

United States Senate

Monday, April 20, 2020

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

Dear Mr. President:

It has come to our attention that, unless you act quickly, authorization and federal funding for the National Guard to respond to the ongoing COVID-19 pandemic in California, Washington, and New York will expire within the next two weeks and its missions forced to cease. This expiration must not be permitted, and we urge you to do your duty as Commander-in-Chief to see that it does not.

Once again, Guard members have answered the call to serve their state and country. Their unique role and dedicated service are well known to the people of our states, as they have been there for their neighbors in the aftermath of many devastating natural disasters. Now, as we work to stop the spread of COVID-19, nearly 5,000 Guard members in our states are assisting with medical screening, food distribution, and logistical support among other critical missions. Their support has been essential thus far, and, clearly, it will be needed for weeks and months to come.

You have only approved the use and funding of the National Guard for pandemic response, however, through May 22nd. And, because of the policy of your administration, the Army and Air National Guard cannot extend or issue new orders, meaning they will have to stand down well before May 22nd. Unfortunately, this is not the first issue involving the National Guard your administration has failed to adequately address—until recently, the policy of your administration curiously capped the number of days a Guard member could work just one day short of full health care and benefits. During a pandemic, such a policy was inexcusable.

Your decisions affect Guard members and their families and they deserve our full support—not arbitrary deadlines and uncertainty about their pay and benefits. Therefore, I urge you to immediately consult with our Nation's governors and then amend your memorandum dated April 7, 2020, or issue a new memorandum, extending Title 32 authorization for use of the National Guard by governors for COVID-19 pandemic response. Now is simply not the time to stand down the Guard.

Thank you for your prompt attention to this important matter.

Sincerely,



Kamala D. Harris
United States Senator



Patty Murray
United States Senator



Charles E. Schumer
United States Senator

CC: Vice President Michael R. Pence
Secretary of Defense Mark T. Esper