
APPOINTED BY THE PRESIDENT OF THE UNITED STATES

April 22, 2024

The Honorable Lloyd J. Austin III
Secretary
U.S. Department of Defense
1000 Defense Pentagon
Washington, DC 20301-1000

Dear Secretary Austin:

The members of the Council of Governors write to request that the Department of Defense (“the Department”) retract Legislative Proposal 480 (LP 480). We are deeply disappointed by LP 480 for a variety of reasons.

First, it disregards Section 104 of Title 32, United States Code and Section 18238 of Title 10, United States Code. These laws exist to ensure that United States governors, who are duly elected by the people of their states, have a voice in the organization of the National Guard units for whom they are Commanders in Chief.

Second, LP 480 signals contempt toward the federal-state relationship broadly, and the Council of Governors specifically. The Council of Governors was established by federal [executive order](#), and by [federal law](#), to ensure governors have a method “to advise the Secretary of Defense...on matters related to the National Guard.”

As recently as February 2024, the Department [acknowledged](#) that the Council of Governors is “appointed by the President to exchange views, information, or advice with federal officials on homeland defense, the National Guard, civil support, and other matters of mutual interest to protect our nation and its people.” Yet, the Department did not consult the Council on LP 480. There has therefore been no exchange of views, information or advice on this matter. It came as a complete surprise to the nation’s governors.

This is particularly concerning because this proposal may have detrimental impacts on states and their National Guard units.

Such disregard for the role of governors in these matters also harms the federal-state relationship pertaining to the National Guard. Sidestepping the input of governors undermines readiness and impairs relationships.

In closing, the Council of Governors respectfully, and with the strongest terms, objects to the Department's proposal, LP 480. We ask that the Department of Defense immediately retract LP 480, then discuss the proposal with governors in a way consistent with federal law and respectful of the role of the Council.

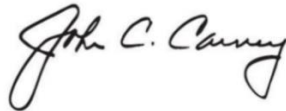
Sincerely,



Governor Tim Walz
Governor of Minnesota
Co-Chair



Governor Phil Scott
Governor of Vermont
Co-Chair



Governor John Carney
Governor of Delaware



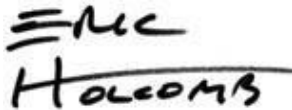
Governor Gretchen Whitmer
Governor of Michigan



Governor Brad Little
Governor of Idaho



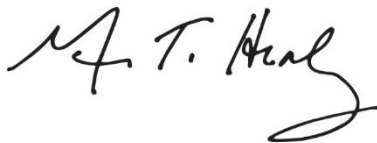
Governor Michelle Lujan Grisham
Governor of New Mexico



Governor Eric Holcomb
Governor of Indiana



Governor Henry McMaster
Governor of South Carolina



Governor Maura Healey
Governor of Massachusetts



Governor Mark Gordon
Governor of Wyoming