

Congress of the United States
Washington, DC 20510

March 26, 2020

The Honorable Donald J. Trump
President of the United States
The White House
1600 Pennsylvania Avenue NW
Washington, DC 20500

Dear President Trump:

We write to urge you to quickly approve the request made by Governor Charlie Baker to the Department of Defense for additional authorities and funding under 502(f)(2)(A) of Title 32, U.S. Code to assist the Commonwealth of Massachusetts in combating the COVID-19 pandemic.¹ The Governor is requesting this authority and funding for the Massachusetts National Guard as they work to respond to incidents related to the preservation of life and property in connection with COVID-19.

Last week, Governor Baker determined the need to increase the Massachusetts National Guard force to full time status and intends to use the Massachusetts National Guard to fulfill immediate COVID-19 response requirements in cities and towns across the Commonwealth including support to the Department of Health and Human Services and the Executive Office of Public Safety and Security.

All 54 states and territories have declared emergencies² in response to the ongoing COVID-19 pandemic. Approximately 10,700 National Guard personnel are supporting their respective governors.³ Our current understanding is that most, if not all, of these personnel are on State Active Duty orders. State Active Duty is inappropriate for a long-term response to a national emergency such as the one we currently face because these orders are fully funded by the state and do not allow full access to Federal benefits. Converting National Guard personnel to Title 32 status would allow individual governors the ability to retain command and control of Guard personnel in their state and it would also allow these professionals access to TRICARE

¹ Governor Charlie Baker letter to Secretary of Defense Mark Esper, March 23, 2020 [On file with office of Senator Warren].

² National Guard, Press Release, "National Guard Response to COVID-19," March 24, 2020, <https://www.nationalguard.mil/Portals/31/Features/2020/COVID-19/News%20Media%20Press%20Release%20-%20COVID19%20March%2024%202020.pdf>.

³ Reuters, "Exclusive: Pentagon Orders halt overseas movement for U.S. military over coronavirus," Phil Stewart and Idrees Ali, March 25, 2020, <https://www.reuters.com/article/us-health-coronavirus-usa-pentagon-exclusiveUSKBN21C3A2>.

medical coverage and Military Treatment Facilities, GI Bill accrual, retirement points, and death gratuity.⁴

The Coronavirus Aid, Relief, and Economic Security Act, passed by the Senate on March 26, 2020, provides \$1.4 billion to the Department of Defense to sustain 20,000 National Guard personnel for six months.⁵ We urge your prompt approval of Governor Baker's request so he may fully task the Massachusetts National Guard as he finds necessary to support the state's COVID-19 response efforts. Thank you for your assistance in this important request.

Sincerely,



Elizabeth Warren
United States Senator



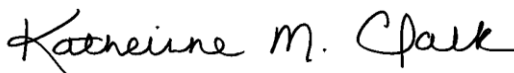
Edward J. Markey
United States Senator



Richard E. Neal
Member of Congress



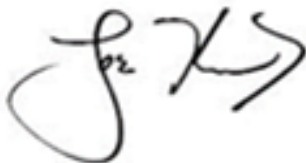
James P. McGovern
Member of Congress



Katherine Clark
Member of Congress



Stephen F. Lynch
Member of Congress



Joseph P. Kennedy, III
Member of Congress

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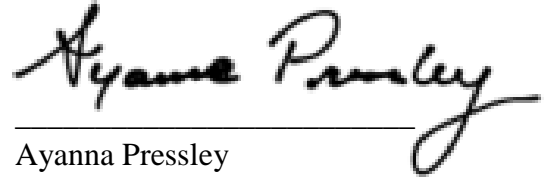
William R. Keating
Member of Congress

⁴ Military Officers Association of America (MOAA), "Your Benefits: Title 10 vs. Title 32 vs. the State," Shane Ostrom, March 23, 2020, <https://www.moaa.org/Content/Publications-and-Media/MOAA-Blog/Your-Benefits--Title-10-vs-Title-32-vs--the-State>.

⁵ The Coronavirus Aid, Relief, and Economic Security (CARES) Act, H.R. 748, <https://www.appropriations.senate.gov/imo/media/doc/FINAL%20FINAL%20CARES%20ACT.pdf>.



Lori Trahan
Member of Congress



Ayanna Pressley
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