August 10, 2020

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

Dear Mr. President:

We write to request you restore one hundred percent Federal cost share to all states and territories for use of the National Guard under Title 32 of U.S. Code for responding to coronavirus, which was terminated by your August 3 memorandum for all states and territories except Florida and Texas. The National Guard response has been critical within our states to supporting the health and well-being of millions of Americans.

Congress has demonstrated repeatedly that we understand 32 USC 502(f) to include the ability for the National Guard, under command of state and territory governors, to respond with Federal resources to disasters that endanger Americans. Most recently, the CARES Act included funding specifically for COVID-19 response for the Army and Air National Guards, as requested by the Department of Defense. You determined to use reimbursements from the Federal Emergency Management Agency at one hundred percent cost share, and the resulting mission has lessened the negative impacts for Americans.

This new determination to reduce the cost share comes at the worst possible time, as positive cases continue to rise, and food security and other basic needs increase due to the ongoing economic impact of the pandemic. Further, by singling out Florida and Texas for a full cost share as other states face challenges of similar magnitude, the decision appears arbitrary and without justification. Exacerbating the arbitrary and capricious decision, the White House on August 7 extended a short term restoration for some states to a one hundred percent cost share through September 30. This inequity among states is irrational.

We ask that you re-authorize one hundred percent cost share for all states and territories through at least December 31.

Sincerely,

PATRICK LEAHY  
United States Senator

CHARLES E. SCHUMER  
United States Senator
JACK REED  
United States Senator

RON TESTER  
United States Senator

MICHAEL F. BENNETT  
United States Senator

BERNARD SANDERS  
United States Senator

RON WYDEN  
United States Senator

DEBBIE STABENOW  
United States Senator

RICHARD J. DURBIN  
United States Senator

JEANNE SHAHEEN  
United States Senator

CHRIS VAN HOLLEN  
United States Senator

BRIAN SCHATZ  
United States Senator

CHRISTOPHER A. COONS  
United States Senator

TAMMY DUCKWORTH  
United States Senator

MARTIN HEINRICH  
United States Senator

GARY C. PETERS  
United States Senator
MAZIE K. HIRONO  
United States Senator

JOE MANCHIN III  
United States Senator

PATTY MURRAY  
United States Senator

ROBERT MENENDEZ  
United States Senator

MARK R. WARNER  
United States Senator

CATHERINE CORTEZ MASTO  
United States Senator

ROBERT P. CASEY, JR.  
United States Senator

JACKY ROSEN  
United States Senator

JEFFREY A. MERKLEY  
United States Senator

ELIZABETH WARREN  
United States Senator

EDWARD J. MARKEY  
United States Senator

SHELDON WHITEHOUSE  
United States Senator

SHERROD BROWN  
United States Senator

TOM UDALL  
United States Senator
KYRSTEN SINEMA
United States Senator

/s/

COREY A. BOOKER
United States Senator

/s/

MARIA CANTWELL
United States Senator

/s/

THOMAS R. CARPER
United States Senator