May 6, 2024

The Honorable Jack Reed  
Chairman  
Committee on Armed Services  
U.S. Senate  
Washington, D.C. 20510

The Honorable Roger Wicker  
Ranking Member  
Committee on Armed Services  
U.S. Senate  
Washington, D.C. 20510

The Honorable Mike Rogers  
Chairman  
Committee on Armed Services  
U.S. House of Representatives  
Washington, D.C. 20515

The Honorable Adam Smith  
Ranking Member  
Committee on Armed Services  
U.S. House of Representatives  
Washington, D.C. 20515

Dear Chairs and Ranking Members of the House and Senate Armed Services Committees,

We write regarding a deeply flawed legislative proposal put forward by the U.S. Air Force that would undermine our National Guard system. Legislative Proposal 480 (LP 480) overrides the longstanding tradition that requires the Department of Defense to acquire governor approval before transferring any National Guard units to another branch of the military.

The recently released proposal by the Air Force seeks to transfer members of the National Guard who perform space missions and designate them as “part-timers” under a full-time Space Force without regard to governor authority. In doing so, the Air Force intends to disregard portions of Section 104 of Title 32, which states that no change in the branch, organization, or allotment of a unit can be made without the approval of its Governor, and Section 18238 of Title 10, which places limitations on the relocation of Army and Air National Guard units without the consent of the Governor. Advancing LP 480 would negate that policy and require statutory changes, presumably through the Fiscal Year 2025 National Defense Authorization Act.

Congress established the National Guard as a “ready” reserve force serving in all 50 states and U.S. territories. Today’s Guardsmen and women hold civilian jobs while maintaining their military readiness to respond to domestic emergencies like health emergencies, civil unrest, or national disasters in the state they’re serving. They also maintain their operational reserve status for national security missions. This dual mission is essential to the founding purpose of the National Guard.

**To be clear: when individuals sign up for the National Guard, they are serving their country and their community. Congress shouldn’t abandon this model.**

The original intent of the National Guard was to have a force ready to respond to the needs of their state and country. Because of this, authority was placed in the hands of each state’s individual governor. This is more than a matter of governance; governors bear the responsibility to protect the safety of their citizens by maintaining the readiness and deployability of their National Guard units. Governors have a responsibility to those Guardsmen and women who voluntarily join the National Guard branch and state of their choosing. LP 480 undermines the choice made by these men and women.

Congress has a duty to maintain the integrity and longstanding tradition of the National Guard, and a proposal of this magnitude threatens to undo over 120 years of precedent. We recognize the Air Force is
evolving to address future threats, but there are other options available to the Air Force to accomplish this evolution that don’t undo an important foundation of our state National Guard system established by Congress.

We urge the House and Senate Armed Services Committees to reject the inclusion of Legislative Proposal 480 in the FY2025 NDAA.

Sincerely,

Jason Crow  
Member of Congress

Joe Wilson  
Member of Congress

Michael F. Bennet  
United States Senator

John Hickenlooper  
United States Senator

Marco Rubio  
U.S. Senator

Yadira Caraveo, M.D.  
Member of Congress

Brittany Petterson  
Member of Congress

Burgess Owens  
Member of Congress
Neal P. Dunn, M.D.
Member of Congress

Mark Alfords
Member of Congress

Jeff Duncan
Member of Congress

Lindsey O. Graham
United States Senator

Max L. Miller
Member of Congress

Blake D. Moore
Member of Congress

Carol D. Miller
Member of Congress

Ilhan Omar
Member of Congress

Brad R. Wenstrup, D.P.M.
Member of Congress

John R. Curtis
Member of Congress
Alex Padilla
United States Senator

Joe Courtney
Member of Congress

Don Bacon
Member of Congress

Andy Kim
Member of Congress

Morgan Luttrell
Member of Congress

John Hoeven
United States Senator

John Barrasso
United States Senator