

United States Senate
WASHINGTON, DC 20510

March 27, 2020

Vice President Michael Pence
The White House
Office of the Vice President
1600 Pennsylvania Avenue, N.W.
Washington, DC 20500

Dear Vice President Pence,

We are aware that Governor Jim Justice, on behalf of the state of West Virginia, has formally requested that the members of the West Virginia National Guard be mobilized on Title 32 502(f) orders. We are supportive of this action and urge Department of Defense to grant this request immediately.

We are concerned that even though the President directed the utilization of 502f for three states on March 22nd, today, as of 5 days later, no members have been placed on these orders. This does not represent the urgency of this response and is very concerning to us as to how seriously the Department of Defense is taking the direction.

Governor Justice's current National Guard requirements are 845 personnel at \$7.3 million for 30 days. With a surge of an additional 346 individuals and additional operating costs, this can rise to \$32.6M for 180 days. Governor Justice needs authority for 502f for all missions tasked by the Adjutant General on behalf of the Governors response to the declared national and state emergency.

While the obvious budget impact for our small state exists, it is more important to note that taking care of those on the front lines is a moral imperative. Title 32 502(f) serves the individual member of the National Guard better than State Active Duty. Under Title 32 502(f), the men and women who are so faithfully serving our state in this crisis will enjoy benefits such as TRICARE, access to military hospitals if they get sick, federal workmen's compensation, "line-of-duty" medical determinations, veteran's benefits, and retirement points for service. These benefits are especially important since these soldiers and airmen are being mobilized in response to a national health emergency. We know guardsmen in other states have already contracted Coronavirus. Our ability to care for them and, in the future, the long term health impacts this might bring can never match the care they would receive as veterans. In fact, if you force our state to incur the cost of a potentially sick or injured guard member's healthcare and workmen's compensation you are putting undue burden on our state.

There has been some public discussion of activating the Guard under Title 10 of the United States Code. We strongly discourage that option. This would take away the power of the governor to allocate Guard personnel and resources as he sees fit. We trust that the Governor,

with the military expertise of the Adjutant General, is best suited to address the needs of our state which has a highly vulnerable population, challenging geography, and an overwhelmed healthcare infrastructure. Mountaineers trust their National Guard and they are comforted knowing that it is their friends, family members, and neighbors who are in charge of their wellbeing.

The National Guard was designed the way it was for such a time as this. We are proud to represent the West Virginia National Guard because they have always shown up when it matters and are ready to do so today.

Sincerely,

A handwritten signature in blue ink, appearing to read "Joe Manchin III", written over a horizontal line.

Joe Manchin III
United States Senator

A handwritten signature in blue ink, appearing to read "Shelley Moore Capito", written over a horizontal line.

Shelley Moore Capito
United States Senator