

Congress of the United States

Washington, DC 20515

May 22, 2020

President Donald J. Trump
The White House
1600 Pennsylvania Ave NW
Washington, DC 20500

Secretary Mark T. Esper
U.S. Department of Defense
1000 Defense Pentagon
Washington, D.C. 20301

Administrator Peter T. Gaynor
Federal Emergency Management Agency
500 C Street S.W.
Washington, D.C. 20472

Dear Mr. President, Secretary Esper, and Administrator Gaynor:

We write today to raise a number of issues impacting the National Guard personnel deployed in support of the fight against Coronavirus Disease 2019 (COVID-19).

The National Guard has been critical in executing the nation's pandemic response efforts. Thousands of National Guard servicemembers have been providing invaluable support for testing civilians and Guard personnel, logistics and warehouse distribution, planning for Emergency Operations Centers, homelessness outreach, and much more. We also recognize that National Guard servicemembers have been supporting state efforts in high threat and high risk areas, namely, medical support to prisons; frontline testing at hot spots and critical infrastructure locations; supporting tracing operations; and providing direct care to COVID-19 positive citizens, including at care facilities like Veterans Living Centers and homeless populations.

Our national success in flattening the curve will not be possible without the contributions of the National Guard. We believe it is critical to ensure that all National Guard personnel are taken care of during this crisis and after, recognizing that the threat of COVID-19 will not immediately go away and the National Guard is likely to be called on again in the future.

Therefore, we urge you to consider our recommendations for addressing the following concerns immediately.

- **Federal Status:** We ask that you consider keeping all National Guard servicemembers supporting the COVID-19 mission on 502(f)(2) status rather than transitioning to State Active Duty (SAD) orders regardless of future FEMA reimbursement. This will ensure healthcare commensurate with the work they are performing is available. This will also ensure they are able to continue support to the nation's effort without uncertainty of status. If orders are to be extended on a month-to-month basis, we ask that all orders are 31 days or longer in duration and that the announcement of extensions be made early in the month in order to allow for preparation by each state's leadership teams.
- **Leave:** We are encouraged by the recent change that will allow National Guard members to sell back unused leave without penalty or roll over accrued leave to another activated status. We ask that you continue to provide National Guard members with flexibility in how they may utilize leave accrued during the COVID-19 response, and ensure necessary federal funding to support the different leave usage options.

- **Healthcare:** We ask that you ensure the National Guard members activated in support of COVID-19 are provided Transition Assistance Management Program (TAMP) benefits for 180 days after coming off orders, similar to their Reserve counterparts.
- **GI Bill and Retirement Benefits:** We believe that the service of National Guard members during this unprecedented emergency is deserving of the recognition intended by educational and retirement benefit programs in the spirit in which they were created. We encourage you to be inclusive of pandemic response affiliated military service to ensure that National Guard personnel are not being inappropriately prevented from accessing the benefits earned by their service.

We are proud of the incredible contributions of the National Guard. They have been a critical team member in the nation's fight against COVID-19. We welcome your support in ensuring they are kept safe, healthy, and receive the benefits they deserve.

Sincerely,

/s/ Michael F. Bennet

Michael F. Bennet
United States Senator

/s/ Jason Crow

Jason Crow
United States Representative

/s/ Richard Blumenthal

Richard Blumenthal
United States Senator

/s/ Robert P. Casey, Jr.

Robert P. Casey, Jr.
United States Senator

/s/ Kyrsten Sinema

Kyrsten Sinema
United States Senator

/s/ Brian Schatz

Brian Schatz
United States Senator

/s/ Cory Gardner

Cory Gardner
United States Senator

/s/ Doug Lamborn

Doug Lamborn
United States Representative

/s/ Terri A. Sewell

Terri A. Sewell
United States Representative

/s/ Brian Fitzpatrick

Brian Fitzpatrick
United States Representative

/s/ Gilbert R. Cisneros, Jr.

Gilbert R. Cisneros, Jr.
United States Representative

/s/ Austin Scott

Austin Scott
United States Representative

/s/ Gary C. Peters

Gary C. Peters
United States Senator

/s/ Christopher A. Coons

Christopher A. Coons
United States Senator

/s/ Ron Wyden

Ron Wyden
United States Senator

/s/ Tammy Baldwin

Tammy Baldwin
United States Senator

/s/ Thom Tillis

Thom Tillis
United States Senator

/s/ Richard Burr

Richard Burr
United States Senator

/s/ Mark R. Warner

Mark R. Warner
United States Senator

/s/ Tim Kaine

Tim Kaine
United States Senator

/s/ Doug Jones

Doug Jones
United States Senator

/s/ James P. McGovern

James P. McGovern
United States Representative

/s/ Cheri Bustos

Cheri Bustos
United States Representative

/s/ Ed Perlmutter

Ed Perlmutter
United States Representative

/s/ Ed Case

Ed Case
United States Representative

/s/ Jimmy Panetta

Jimmy Panetta
United States Representative

/s/ Deb Haaland

Deb Haaland
United States Representative

/s/ Cindy Axne

Cindy Axne
United States Representative

/s/ Filemon Vela

Filemon Vela
United States Representative

/s/ Tulsi Gabbard

Tulsi Gabbard
United States Representative

/s/ Patrick Leahy

Patrick Leahy
United States Senator

/s/ Chris Van Hollen

Chris Van Hollen
United States Senator

/s/ Sherrod Brown

Sherrod Brown
United States Senator

/s/ Kirsten Gillibrand

Kirsten Gillibrand
United States Senator

/s/ Catherine Cortez Masto

Catherine Cortez Masto
United States Senator

/s/ Shelley Moore Capito

Shelley Moore Capito
United States Senator

/s/ Steve Daines

Steve Daines
United States Senator

/s/ Jeffrey A. Merkley

Jeffrey A. Merkley
United States Senator

/s/ Bernard Sanders

Bernard Sanders
United States Senator

/s/ Brian Higgins

Brian Higgins
United States Representative

/s/ Scott DesJarlais, M.D.

Scott DesJarlais, M.D.
United States Representative

/s/ Ruben Gallego

Ruben Gallego
United States Representative

/s/ Andy Kim

Andy Kim
United States Representative

/s/ Elissa Slotkin

Elissa Slotkin
United States Representative

/s/ Chrissy Houlahan

Chrissy Houlahan
United States Representative

/s/ Lori Trahan

Lori Trahan
United States Representative

/s/ Richard E. Neal

Richard E. Neal
United States Representative

/s/ Eleanor Holmes Norton

Eleanor Holmes Norton
United States Representative

/s/ Mike Crapo

Mike Crapo
United States Senator

/s/ John Hoeven

John Hoeven
United States Senator

/s/ Ted Cruz

Ted Cruz
United States Senator

/s/ Tina Smith

Tina Smith
United States Senator

/s/ Jacky Rosen

Jacky Rosen
United States Senator

/s/ Joe Manchin III

Joe Manchin III
United States Senator

/s/ Roger F. Wicker

Roger F. Wicker
United States Senator

/s/ Cindy Hyde-Smith

Cindy Hyde-Smith
United States Senator

/s/ Susan M. Collins

Susan M. Collins
United States Senator

/s/ Anthony G. Brown

Anthony G. Brown
United States Representative

/s/ Jim Cooper

Jim Cooper
United States Representative

/s/ Michael Waltz

Michael Waltz
United States Representative

/s/ Jared Golden

Jared Golden
United States Representative

/s/ Seth Moulton

Seth Moulton
United States Representative

/s/ Donald S. Beyer, Jr.

Donald S. Beyer, Jr.
United States Representative

/s/ Val Demings

Val Demings
United States Representative

/s/ Conor Lamb

Conor Lamb
United States Representative

/s/ Sheila Jackson Lee

Sheila Jackson Lee
United States Representative

/s/ Amy Klobuchar

Amy Klobuchar
United States Senator

/s/ Marco Rubio

Marco Rubio
United States Senator

/s/ Diana DeGette

Diana DeGette
United States Representative

/s/ Joe Morell

Joe Morell
United States Representative

/s/ Jim Himes

Jim Himes
United States Representative

/s/ Susan Wild

Susan Wild
United States Representative

/s/ Tim Ryan

Tim Ryan
United States Representative

/s/ Marcy Kaptur

Marcy Kaptur
United States Representative

/s/ Carolyn B. Maloney

Carolyn B. Maloney
United States Representative

/s/ Dwight Evans

Dwight Evans
United States Representative

/s/ Joe Courtney

Joe Courtney
United States Representative

/s/ Alcee L. Hastings

Alcee L. Hastings
United States Representative

/s/ A. Donald McEachin

A. Donald McEachin
United States Representative

/s/ Grace F. Napolitano

Grace F. Napolitano
United States Representative

/s/ Alma S. Adams, Ph.D.

Alma S. Adams, Ph.D.
United States Representative

/s/ Joe Neguse

Joe Neguse
United States Representative

/s/ Wm. Lacy Clay

Wm. Lacy Clay
United States Representative

/s/ Bill Pascrell, Jr.

Bill Pascrell, Jr.
United States Representative

/s/ Gerald E. Connolly

Gerald E. Connolly
United States Representative

/s/ Tom O'Halleran

Tom O'Halleran
United States Representative

/s/ Peter DeFazio

Peter DeFazio
United States Representative

/s/ G. K. Butterfield

G. K. Butterfield
United States Representative

/s/ Max Rose

Max Rose
United States Representative

/s/ Jim Banks

Jim Banks
United States Representative

/s/ Abigail D. Spanberger

Abigail D. Spanberger
United States Representative

/s/ David Trone

David Trone
United States Representative

/s/ Joe Wilson

Joe Wilson
United States Representative

/s/ Stephen F. Lynch

Stephen F. Lynch
United States Representative

/s/ Frank Pallone

Frank Pallone
United States Representative

/s/ Lizzie Fletcher

Lizzie Fletcher
United States Representative

/s/ Chris Pappas

Chris Pappas
United States Representative

/s/ Darren Soto

Darren Soto
United States Representative

/s/ Paul Tonko

Paul Tonko
United States Representative

/s/ Angie Craig

Angie Craig
United States Representative

/s/ William Timmons

William Timmons
United States Representative

/s/ Norma J. Torres

Norma J. Torres
United States Representative

/s/ J. Luis Correa

J. Luis Correa
United States Representative

/s/ Peter T. King

Peter T. King
United States Representative

/s/ Nanette Diaz Barragán

Nanette Diaz Barragán
United States Representative

/s/ Jim Langevin

Jim Langevin
United States Representative

/s/ Ann McLane Kuster

Ann McLane Kuster
United States Representative

/s/ Joaquin Castro

Joaquin Castro
United States Representative

/s/ Steve Womack

Steve Womack
United States Representative

/s/ Don Bacon

Don Bacon
United States Representative

/s/ Jack Bergman

Jack Bergman
United States Representative

/s/ Jeff Duncan

Jeff Duncan
United States Representative

/s/ Kurt Schrader

Kurt Schrader
United States Representative

/s/ Jamie Raskin

Jamie Raskin
United States Representative

/s/ Anthony Gonzalez

Anthony Gonzalez
United States Representative

/s/ C.A. Dutch Ruppersberger

C.A. Dutch Ruppersberger
United States Representative

/s/ Anthony Brindisi

Anthony Brindisi
United States Representative

/s/ Vicente Gonzalez

Vicente Gonzalez
United States Representative

/s/ Marcia L. Fudge

Marcia L. Fudge
United States Representative

/s/ Dean Phillips

Dean Phillips
United States Representative

/s/ Robert J. Wittman

Robert J. Wittman
United States Representative

/s/ Tom Cole

Tom Cole
United States Representative

/s/ Vicky Hartzler

Vicky Hartzler
United States Representative

/s/ Cedric L. Richmond

Cedric L. Richmond
United States Representative

/s/ Anna G. Eshoo

Anna G. Eshoo
United States Representative