Committee  
728 Russell Senate Office Building  
Washington, DC 20510

Dear Chairman McCain and Ranking Member Reed:

As Commanders in Chief of our National Guard, governors write in strong support of S. 766, a bill to modernize the Military Technician program and preserve the readiness of the National Guard to fulfill its state and federal missions. We ask that you support the legislation.

Governors wrote to you last year expressing our opposition to a provision of the 2016 National Defense Authorization Act (NDAA) requiring that 20 percent of all Title 32 Dual-status Military Technicians be converted to Title 5 federal civilian employees. Governors across the nation were and remain deeply concerned that any conversion will disrupt Guard operations, reduce the numbers of personnel available for immediate Governor-directed state emergency responses and undermine the constitutional underpinnings of the Guard's dual mission to respond to state emergencies and serve as the nation's operational reserve for actions abroad.

We appreciate the delay in completing the conversion from January 1, 2017, to October 1, 2017, that was enacted in the 2017 National Defense Authorization Act (NDAA). The delay provided Adjutants General and the Department of Defense time to thoroughly examine the military technician program and evaluate the effects of a 20 percent conversion on the readiness of the National Guard. Based on the DoD findings that any conversion above 4.8% would degrade the readiness of the force, we ask you to support efforts by Senator Manchin and others to preserve the ability of the Guard to effectively fulfill its domestic mission by modernizing the Military Technician program and reducing the conversion mandate to preserve immediate response capabilities in the Guard.

Dual-status military technicians are essential to the operation of the National Guard and serve as our primary source of immediate manpower when governors call on the Guard to respond to natural disasters and adaptive human threats. Congress need look no further than our reliance on National Guard Military Technicians in responding to floods in West Virginia and Louisiana or restoring peace in cities like Baltimore and Charlotte to see how critical the availability of dual-status Military Technicians is to public safety and security. Military Technicians are the National Guard's first responders and Governors are gravely concerned that this required conversion degrades the readiness of the Guard for its state and federal missions and does little to address the employment and benefits issues faced by all Military Technicians.

Governors and Adjutants General support Senator Manchin's legislation because it modernizes the Military Technician program for all Mil-Techs while minimizing the impact of a conversion on the Guard's mission. S. 766 modernizes the Technician Act of 1968 by addressing several concerns raised by supporters of the program including

providing technicians with bonus eligibility, access to Tricare Reserve Select, priority placement post-military service and access to an effective appeals process that is efficient and binding on Adjutants General.

The legislation also sets a new conversion target of 4.8 percent of dual status technicians – the level recommended by the Department of Defense in its December 19, 2016, report to Congress. In that report, the Department determined that of the 9,209 (12.6 percent) dual-status technician positions that qualify as administrative positions, only 3,493 (4.8 percent) were "suitable for conversion," while the remainder are "military essential." Linking the conversion rate to the technician's military role is the only way to ensure the Guard remains ready and able to fulfill its mission.

We stand ready to work with you, the National Guard Bureau, the Department of Defense and all other interested parties to resolve these issues for the benefit of all Military Technicians and the National Guard.

Sincerely,

Terry McAuliffe  
Governor of Virginia  
Chair

Brian Sandoval  
Governor of Nevada  
Vice Chair

Terry Branstad  
Governor of Iowa  
Council of Governors Co-Chair

Dannel Malloy  
Governor of Connecticut  
Council of Governors Co-Chair

Cc: Senate Majority Leader Mitch McConnell and Senate Minority Leader Chuck Schumer