



Gary R. Herbert
Governor of Utah
Chair

Terry McAuliffe
Governor of Virginia
Vice Chair

Scott D. Pattison
Executive Director/CEO

January 7, 2016

The Honorable John McCain
Chairman
Committee on Armed Services
United States Senate
Washington, DC 20510

The Honorable Jack Reed
Ranking Member
Committee on Armed Services
United States Senate
Washington, DC 20510

The Honorable Mac Thornberry
Chairman
Committee on Armed Services
U.S. House of Representatives
Washington, DC 20515

The Honorable Adam Smith
Ranking Member
Committee on Armed Services
U.S. House of Representatives
Washington, DC 20515

Dear Chairman McCain, Senator Reed, Chairman Thornberry and Representative Smith:

The Council of Governors (Council) strongly opposes Section 1053 of the fiscal year (FY) 2016 National Defense Authorization Act (NDAA) that requires conversion of certain Title 32 National Guard military technicians into Title 5 federal civilian employees beginning in calendar year 2017. As co-chairs of the Council, we write to urge you to repeal this provision in the FY 2017 NDAA.

Governors take our constitutional duty to protect our citizens and lead our National Guard very seriously. We are responsible for the safety and welfare of our citizens and are in the best position to manage our full-time military technicians.

The changes required by Section 1053 represent a serious shift in authority from governors, as commanders-in-chief of the National Guard in our states, to the federal government. The long-term effects of the provision would include reduced National Guard readiness and military cohesion, as well as increased federal and state costs. The provision undermines state management of a critically important part of our National Guard forces and reduces the number of personnel available to states during times of emergency.

Further, we are deeply concerned this provision was drafted without consultation or input from governors or their adjutants general. The Council was created to assist Congress and the Administration with exactly these types of issues. We look forward to working with you early in 2016 to correct this error and assist in the development of the FY 2017 NDAA.

Sincerely,

Governor Terry E. Branstad
Co-chair

Governor Dannel P. Malloy
Co-chair