

TESTIMONY of
Major General Timothy J. Lowenberg
The Adjutant General, Washington National Guard
and
Director, Washington Military Department

BEFORE THE

House Armed Services Subcommittee on Readiness
U.S. House of Representatives

*“Department of the Air Force aircraft force structure reductions
proposed in the 2013 President’s budget request”*

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TESTIMONY BY

MAJOR GENERAL TIMOTHY J. LOWENBERG THE ADJUTANT GENERAL, WASHINGTON NATIONAL GUARD

Good day, Mr. Chairman and distinguished members of the Committee. For the record, my name is Major General Tim Lowenberg. I am the Adjutant General of the State of Washington and Chair of Homeland Defense and Homeland Security of the Adjutants General Association of the United States (AGAUS).¹ I have served as Adjutant General since September 1999 and as AGAUS Chair of Homeland Defense and Homeland Security since February 2000. Adjutants General are Joint Forces Commanders of the Air and Army National Guard forces of their respective states. We are responsible for providing combat-ready units and trained and ready citizen-airmen and soldiers for federal military missions anywhere in the world and for state military missions as directed by our Governors. Every day for more than a decade, Air and Army National Guard forces from my command have been serving in a dozen or more operating locations, in nearly as many nations, throughout the world.

In addition to being a force provider for OCONUS Combatant Commanders via U.S. Air Force *Air Expeditionary Force* (AEF) and *Army Force Generation* (ARFORGEN) deployments, I provide cyber units and trained and ready cyber warriors for U.S. Cyber Command's domestic and transnational cyber operations. In the homeland, Chemical, Biological, Radiological and Nuclear (CBRN) task force elements stand ready to deploy at my order and under my continuing command in support of civil authorities throughout the United States, its territories and the District of Columbia. Washington's 10th Civil Support Team (a joint Air and Army team) was the first CST certified to Congress as fully operationally capable (FOC) and our FEMA Region X Homeland Response Force (HRF) (a joint Air and Army task force) was the second HRF in the nation to be certified FOC by the Chief of the National Guard Bureau and Commander of U.S. Northern Command. Since Air and Army National Guard units comprising the HRFs and other CBRN elements and task forces are not dedicated solely to homeland defense missions, Adjutants General assure their readiness through a continuous balancing of their homeland defense responsibilities and worldwide AEF and ARFORGEN missions.

In addition to Air and Army National Guard command responsibilities, Washington law designates the Adjutant General as the senior state emergency management official and vests in the Adjutant General responsibility to "administer the comprehensive emergency management program of the state of Washington" (RCW 38.52.005). The state's civilian emergency management director (the current President of the National Emergency Management Association – NEMA) is appointed by me and serves at my pleasure. As Adjutant General, I also oversee Washington's statewide Enhanced 911

¹ It should be noted that I appear before the Committee today in "State" status. Although I have served as an Air Force officer for more than 44 years, my testimony has not been reviewed or approved by anyone in the United States Air Force or the Department of Defense.

telecommunications system and am a voting member of the State Interoperability Executive Committee (SIEC). In addition, as the Governor's Homeland Security Advisor and State Administrative Agent (SAA) for the State of Washington, I am the Governor's agent for all matters pertaining to homeland defense and homeland security and oversee the administration of all Department of Homeland Security grant programs, including allocation and distribution of grant monies to all state agencies, cities, counties, tribal governments and private and non-profit organizations. In this capacity, I have dealt directly on a regular basis with each Secretary of the Department of Homeland Security (DHS) since creation of the Department.²

The Adjutants General of many other states and territories are vested with military commander, force provider, civilian emergency management, and homeland defense / homeland security responsibilities much like my own. In states in which National Guard, state emergency management, emergency telecommunications and homeland defense / homeland security functions are not merged under the operational control of The Adjutant General, my general officer counterparts work closely with senior state and federal colleagues to develop and sustain highly synchronized state civil-military emergency preparedness and response capabilities.

Finally, I've been privileged to work with leaders of the National Governors Association for more than a decade and to support the Council of Governors since its formation in 2010. Washington Governor Christine Gregoire has co-chaired the Council of Governors from its inception, and it has been my honor to work on her behalf and on behalf of all governors with senior Department of Defense, Air Force, Army, Homeland Security and White House officials on a wide range of military issues, including the Air Force FY13 budget request.

The responsibilities outlined herein are unique to Governors and Adjutants General. No federal military official has a comparable scope of operational responsibilities or direct engagement in as many aspects of our nation's military, homeland defense and homeland

²I have also been a member of the Executive Board of the Governors Homeland Security Advisors Council (GHSAC) since its formation and have twice served as the Council's national Chairman. I am also a co-founder and Tri-Chair of the National Homeland Security Consortium (NHSC), a coalition of the following national organizations and associations: National Governors Association; Adjutants General Association of the United States; American Public Works Association; Association of Public Safety Communications Officials; Association of State & Territorial Health Officials; Business Executives for National Security; Council of State Governments; Governors Homeland Security Advisors Council; International Association of Emergency Managers; International Association of Chiefs of Police; International Association of Fire Chiefs; International City/County Managers Association; Major City Chiefs Association; National Association of Counties; National Association of County & City Health Officials; National Association of State Departments of Agriculture; National Association of State Emergency Medical Services Officials; National Conference of State Legislatures; National Emergency Management Association; National League of Cities; National Sheriffs Association; Naval Postgraduate School; Urban Area Security Cities; and the U.S. Chamber of Commerce.

security activities. Governors and Adjutants General therefore have unique insights into force structure, manpower and resource requirements that would be of immeasurable benefit to Air Force officials in their preparation of Department of the Air Force budget requests.

The Committee has asked me to provide information about “budget negotiations that occurred between the Council of Governors and the Air Force; impacts associated with the proposed congressional direction included in the fiscal year 2013 National Defense Authorization Act; the Secretary of Defense’s decision to freeze all force structure movements in fiscal year 2012 and any subsequent impacts associated with this decision.” In order to understand what exchanges of information and views have *or have not* occurred between Air Force and State officials concerning Air Force year of execution (FY2012) and fiscal year 2013 budget actions, federal laws and policies requiring the exchange of such information and views must be acknowledged and understood.

Statutory Requirements

Federal law has long mandated that “no change in the branch, organization, or allotment of a [National Guard] unit located entirely within a State may be made without the approval of its governor.”³ The statute was affirmed in litigation between the State of Pennsylvania and the Air Force in Rendell v. Rumsfeld, 484 F3d 236 (2007).

Since 1956, the statutory charter of the National Guard Bureau has also clearly stated: “The National Guard Bureau is the *channel of communications* on all matters pertaining to the National Guard of the United States, the Army National Guard of the United States, and the Air National Guard of the United States between (1) the Department of the Army and the Department of the Air Force, and (2) the several States.”⁴

In 2008, Congress took additional action to direct communication and the exchange of views and information between the Departments of the Air Force and Army and the several States. Section 1822 of the FY2008 National Defense Authorization Act mandates: “The President shall establish a bipartisan Council of Governors to advise the Secretary of Defense, the Secretary of Homeland Security, and the White House Homeland Security Council on matters related to the National Guard and civil support missions.”⁵

If Congress had intended to limit Council of Governors communications to “National Guard civil support missions” it could and presumably would have said so. Instead, it created a Council of Governors to advise national security authorities “on matters related to the National Guard *and* civil support missions.”

³ 32 USC 104(c) [textual context added]

⁴ 10 USC 10501(b) (emphasis added); See also, paragraphs 4 and 5, DODD 5105-77 (21 May 2008).

⁵ 2008 NDAA, Section 1822: *Council of Governors* - H.R. 4986 (110th Congress) (signed by the President - January 28, 2008)

In December 2011, Congress also elevated the Chief of the National Guard Bureau to full membership on the Joint Chiefs of Staff. Enactment of this legislation made the Chief of the National Guard (General Craig McKinley) a military advisor “to the President, the National Security Council, the Homeland Security Council and the Secretary of Defense.”⁶ Members of the Joint Chiefs of Staff, including the Chief of the National Guard Bureau, are responsible for determining the extent to which programs and budgets conform to priorities and for submitting alternative program recommendations and budget proposals.⁷

Assuming *arguendo* that Air Force leaders didn’t anticipate the Chief of the National Guard Bureau’s addition to the Joint Chiefs of Staff as they built the Air Force FY13 budget, they were nevertheless well aware that the National Guard Bureau is the congressionally prescribed “channel of communications on all matters pertaining to the...Air National Guard of the United States... between the Department of the Air Force, and (2) the several states.”⁸

Policy requirements

President Obama implemented Congress’ call to establish the Council of Governors by issuing Presidential Executive Order 13528 (Jan. 11, 2010). His Executive Order further expanded the scope of Council of Governors functions, dialogue and interaction with the Secretary of Defense and other principal federal officials.⁹ The Executive Order begins with a clear statement of purpose (“In order to strengthen further the *partnership between the Federal Government and State governments* to protect our Nation and its people and property”) and specifies that the Council’s “views, information, or advice *shall* concern:

- (a) matters involving the National Guard of the various States;
- (b) *homeland defense*;
- (c) civil support;
- (d) *synchronization and integration of State and Federal military activities in the United States*: and
- (e) *other matters of mutual interest* pertaining to National Guard, homeland defense, and civil support activities.”¹⁰

The Executive Order provides for the President’s appointment of ten (10) Governors to serve as Council “Members”¹¹ and designates occupants of the following positions as federal participants: “the Secretary of Defense; the Secretary of Homeland Security; the Assistant to the President for Homeland Security and Counterterrorism; the Assistant to the President for Intergovernmental Affairs and Public Engagement; the Assistant Secretary of Defense for Homeland Defense and Americas’ Security Affairs; the

⁶10 USC 151, as amended by PL 112-81 (December 31, 2011)

⁷10 USC 153

⁸10 USC 10501(b)

⁹FY2008 NDAA, Section 1882 established the Council to “advise [designated federal officials] on matters pertaining to the National Guard and civil support missions.”

¹⁰Presidential Executive Order 13528, Preamble and Section 2 (emphasis added)

¹¹ *Id.*, Section 1(a); See Appendix A

Commander, United States Northern Command; the Chief, National Guard Bureau; the Commandant of the Coast Guard; and other appropriate officials of other executive departments or agencies as may be designated by the Secretary of Defense or the Secretary of Homeland Security.”¹²

The Executive Order further directs the Secretary of Defense to “provide the Council with information as may be necessary for the performance of the Council’s functions.”¹³

Pursuant to the federal laws and Presidential Executive Order cited above, the Council of Governors and its federal participants negotiated and adopted a *Statement of Principles* in 2010 agreeing, *inter alia*, that:

- “Federal proposals for changing federal laws, regulations or policies affecting the National Guard or military operations in support of State and local domestic civil authorities will be discussed and views and information exchanged with the Council of Governors *in advance* of formally requesting, submitting or implementing any such change.
- Federal resource allocation or reallocation proposals that would impact the National Guard or military operations in support of domestic civil authorities will be discussed and views and information exchanged with the Council of Governors *in advance* of formally requesting, submitting or implementing any such federal resource allocation or reallocation action.”¹⁴

Non-Compliance with Federal Law and Executive Order Requirements

The Air Force FY13 budget request violates the statutory prohibition against changing the organization or allotment of an Air National Guard unit located entirely within a State without the approval of the Governor.¹⁵ The FY13 budget package is replete with numerous transfers of missions of ANG single-state units to the active Air Force, transfers of missions of ANG single-state units from state to state and the outright elimination of ANG single-state units and missions, none of which were discussed with or submitted for the review and approval of the Governor of any affected state or territory.

Even after the Governors wrote to Secretary Panetta objecting to the Air Force FY13 budget request¹⁶ and the Adjutants General of all states and territories wrote to House and Senate authorization and appropriation committee members voicing similar objections,¹⁷ Air Force leaders made no effort to confer with any affected Governor or to

¹² Id., Section 2

¹³ Id., Section 3(d)

¹⁴ See Appendix B to this Statement for the Record; (emphasis added)

¹⁵ *Infra*, 32 USC 104(c)

¹⁶ NGA letter to Secretary Panetta, February 26, 2012 – see Appendix C

¹⁷ AGAUS letter to House and Senate Armed Services Committees, February 27, 2012 – see Appendix D

otherwise attempt compliance with 32 USC 104(c). Nor did Air Force leaders or anyone in the Department of Defense provide any information to Governors about the Air Force FY13 budget proposals prior to submitting such proposals to Congress even though such information was clearly “necessary for the performance of the Council’s functions.”¹⁸

Despite the National Guard Bureau’s role as the statutory “channel of communications” on all National Guard matters between the Department of the Air Force and the several States and territories, Air Force officials also required the Director of the Air National Guard and his subordinates to sign Non-Disclosure Agreements (NDA) as a condition- precedent to participating in Air Force FY13 budget meetings. The Chief of the National Guard Bureau was even required to sign a pledge of non-disclosure as a condition of receiving any information about the Air Force budget. These actions by Air Force leaders prohibited National Guard Bureau officials from discussing Air Force budget plans with State officials and effectively required NGB officials to swear under oath that they wouldn’t carry out their statutory “channel of communications” responsibilities.

Non-Compliance with Policy Commitments

As previously noted, Executive Order 13528 grants authority to the Secretary of Defense and the Secretary of Homeland Security to designate federal officials to participate in Council of Governors activities even though their office or position is not named in the Executive Order. Pursuant to this delegation of authority, Secretary of Homeland Security Janet Napolitano has assured the attendance and participation of FEMA Administrator Craig Fugate (an office not named in the Presidential Executive Order) in all meetings of the Council. Mr. Fugate’s participation has been extremely helpful to the Governors and all other federal and state participants.

At the March 1, 2011 meeting of the Council of Governors, the Council Co-Chairs asked Secretary Robert Gates to assure the attendance of the Secretaries and Chiefs of Staff of the Air Force and Army at all future Council meetings. In making the request, they emphasized the attendance of the Secretaries and Chiefs of Staff were essential to fulfill the federal government’s pledge to consult with the Council of Governors *in advance* on matters pertaining to the National Guard.¹⁹ Secretary Gates and Admiral Mike Mullen (Chairman, JCS) agreed to the Governors’ request during the March 1, 2011 meeting.

The first time Air Force leadership attended a Council meeting following Secretary Gates’ March 1, 2011 commitment was February 27, 2012 – *after* most of the Air Force FY13 budget details had been submitted to Congress. Even then, Secretary Donley and General Schwartz acknowledged only proposals that would transfer or re-mission Air National Guard flying units and did not share information about planned ANG personnel reductions and state-specific plans for elimination of ANG non-flying units.

¹⁸ *Infra.*, Presidential Executive Order 13528, Section 3(d)

¹⁹ *Infra.*, See Appendix A to this Statement for the Record

Notwithstanding the requirements of federal law, Presidential Executive Order 13528 and policy commitments by the Secretary of Defense and White House officials, Air Force leaders prepared their FY13 ANG budget proposals behind closed doors with no communication or consultation with the nation's Governors or Adjutants General.

Actions Leading Up to Subsequent State-Federal Meetings on the Air Force FY13 Budget

In mid-February 2012, Adjutants General and Governors began reading and hearing statements in open media sources about the Air Force FY13 budget that had not yet been submitted to Congress. Statements attributed to the Chief of Staff of the Air Force and other senior leaders inferred there would be significant force structure and manpower reductions in the Air Force FY13 budget. In at least one instance, Air Force Reserve officials announced ANG unit changes in Oklahoma that had not been briefed to the Governor or Adjutant General of Oklahoma. When State officials sought clarification from the National Guard Bureau, they were reminded that NGB officials were subject to Non-Disclosure Agreements and could not disclose information about the Air Force FY13 budget or Air National Guard portions of the budget until they had been submitted to Congress.

As Governors and Adjutants General arrived in Washington, DC on Friday, February 24, 2012 for National Governors Association (NGA) and Adjutants General Association of the U.S. (AGAUS) mid-winter meetings and for a separately scheduled Council of Governors meeting on Monday, February 27, 2012, there was a great deal of speculation about the Air Force FY13 budget proposals but no new information from any federal source. Upon arrival in Washington, DC, I was informed that Air Force leadership wanted to meet early Sunday morning, February 26, 2012, with a handful of senior Adjutants General. I was one of the Adjutants General invited by name to participate in the meeting.

Secretary Donley opened the meeting by telling us the Air Force had been working the FY13 budget for over a year and they remained actively "engaged on the Hill." Without going into detail, he generally described Air Force decisions to (1) divest Air Force airlift capacity based on projected Army end strength reductions; (2) terminate the Air Force C-27 program in its entirety, and (3) reduce the number of A-10 units and aircraft. He said there had been no effort to match or retain manpower for Air National Guard units that would lose C-27 missions and if they were back-filled by MC-12 aircraft or other weapons systems there would still be substantial manpower reductions. He also said, without elaboration, that the Air Force FY13 budget would "require rebalancing between states." He concluded his opening remarks by acknowledging that thirty-three (33) states would be affected by equipment losses and "all 54 states will be impacted by manpower losses" but shared no additional information.

General Schwartz spoke following Secretary Donley and said the Air Force had been downsized when the Cold War ended in the early 90's and it was now the Guard's "turn."

He said the Air Force budget would result in the loss of 5,900 manpower positions in the Air National Guard plus significant “movement of aircraft from state to state.” He also acknowledged that manpower reductions for the Air National Guard would be about six times the per capita reductions for the active Air Force but asserted that was because “the active Air Force is as small as we can ever possibly be.” When questioned about how manpower reductions would be carried out in the active Air Force compared to the Air National Guard, he acknowledged that active Air Force personnel reductions would take place gradually over a five (5) year period but 93% or more of all ANG personnel cuts would take place all within FY13. In response to further questions, he also acknowledged that if Congress failed to enact a FY13 defense budget and Defense Department operations were funded by a continuing resolution, all Air National Guard manpower reductions would have to be executed in the first six (6) months of FY13. When we pointed out that the budget he and Secretary Donley had described to us disregarded the significant cost efficiencies and operational experience of the Air National Guard, General Schwartz replied, that although cost efficiencies are important, other factors are even more important.

Following the meeting, my colleagues and I briefed the other Adjutants General and updated Governors who were in their own mid-winter meeting across town. Before the end of the day, we received a copy of a letter that would later be signed by forty-nine (49) Governors to Secretary Panetta opposing what the Governors described as “disproportionate” Air National Guard budget and manpower cuts. The Governors’ letter concluded by requesting that “the Department of Defense reconsider any proposed Air Guard force or equipment reductions and that you work with the governors to fashion solutions that best serve the interests of this nation.”²⁰

In addition to the Governors’ letter, on February 27, 2012, the nation’s Adjutants General sent a letter to the Chairmen and Ranking Members of the House and Senate Armed Services Committees urging Congress “to delay implementation of the AF Fiscal 13 Budget proposal until proper review by the Congress.” Our letter concluded, “A disciplined, objective, analysis-based process is needed as we make irrevocable choices about how to assure America’s security at home and abroad.”²¹

At the Council of Governors meeting at the Pentagon the afternoon of February 27, Co-Chair Governors Chris Gregoire (D-WA) and Terry Branstad (R-IA) hand-delivered the Governors’ letter²² to Secretary Panetta and asked him to enter into a dialogue with Governors to reconsider proposed Air National Guard cuts.

In the discussion that followed, Council of Governors members made it clear they felt the Army had dealt fairly and forthrightly with the States in preparation of the Army FY13 budget and told the Secretary their quarrel was strictly with the Air Force. They made specific reference to the parties’ Statement of Principles and the federal participants’

²⁰ NGA letter to Secretary Panetta, February 26, 2012; see Appendix C

²¹ AGAUS letters to the House and Senate Armed Services Committees, February 27, 2012; see Appendices D and E

²² *Infra.*, footnote 20

pledge to meet and exchange views and information with the Council before requesting, submitting or implementing actions involving allocation or reallocation of federal resources. They also criticized the Air Force use of Non-Disclosure Agreements (the Army did not require such agreements) and the resultant “closed door” manner in which the Air Force had prepared its budget.

Secretary Panetta acknowledged that time was limited, but he directed the Air Force Secretary and Chief of Staff to meet with Council of Governors’ representatives to review and reconsider the Air Force FY13 budget request.

Subsequent Council of Governors–Air Force Meetings on the Air Force FY13 Budget

Following the February 27 Council meeting, Council Co-Chair Governors Gregoire and Branstad directed Major General Tim Orr (TAG-IA) and me to prepare an alternative ANG budget concept that could be discussed with Air Force leaders as a way of initiating the requested negotiations.

Before close of business on Friday, March 1, 2012 (four days after the Council of Governors meeting), Council representatives had prepared an alternative ANG FY13 budget concept and presented it to Air Force leaders through the National Guard Bureau. It is important to note that the budget concept included several assumptions that were not ideal for states, but that had been identified by the Air Force as necessary for any alternative proposal. In addition, the timeline did not allow for review by all states – a practice the Council prefers to observe for major negotiations.

Headquarters Air Force and Air National Guard Directorate staffs worked together through the weekend to review the alternative concept package, but were unable to agree on cost criteria. Both staffs acknowledged that the package would restore or preserve ANG flying missions in up to nine (9) states and rebalance the force structure reductions of the active duty Air Force and Air National Guard from 1.2% and 5.1% to 1.9% and 1.8% respectively. As acknowledged to us in the first of four subsequent meetings, the National Guard Bureau’s analysis showed that in addition to restoring ANG force structure and manpower positions, the Council package would generate a net savings to the Air Force of approximately \$700 million compared to its FY13 budget request. The Air Force staff analysis, on the other hand, was that the Council proposal would increase net costs by approximately \$284 million.

The following provides an overview of the four meetings conducted between Council representatives and Air Force leadership:

First Meeting (March 6, 2012): The first of four meetings focused primarily on questions and responses concerning various aspects of the Council concept package and the Air Force FY13 budget proposal and its underlying planning assumptions. Air Force budget officers had assumed, for example, a steady-state requirement for overseas combat air forces (CAF) (i.e., fighter aircraft) in the post-surge FY13-17 period that

would be 42% higher than the greatest number of CAF needed in simultaneous operations in Iraq and Afghanistan and more than 68% higher than the number of CAF aircraft currently deployed overseas. No one at the meeting could explain or justify the CAF planning assumption. National Guard Bureau officials discussed ways to cover CAF overseas steady-state requirements from overseas bases and from CONUS installations through greater use of Air National Guard resources. The session concluded with an agreement to meet again three days later.

Second Meeting (March 9, 2012): Early in the second meeting, Secretary Donley and General Schwartz declared the Council's alternative proposal to be unacceptable. The discussion then shifted to a presentation of what were described as "Excursions" (i.e. variations on the Air Force and Council of Governors proposals) the Air Staff had internally developed and rejected. The "Excursions" had not been shown to NGB staff, MG Orr or me prior to the meeting and weren't presented as options for consideration. It was simply a discourse on alternatives internally considered and rejected by the Air Staff.

The meeting ended with Air Force officials asking MG Orr and me if governors would be interested in acquiring more military airlift assets. I responded by saying we didn't have speaking authority to answer their question and would need specific details to present to governors for their consideration. I pointed out, however, that the Air Force had shifted a substantial percentage of ANG airlift assets to the active Air Force in BRAC2005 and that restoration of ANG mobility air forces (MAF) would be good for domestic security and save the Air Force a great deal of money. I explained how states pay to utilize ANG unit-assigned aircraft in domestic emergencies and pointed out that the States and other federal agencies become the primary bill payers for such use rather than the Air Force as long as the assets are assigned to the Air National Guard. The meeting concluded with an agreement to meet again the following Tuesday.

Third Meeting (March 13, 2012): The third meeting focused on a new Air Force proposal to transfer twenty-four (24) C-130 aircraft to the ANG. Since the proposal had not been coordinated with the National Guard Bureau or shown to MG Orr or me before the meeting, the ensuing discussion was almost entirely between the Air Force and National Guard Bureau senior leaders. Most of the discussion focused on Air Force leadership's insistence that the National Guard Bureau pay the cost of the proposed C-130 transfer by reprogramming funds from the National Guard and Reserve Equipment Account (NGREA) and that NGB bear the principal brunt of preserving related ANG manpower. National Guard Bureau leadership explained that paying such costs out of NGREA would be contrary to the purpose of NGREA and would violate congressional intent. They also explained that NGREA is for urgent year-of-execution equipment requirements and couldn't serve as a predictable fund source for sustained weapons system costs. Although the discussion between Title 10 leaders was animated and inconclusive, they asked MG Orr and me to take the Air Force proposal to Governors and Adjutants General and let Air Force and National Guard Bureau staffs work on ways to implement it.

Fourth and Final Meeting (March 19, 2012): At the direction of the Council Co-Chairs, MG Orr and I conducted national teleconferences with Adjutants General and governors' policy advisors on Friday, March 16, and Monday, March 19, 2012. We conferred separately with the Council Co-Chairs after each of the teleconferences. After receiving guidance and direction from the Governors, we met a fourth and final time with Air Force leaders later in the day on March 19.

During the meeting, I informed Air Force leaders that TAGs and other state officials continued to oppose the disproportionate FY13 ANG force structure and budget cuts and were distrustful of the C-130 proposal. I explained that they were insistent on more evenly sharing the burden of force structure and manpower reductions. I then asked about the source(s) of the proposed C-130 transfers and was informed they were aircraft the Air Force was sending to the bone-yard. MG Orr asked about their airworthiness. No one had an answer beyond assuring us that the Air Force would find a way to address any flight safety problems. I pointed out that even if the package was acceptable to Governors there was no assurance of funding beyond a FY13 "deal" and funding could be withdrawn for the C-130s and other Guard force structure as early as the FY14 budget.

The meeting concluded with MG Orr and me explaining that the Co-Chairs had instructed us to reject the so-called "C-130" alternative, as had other Governors' advisors, and that given the additional details revealed in this meeting, we didn't see any way to generate interest in the proposal.

Post-Meeting Contacts: On Friday, March 23, 2012 Secretary Donley, General Schwartz and General McKinley placed a conference call to Governors Gregoire and Branstad. The call did not produce any results, new information or indication of what the Air Force would do next.

Receiving no further contact from any DoD representative following the late Friday phone call, Governors Gregoire and Branstad wrote Deputy Secretary of Defense Ashton Carter on March 29, 2012 asking about the timing of further DoD review of the FY13 budget.²³ Deputy Secretary Carter replied on or about April 4, 2012 saying Secretary Panetta was taking the matter under advisement.²⁴

Three weeks later, Secretary Panetta wrote letters to the Chairmen of the House and Senate Armed Services and Appropriations Committees and forwarded a copy of his congressional correspondence to Governors Gregoire and Branstad. In his letter to Congressional leaders he submitted the same Air Force C-130 proposal that had been rejected by Governors.²⁵ In his cover letters to the Council Co-Chairs, he said he had asked his team "to establish a sustained practice with the Council of Governors to

²³ Letter to Deputy Secretary Carter, March 29, 2012; see Appendix F

²⁴ Undated letters to Governors Gregoire and Branstad; see Appendix G

²⁵ Letters to Chairmen Young, Rogers and McKeon and Senate Chairmen Levin and Inouye, April 23, 2012; see Appendix H

exchange views, information, and advice” and hoped to “have such a process in place as DoD develops its plans and priorities for FY14.”²⁶

Four days later, Governors Heineman, Markell, Branstad and Gregoire wrote to the Chairmen and Ranking Members of the House and Senate Committees on Armed Services and Appropriations. Speaking on behalf of the National Governors Association and the Council of Governors, they urged that until a process of collaborative engagement with governors could be put in place, “that Congress sustain FY12 funding, manpower and aircraft levels for the ANG for FY13.”²⁷

Aside from the March 23, 2012 phone call from Secretary Donley, General Schwartz and General McKinley to Governors Gregoire and Branstad, there has been no communication or outreach of any kind by any Air Force official to Governors or their representatives since the fourth and final meeting of the parties on March 19, 2012. Despite our best efforts to work with the Air Force, after less than two hours of discussion, Governors’ requests were declared to be totally “unacceptable” and after the four meetings described above all communications with Governors and their representatives ceased despite public statements to the contrary. During this same period, the Air Force developed its FY14 budget in the same closed-door manner as the FY13 request that is now before Congress.

Impacts associated with the proposed congressional direction included in the fiscal year 2013 National Defense Authorization Act and the Secretary’s decision to freeze all force structure movements in fiscal year 2012:

House and Senate provisions sustaining FY12 funding, manpower and aircraft levels for the ANG for FY13 are essential to prevent irreversible damage to the Air National Guard. Both the House-passed FY2013 NDAA and the FY2013 NDAA reported by the Senate Armed Services Committee reject Air National Guard force structure adjustments proposed in the Air Force FY13 budget request and authorize an additional \$1.4 billion to cover the cost of deferring Air Force projected cost savings. This bipartisan congressional intervention is precisely what the nation’s Governors and other elected officials have requested in the months since all forms of communication were terminated by the Air Force.

Secretary Panetta’s June 22, 2012 commitment²⁸ to congressional leaders affirming there will be no implementation of proposed FY13 force structure changes until further action by Congress and directing the Air Force “to suspend aircraft transfers and retirements previously scheduled for implementation in FY 2012” is also a welcome strategic pause.

²⁶ Letters to Governors Gregoire and Branstad, April 23, 2014; see Appendix I. It should be noted that preparation of the FY14 Air Force budget had already been underway since January 2012 and will conclude prior to the July 15, 2012 Council of Governors meeting.

²⁷ Letters to Congressmen McKeon, Smith, Cochran, Rogers, Dicks and Young and Senators Levin, McCain and Inouye, April 27, 2012; see Appendix I

²⁸ Letters to Chairmen Young, McKeon, Inouye and Levin, June 22, 2012; see Appendix K

Most welcome of all is the Senate Armed Services Committee's proposed Commission on the Structure of the Air Force. Governors consider an independent review of Air Force organizational structure and strategic planning and budget processes essential in light of Air Force insistence on developing its FY13 and FY14 budgets behind closed doors and its pursuit of major changes in the balance and composition of its active and reserve components.

These policy issues are as or more important than any Congress has dealt with since the Air Force became a separate service. With the benefits of the Commission on the National Guard and Reserves still resonating throughout Congress and the Defense community, Governors and Adjutants General believe a Commission on the Structure of the Air Force would be of immeasurable assistance in dealing with current and future Air Force structural changes and budget proposals.

Opportunities for collaborative action:

Not all pending and unexecuted FY2010, 2011 and 2012 Air Force and Air National Guard force structure changes are or should be points of contention between the Air Force and the several States and territories. Many pending actions are supported by all interested parties. With that in mind, a process should be established to proceed with proposed FY2010, 2011, 2012 (and future FY2013 and FY2014) transactions that have the concurrence of all affected parties while Congress studies the Air Force FY2013 and FY2014 budget proposals and awaits the collective review and recommendations of the Commission on the Structure of the Air Force.

For example, I would recommend support for any as-yet-unexecuted FY2010, FY2011 or FY2012 Air National Guard force structure, mission or manpower changes that are approved by the Department of Defense, the Department of the Air Force, the National Guard Bureau and the Governor of each State affected by the proposed transaction. More specifically, I would recommend implementation of the proposed transfer of C-130s from the Tennessee Air National Guard to the Puerto Rico Air National Guard *provided* the transfer of equipment and all related arrangements are approved by the Department of Defense, the Department of the Air Force, the National Guard Bureau, Puerto Rico Governor Fortuño and Tennessee Governor Haslam. There are many other examples of uncontested Air Force and Air National Guard transactions and force structure proposals. Such matters can be coordinated with congressional staff and the concurrence of the Council of Governors and the Governors of all affected states can be documented in whatever manner is acceptable to Congress and all of the affected parties.

Conclusion

I thank the House Armed Services Subcommittee on Readiness for the opportunity to testify on behalf of the State of Washington and the Council of Governors. Governors and Adjutants General are affected daily by military operations at home and abroad. They care deeply about the future of our nation and the United States Air Force and are

committed to working with Air Force and DoD officials to preserve our nation's security throughout and beyond the 21st Century.

Appendix A

Presidential Documents

Title 3—

Executive Order 13528 of January 11, 2010

The President

Establishment of the Council of Governors

By the authority vested in me as President by the Constitution and the laws of the United States of America, including section 1822 of the National Defense Authorization Act of 2008 (Public Law 110–181), and in order to strengthen further the partnership between the Federal Government and State governments to protect our Nation and its people and property, it is hereby ordered as follows:

Section 1. Council of Governors.

(a) There is established a Council of Governors (Council). The Council shall consist of 10 State Governors appointed by the President (Members), of whom no more than five shall be of the same political party. The term of service for each Member appointed to serve on the Council shall be 2 years, but a Member may be reappointed for additional terms.

(b) The President shall designate two Members, who shall not be members of the same political party, to serve as Co-Chairs of the Council.

Sec. 2. Functions. The Council shall meet at the call of the Secretary of Defense or the Co-Chairs of the Council to exchange views, information, or advice with the Secretary of Defense; the Secretary of Homeland Security; the Assistant to the President for Homeland Security and Counterterrorism; the Assistant to the President for Intergovernmental Affairs and Public Engagement; the Assistant Secretary of Defense for Homeland Defense and Americas' Security Affairs; the Commander, United States Northern Command; the Chief, National Guard Bureau; the Commandant of the Coast Guard; and other appropriate officials of the Department of Homeland Security and the Department of Defense, and appropriate officials of other executive departments or agencies as may be designated by the Secretary of Defense or the Secretary of Homeland Security. Such views, information, or advice shall concern:

(a) matters involving the National Guard of the various States;

(b) homeland defense;

(c) civil support;

(d) synchronization and integration of State and Federal military activities in the United States; and

(e) other matters of mutual interest pertaining to National Guard, homeland defense, and civil support activities.

Sec. 3. Administration.

(a) The Secretary of Defense shall designate an Executive Director to coordinate the work of the Council.

(b) Members shall serve without compensation for their work on the Council. However, Members shall be allowed travel expenses, including per diem in lieu of subsistence, as authorized by law.

(c) Upon the joint request of the Co-Chairs of the Council, the Secretary of Defense shall, to the extent permitted by law and subject to the availability of appropriations, provide the Council with administrative support, assignment or detail of personnel, and information as may be necessary for the performance of the Council's functions.

(d) The Council may establish subcommittees of the Council. These subcommittees shall consist exclusively of Members of the Council and any

designated employees of a Member with authority to act on the Member's behalf, as appropriate to aid the Council in carrying out its functions under this order.

(e) The Council may establish a charter that is consistent with the terms of this order to refine further its purpose, scope, and objectives and to allocate duties, as appropriate, among members.

Sec. 4. Definitions. As used in this order:

(a) the term "State" has the meaning provided in paragraph (15) of section 2 of the Homeland Security Act of 2002 (6 U.S.C. 101(15)); and

(b) the term "Governor" has the meaning provided in paragraph (5) of section 102 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122(5)).

Sec. 5. General Provisions.

(a) Nothing in this order shall be construed to impair or otherwise affect:

(1) the authority granted by law to a department, agency, or the head thereof; or

(2) functions of the Director of the Office of Management and Budget relating to budgetary, administrative, or legislative proposals.

(b) This order shall be implemented consistent with applicable law and subject to the availability of appropriations.

(c) This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.



THE WHITE HOUSE,
January 11, 2010.

Appendix B

STATEMENT OF PRINCIPLES

The Council of Governors and its federal participants (i.e., the Federal officials identified in Executive Order 13528 and officials of other Federal executive departments or agencies as may be designated by the Secretary of Defense or the Secretary of Homeland Security) adopt the following Statement of Principles to guide development of protocols concerning military assistance to domestic civil authorities (MSCA) in emergency response operations and other military and National Guard matters falling within the scope of Section 1822 of the National Defense Authorization Act of 2008 and the associated Executive Order issued by President Obama on January 11, 2010. The principles set forth herein form a framework for achieving desired effects concerning MSCA and other military-related issues, regardless of military service or service component.

In adopting this Statement of Principles, the Council and its federal participants agree that:

- The principles assume existing federal and state constitutions and statutes, including all express and implied emergency powers of the President and Governors and the heads of Federal departments and agencies remain in full force and effect;
- The principles are intended to be consistent with existing Presidential Directives, the National Response Framework, the National Incident Management System, the National Incident Command System and the Stafford Act, the Post-Katrina Emergency Management Reform Act, and other applicable laws and policies;
- The principles are intended to be compatible with the existing Federal process in which requests for Federal assistance are “requirements-based” and appropriate Federal authorities ultimately determine the Federal resources to be provided in support of state and local authorities;
- The principles are intended to be consistent with the Emergency Management Assistance Compact (EMAC) and other interstate mutual assistance agreements, such as the Pacific Northwest Emergency Management Accord (PNEMA), which facilitate the provision of resources, including National Guard personnel and equipment, from one or more supporting states to a supported state or states;
- Issues in all Council working groups will be actively addressed concurrent with discussions on military support to civil authorities;
- Federal proposals for changing federal laws, regulations or policies affecting the National Guard or military operations in support of State and local domestic civil authorities will be discussed and views and information exchanged with the Council of Governors *in advance* of formally requesting, submitting or implementing any such change.
- Federal resource allocation or reallocation proposals that would impact the National Guard or military operations in support of domestic civil authorities will be discussed and views and information exchanged with the Council of Governors *in advance* of formally requesting, submitting or implementing any such federal resource allocation or reallocation action. Terms such as “military force”, “military response”, “military assistance” and similar phrases in the Statement of Principles are intended to refer to domestic military activities authorized by appropriate civilian authorities as part of a broader, civilian-directed emergency response.

Consistent with the foregoing agreements, the Council and its federal partners adopt the following Statement of Principles:

- When an emergency event occurs in any area subject to the laws of any state, territory or the District of Columbia (hereinafter a “state”), the Governor of the State affected will normally be the principal supported civil authority and the Adjutant General of the state or his/her subordinate designee will be the principal supported military authority. All military authorities, regardless of service or service component, are supporting entities for purposes of operations within the area(s) governed by state civil and criminal jurisdiction;
- When an emergency event occurs in any area subject to exclusive federal jurisdiction (e.g., a military installation over which there is exclusive federal jurisdiction), the President will normally be the principal supported civil authority and the Commander of U.S. Northern Command, U.S. Pacific Command or U.S. Southern Command, as appropriate, or his/her subordinate designee will be the principal supported military authority. All military authorities, regardless of service or service component, are supporting entities for purposes of operations within the area governed by exclusive federal civil and criminal jurisdiction;
- The parties acknowledge the need to cooperatively develop protocols for determining the appropriate principal supported civil authority and the appropriate principal supported military authority for emergency events that occur in any area subject to concurrent State and Federal jurisdiction;
- Arrangements for ensuring unity of effort by military forces, should be collaboratively developed and mutually agreed to by the Council and its Federal participants to reflect and reinforce these supported and supporting relationships;
- The objective of such arrangements is to integrate military assistance into the domestic emergency response as quickly, appropriately and effectively as possible. This should be accomplished by:
 - a. Developing a pre-arranged set of emergency response protocols that will avoid waiting until an event to determine how military forces will be integrated;
 - b. Ensuring that end-state military response protocols are scalable and capable of addressing an event within a single state as well as multi-state events of regional or national magnitude;
 - c. Ensuring that end-state military response protocols address responses to all incidents, including Weapons of Mass Destruction (WMD) events as well as natural disasters;
- The Council and its Federal participants should also develop procedures for the exchange of State and Federal military capabilities information and operations plans, including likely State requests for Federal military assistance. This should include:
 - a. Collaborative development of pre-scripted State and Federal mission assignments to speed the delivery of requested military assistance;
 - b. Alignment of arrangements for integrating supported and supporting military responses through a single standardized protocol or national system designed to encompass all

State and Federal partners, as opposed to individual agreements between each State and DoD, DHS or other federal agency(ies), and tied to a national exercise program;

- c. Development of a uniform set of data (i.e. a common operating picture) to communicate the availability and capability of military units in each State and region to support domestic civil authorities if requested and as tasked by appropriate military authorities.

Appendix C



Dave Heineman
Governor of Nebraska
Chair

Jack Markell
Governor of Delaware
Vice Chair

Dan Crippen
Executive Director

February 26, 2012

The Honorable Leon Panetta
Secretary
U.S. Department of Defense
The Pentagon
Washington, D.C. 20301

Dear Secretary Panetta:

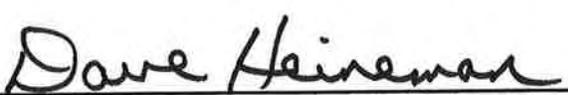
We, the nation's governors, strongly oppose the disproportionate cuts facing the Air National Guard as part of the U.S. Air Force's fiscal 2013 budget request.

Over the past decade our National Guard has evolved into a cost-effective operational force that is critical to our national security and our ability to respond to domestic emergencies. The Air Guard provides 35 percent of the U.S. Air Force's capability for six percent of the budget. It performs a variety of domestic missions, including transporting vital personnel, equipment and supplies during emergencies and assisting in daily drug interdiction operations.

As Commanders-in-Chief, we appreciate the need to reorganize, restructure and modernize the military to meet new threats and economic realities. We also understand the need for cost-effective means to achieve these goals. Given these realities, we must oppose the proposal that the Air National Guard absorb 59 percent of the total aircraft budget reductions and approximately six times the per capita personnel reductions.

Governors are extremely proud of the role that the National Guard plays in protecting this nation and its citizens. The National Guard is a highly experienced and capable force and an essential state partner in responding to domestic disasters and emergencies. We respectfully request that the Department of Defense reconsider any proposed Air Guard force or equipment reductions and that you work with governors to fashion solutions that best serve the interests of this nation.

Sincerely,





Edmund Brown of Fair Haven, N.H.

Samuel Herbert M. Beebe

John

Robert Bentley

Mary Fallon

Robert Hall

John H. H. Coe

Sam J. H. H. H.

Paul R. H. H. H.

C. I. Clifton

John Malley Mark Dayton

Blignard Jack Daly

William John

Carl Ray Tomlin

James H. Brown Chris Greig

W. E. Daniels, Jr. Tony Brant

Phadon

Tom Platt

Danni Daynard

John Dally

Pat Quinn

John Dally

Neil Abernethy

Ben Parker

John Dally

John Dally

John Dally

John Dally

Rock Snyder

Devon Smith

Chris Hunt

Nathan Deal

W. P.

Ben Schmitt

John Roberts

Brian Harlan

Phil Bryant

John R. Lynch

Sean Powell

Appendix D



February 27, 2012

The Honorable Howard P. "Buck" McKeon
Chairman
House Committee on Armed Services
2120 Rayburn House Office Building
Washington, DC 20510

The Honorable Adam Smith
Ranking Member
House Committee on Armed Services
2120 Rayburn House Office Building
Washington, DC 20510

Dear Chairman McKeon and Ranking Member Smith:

We, the undersigned Adjutants General, applaud and strongly support the National Military Strategy recently announced by President Obama and Secretary of Defense Panetta. Our support for the Strategy is one of many reasons we write to express deep concerns with the Air Force's fiscal 2013 budget request.

Although we have been excluded from the Air Force budget process, Air Force Secretary Michael Donley and Air Force Chief of Staff Norton Schwartz asked eight (8) Adjutants General to meet with them yesterday morning (Sunday, February 26, 2012). The dialogue was respectful, comprehensive and candid. At the end of the meeting, our colleagues reaffirmed our concerns with the flawed processes, assumptions and criteria that produced the Air Force budget request. The undersigned therefore request your support for an immediate comprehensive and inclusive review of the Air Force submission. Implementation of the Air Force 2013 budget request should be frozen pending the results of an open and transparent review process.

It is counterintuitive that the Air National Guard, which comprises 21% of the uniformed members of the Total Air Force, would bear 59% of the total aircraft cuts and approximately six times the per capita personnel cuts, especially in light of our country's current and foreseeable fiscal posture. The Air National Guard has the highest experience levels in the total force, the lowest base operating expenses and by far the lowest life cycle costs (including lower retirement and medical costs). The Guard is the only military component that can serve the President and our Governors and the only component underwritten by shared state-federal cost arrangements.

America's air power is ultimately derived not from a stealth fighter but from the Airmen who serve. To program 93% of Air National Guard personnel cuts in the first year of the budget is a breach of faith with our members and fails to preserve the significant investment in combat experience that will be

discarded. Secretary Donley and General Schwartz acknowledged our concerns, but didn't reveal any concrete programs that would ameliorate the impact on our airmen.

We recognize that our nation is at a critical juncture. Although national security threats at home and abroad have not diminished, fiscal constraints are forcing decreases in Defense spending. The Department of Defense has been tasked with cutting at least \$487 billion in defense spending over the next 10 years and the Air Force has been called upon to reduce its individual service expenditures. We understand tough choices about military force structure must be made to secure our nation's future.

We ask you in your constitutional role to prevent Air National Guard cuts until the assumptions and analysis alluded to by Air Force officials are reviewed and confirmed. The analysis should include the results of Congressionally-directed studies currently underway that specifically focus on the proper force structure mix. We have asked the Air Force for more than three years to provide us a comprehensive long range plan for the Total Air Force and have not yet received a response. Our colleagues repeated the request in yesterday's meeting. Absent such a plan, it is reasonable to assume we will be in a continuous cycle of budget cuts that eliminate aircraft and personnel assigned to the Air National Guard by the Air Force.

We fully understand our country's financial challenges and pledge to work with you to find affordable and sustainable solutions that protect our national security. With all due respect, the Air Force budget submission fails to meet this test. We urge you to delay implementation of the AF Fiscal 13 Budget proposal until proper review by the Congress. A disciplined, objective, analysis-based process is needed as we make irrevocable choices about how to assure America's security at home and abroad.

Sincerely,
The Adjutants General



Perry Smith
Alabama



Thomas H. Katkus
Alaska



Hugo E. Salazar
Arizona



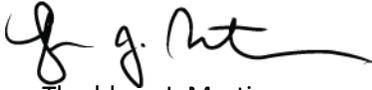
William D. Wofford
Arkansas



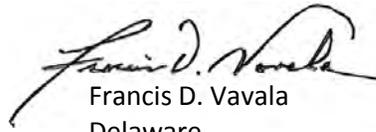
David S. Baldwin
California



H. Michael Edwards
Colorado



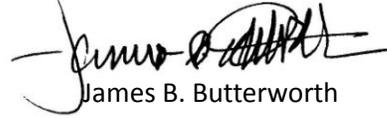
Thaddeus J. Martin
Connecticut



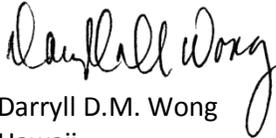
Francis D. Vavala
Delaware



Emmett R. Titshaw Jr.
Florida



James B. Butterworth
Georgia



Darryll D.M. Wong
Hawaii



Gary L. Sayler
Idaho



William L. Enyart, JR
Illinois



R. Martin Umbarger
Indiana



Timothy E. Orr
Iowa



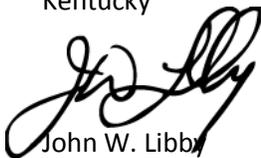
Lee E. Tafanelli
Kansas



Edward W. Tonini
Kentucky



Glen H. Curtis
Louisiana



John W. Libby
Maine



James A. Adkins
Maryland



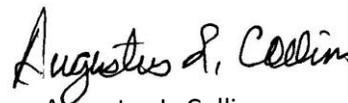
Joseph C. Carter
Massachusetts



Gregory Vadnais
Michigan



Richard C. Nash
Minnesota



Augustus L. Collins
Mississippi

Stephen L. Danner
Missouri

John E. Walsh
Montana

Judd H. Lyons
Nebraska

William R. Burks
Nevada

William N. Reddel
New Hampshire

Michael L. Cunniff
New Jersey

Kenny C. Montoya
New Mexico

Patrick A. Murphy
New York

Gregory A. Lusk
North Carolina

David A. Sprynczynatyk
North Dakota

Deborah A. Ashenurst
Ohio

Myles L. Deering
Oklahoma

Raymond F. Rees
Oregon

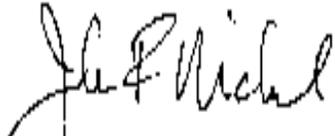
Wesley E. Craig
Pennsylvania

Kevin R. McBride
Rhode Island

Robert E. Livingston, Jr.
South Carolina

Timothy A. Reisch
South Dakota

Terry M. Haston
Tennessee



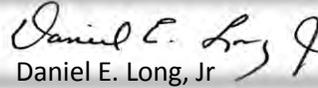
John F. Nichols
Texas



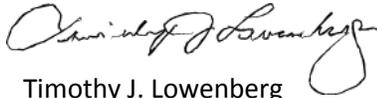
Brian L. Tarbet
Utah



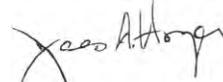
Michael D. Dubie
Vermont



Daniel E. Long, Jr
Virginia



Timothy J. Lowenberg
Washington



James A. Hoyer
West Virginia



Donald P. Dunbar
Wisconsin



K. Luke Reiner
Wyoming



Benny M. Paulino
Guam



Antonio J. Vicens-Gonzalez
Puerto Rico



Renaldo Rivera
Virgin Islands



Errol R. Schwartz
District of Columbia

Appendix E



February 27, 2012

The Honorable Carl Levin
Chairman
Senate Armed Services Committee
United States Senate, SR-228
Washington, DC 20510

The Honorable John McCain
Ranking Member
Senate Armed Services Committee
United States Senate, SR-228
Washington, DC 20510

Dear Chairman Levin and Ranking Member McCain:

We, the undersigned Adjutants General, applaud and strongly support the National Military Strategy recently announced by President Obama and Secretary of Defense Panetta. Our support for the Strategy is one of many reasons we write to express deep concerns with the Air Force's fiscal 2013 budget request.

Although we have been excluded from the Air Force budget process, Air Force Secretary Michael Donley and Air Force Chief of Staff Norton Schwartz asked eight (8) Adjutants General to meet with them yesterday morning (Sunday, February 26, 2012). The dialogue was respectful, comprehensive and candid. At the end of the meeting, our colleagues reaffirmed our concerns with the flawed processes, assumptions and criteria that produced the Air Force budget request. The undersigned therefore request your support for an immediate comprehensive and inclusive review of the Air Force submission. Implementation of the Air Force 2013 budget request should be frozen pending the results of an open and transparent review process.

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America's air power is ultimately derived not from a stealth fighter but from the Airmen who serve. To program 93% of Air National Guard personnel cuts in the first year of the budget is a breach of faith with our members and fails to preserve the significant investment in combat experience that will be

discarded. Secretary Donley and General Schwartz acknowledged our concerns, but didn't reveal any concrete programs that would ameliorate the impact on our airmen.

We recognize that our nation is at a critical juncture. Although national security threats at home and abroad have not diminished, fiscal constraints are forcing decreases in Defense spending. The Department of Defense has been tasked with cutting at least \$487 billion in defense spending over the next 10 years and the Air Force has been called upon to reduce its individual service expenditures. We understand tough choices about military force structure must be made to secure our nation's future.

We ask you in your constitutional role to prevent Air National Guard cuts until the assumptions and analysis alluded to by Air Force officials are reviewed and confirmed. The analysis should include the results of Congressionally-directed studies currently underway that specifically focus on the proper force structure mix. We have asked the Air Force for more than three years to provide us a comprehensive long range plan for the Total Air Force and have not yet received a response. Our colleagues repeated the request in yesterday's meeting. Absent such a plan, it is reasonable to assume we will be in a continuous cycle of budget cuts that eliminate aircraft and personnel assigned to the Air National Guard by the Air Force.

We fully understand our country's financial challenges and pledge to work with you to find affordable and sustainable solutions that protect our national security. With all due respect, the Air Force budget submission fails to meet this test. We urge you to delay implementation of the AF Fiscal 13 Budget proposal until proper review by the Congress. A disciplined, objective, analysis-based process is needed as we make irrevocable choices about how to assure America's security at home and abroad.

Sincerely,
The Adjutants General



Perry Smith
Alabama



Thomas H. Katkus
Alaska



Hugo E. Salazar
Arizona



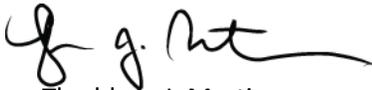
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Arkansas



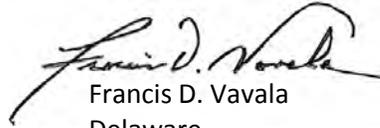
David S. Baldwin
California



H. Michael Edwards
Colorado



Thaddeus J. Martin
Connecticut



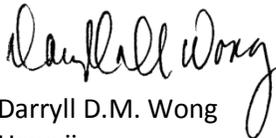
Francis D. Vavala
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Hawaii



Gary L. Saylor
Idaho



William L. Enyart, JR
Illinois



R. Martin Umbarger
Indiana



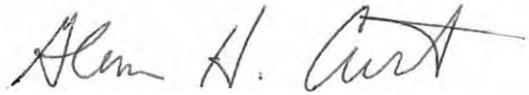
Timothy E. Orr
Iowa



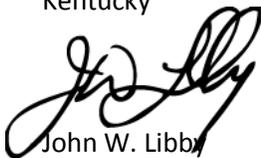
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Kansas



Edward W. Tonini
Kentucky



Glen H. Curtis
Louisiana



John W. Libby
Maine



James A. Adkins
Maryland



Joseph C. Carter
Massachusetts



Gregory Vadnais
Michigan



Richard C. Nash
Minnesota



Augustus L. Collins
Mississippi

Stephen L. Danner
Missouri

John E. Walsh
Montana

Judd H. Lyons
Nebraska

William R. Burks
Nevada

William N. Reddel
New Hampshire

Michael L. Cunniff
New Jersey

Kenny C. Montoya
New Mexico

Patrick A. Murphy
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Gregory A. Lusk
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David A. Sprynczynatyk
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Deborah A. Ashenurst
Ohio

Myles L. Deering
Oklahoma

Raymond F. Rees
Oregon

Wesley E. Craig
Pennsylvania

Kevin R. McBride
Rhode Island

Robert E. Livingston, Jr.
South Carolina

Timothy A. Reisch
South Dakota

Terry M. Haston
Tennessee

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Texas

Brian L. Tarbet
Utah

Michael D. Dubie
Vermont

Daniel E. Long, Jr
Virginia

Timothy J. Lowenberg
Washington

James A. Hoyer
West Virginia

Donald P. Dunbar
Wisconsin

K. Luke Reiner
Wyoming

Benny M. Paulino
Guam

Antonio J. Vicens-Gonzalez
Puerto Rico

Renaldo Rivera
Virgin Islands

Errol R. Schwartz
District of Columbia

Appendix F



Washington



Iowa

March 29, 2012

The Honorable Ashton Carter
Deputy Secretary of Defense
The Pentagon
Washington, DC 20318

Dear Secretary Carter:

Thank you for your efforts to review the U.S. Air Force's budget proposal for Fiscal Year 2013 and its disproportionate impact on the Air National Guard (ANG). We recognize and appreciate the need to reduce costs while providing for a strong national defense and pledge to work with you to resolve our concerns and develop a more collaborative process for future year defense decisions.

As we expressed to the leadership of the U.S. Air Force, governors have significant concerns with the budget proposal for Fiscal Year 2013 due to its disproportionate impact on ANG manpower as well as fighter aircraft and airlift capabilities. Through our Adjutants General, we proposed a comprehensive alternative that would ensure a more appropriate and flexible approach to reductions in the active forces and the ANG and preserve the necessary personnel and aircraft needed by federal authorities to prosecute military actions overseas and by state and federal officials to protect lives and property in our states and territories.

We look forward to a dialog with you about ways to maintain the ANG's important national defense and domestic emergency response capabilities while also meeting the Defense Department's overall goals for the Fiscal Year 2013 budget of implementing the new military strategy and reducing costs. We have worked together to achieve what many considered an unattainable objective – comprehensive and sustainable agreement on how to achieve unity of effort in military support for civil authorities. We're equally committed to working with you to ensure a collaborative process for future budget and policy proposals affecting our nation's National Guard.

Given the urgency of this issue, please let us know the timing of your review and when we will have an opportunity to discuss your recommendations.

Again, thank you for your efforts to address this critical issue.

Sincerely,

Handwritten signature of Christine O. Gregoire in blue ink.

Governor Christine O. Gregoire
Co-Chair
Council of Governors

Handwritten signature of Terry Branstad in blue ink.

Governor Terry Branstad
Co-Chair
Council of Governors

Appendix G



DEPUTY SECRETARY OF DEFENSE
1010 DEFENSE PENTAGON
WASHINGTON, DC 20301-1010

The Honorable Christine O. Gregoire
Co-Chair
Council of Governors
416 Sid Snyder Avenue, SW
Suite 200, P. O. Box 40002
Olympia, WA 98504

Dear Governor Gregorie:

Thank you for your March 29th letter. At present, Secretary Panetta is taking the time to better understand the Council of Governors' proposal, the U.S. Air Force's counter-proposal, and is considering the views and advice of military leaders including the Air National Guard (ANG), members of Congress, as well as governors. He takes your concerns with the budget proposal for Fiscal Year 2013 very seriously.

The Department of Defense (DoD) understands the vital role the ANG plays in support to our Title 10 missions, and in support to Governors and other civil authorities in disaster assistance and homeland security. For that reason, Secretary Panetta and I are grateful for the dedicated men and women who serve in the ANG.

Again, thank you for your strong support of the ANG and our nation's defense. A similar letter has been sent to Governor Branstad.

Sincerely,

A handwritten signature in blue ink, reading "Curtis E. Cantor".

Thanks for your work on this
important subject!



DEPUTY SECRETARY OF DEFENSE
1010 DEFENSE PENTAGON
WASHINGTON, DC 20301-1010

The Honorable Terry Branstad
Co-Chair
Council of Governors
State Capitol
1007 East Grand Avenue
Des Moines, IA 50319

Dear Governor Branstad:

Thank you for your March 29th letter. At present, Secretary Panetta is taking the time to better understand the Council of Governors' proposal, the U.S. Air Force's counter-proposal, and is considering the views and advice of military leaders including the Air National Guard (ANG), members of Congress, as well as governors. He takes your concerns with the budget proposal for Fiscal Year 2013 very seriously.

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Again, thank you for your strong support of the ANG and our nation's defense. A similar letter has been sent to Governor Gregoire.

Sincerely,

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Thanks for your work on this
important subject!

Appendix H



SECRETARY OF DEFENSE
1000 DEFENSE PENTAGON
WASHINGTON, DC 20301-1000

APR 23 2012

The Honorable Howard P. "Buck" McKeon
Chairman
Committee on Armed Services
U.S. House of Representatives
Washington, DC 20515

Dear Mr. Chairman:

In February, I asked Air Force leadership to work with the Council of Governors on various options regarding Air National Guard force structure in light of feedback we received about our FY13-17 budget.

As you undoubtedly appreciate, my first responsibility is to ensure that we have a military force structure that is ready and capable to defend the nation. In light of the changing global security environment and fiscal realities, the Department undertook a comprehensive reassessment of our defense strategy, which President Obama announced in January 2012. Based on that strategy, the Air Force analyzed the proper mix of capabilities to ensure we can achieve our defense objectives on a day-to-day basis and surge air power in the event of a national crisis. This force structure also had to be cost-effective so that the Department could achieve savings of \$487 billion over 10 years as necessitated by the Budget Control Act.

After further review, the Air Force has determined that we can mitigate impacts to affected states with a \$400 million package that would maintain an additional 24 C-130 aircraft in the Air National Guard. We recognize the important role that these lift aircraft play in our support to civil authorities and to states – particularly in the event of natural disasters.

I strongly urge you to consider this proposal, which we believe sustains our national defense requirements and is responsive to concerns raised by the Council of Governors.

Recognizing the lead responsibilities of governors for the public safety of their citizens in disasters and emergencies, I will also be reaching out to the Council of Governors to establish a sustained process to exchange views, information, and advice on state civil support requirements. Given the notable success that the Council and the Department has achieved to strengthen unity of effort between the states and the DoD, I am confident that we can make similar progress to clarify and appropriately account for civil support requirements in the future. I would expect to have such a process in place before the President's FY14 budget is submitted early next year.

Sincerely,

A handwritten signature in dark ink, appearing to be the name of the Secretary of Defense, with a long, sweeping underline.

cc:
The Honorable Adam Smith
Ranking Member
Iowa Governor Terry Branstad
Washington Governor Christine Gregoire
Chief, NGB, General Craig R. McKinley



SECRETARY OF DEFENSE
1000 DEFENSE PENTAGON
WASHINGTON, DC 20301-1000

APR 23 2012

The Honorable Harold Rogers
Chairman
Committee on Appropriations
U.S. House of Representatives
Washington, DC 20515

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Sincerely,

A handwritten signature in dark ink, likely belonging to the Secretary of Defense, is positioned to the right of the "Sincerely," text. The signature is stylized and cursive.

cc:
The Honorable Norman D. Dicks
Ranking Member
Iowa Governor Terry Branstad
Washington Governor Christine Gregoire
Chief, NGB, General Craig R. McKinley



SECRETARY OF DEFENSE
1000 DEFENSE PENTAGON
WASHINGTON, DC 20301-1000

APR 23 2012

The Honorable C. W. Bill Young
Chairman
Subcommittee on Defense
Committee on Appropriations
U.S. House of Representatives
Washington, DC 20515

Dear Mr. Chairman:

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Sincerely,

A handwritten signature in dark ink, appearing to be "Don Rumsfeld", written over a horizontal line.

cc:
The Honorable Norman D. Dicks
Ranking Member
Iowa Governor Terry Branstad
Washington Governor Christine Gregoire
Chief, NGB, General Craig R. McKinley



SECRETARY OF DEFENSE
1000 DEFENSE PENTAGON
WASHINGTON, DC 20301-1000

APR 23 2012

The Honorable Carl Levin
Chairman
Committee on Armed Services
United States Senate
Washington, DC 20510

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cc:

The Honorable John McCain
Ranking Member
Iowa Governor Terry Branstad
Washington Governor Christine Gregoire
Chief, NGB, General Craig R. McKinley



SECRETARY OF DEFENSE
1000 DEFENSE PENTAGON
WASHINGTON, DC 20301-1000

APR 23 2012

The Honorable Daniel K. Inouye
Chairman
Committee on Appropriations
United States Senate
Washington, DC 20510

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cc:
The Honorable Tad Cochran
Vice Chairman
Iowa Governor Terry Branstad
Washington Governor Christine Gregoire
Chief, NGB, General Craig R. McKinley

Appendix I



SECRETARY OF DEFENSE
1000 DEFENSE PENTAGON
WASHINGTON, DC 20301-1000

APR 23 2012

The Honorable Christine Gregoire
Governor of Washington
Olympia, WA 98504-0002

Dear Governor Gregoire:

In February, I asked Air Force leadership to work with you on various options regarding Air National Guard force structure in light of feedback we received from you and others about our FY13-17 budget.

In light of the approaching authorization committee markups on the Hill, I have provided our current assessment to committee leaders in the enclosed letter.

The Department's senior leadership and I have appreciated the opportunity to engage with you over the last several months on your perspectives and feedback on our FY13-17 budget, and we look forward to continuing to do so regarding defense support to civil authorities.

Recognizing the lead responsibilities of governors for the public safety of their citizens in disasters and emergencies, I have also asked my team to establish a sustained process with the Council of Governors to exchange views, information, and advice on state civil support requirements. Given the notable success that the Council has achieved to strengthen unity of effort between the states and DoD, I am confident that we can make similar progress to clarify and appropriately account for civil support requirements in the future. I look forward to working with you to have such a process in place as DoD develops its plans and priorities for FY14.

Sincerely,

A handwritten signature in dark ink, likely belonging to the Secretary of Defense, is positioned below the "Sincerely," text. The signature is stylized and includes a long horizontal flourish extending to the right.

cc:
Secretary of the Air Force
Chief, NGB, General Craig R. McKinley
Assistant Secretary of Defense Paul Stockton



SECRETARY OF DEFENSE
1000 DEFENSE PENTAGON
WASHINGTON, DC 20301-1000

APR 23 2012

The Honorable Terry Branstad
Governor of Iowa
Des Moines, IA 50319

Dear Governor Branstad:

In February, I asked Air Force leadership to work with you on various options regarding Air National Guard force structure in light of feedback we received from you and others about our FY13-17 budget.

In light of the approaching authorization committee markups on the Hill, I have provided our current assessment to committee leaders in the enclosed letter.

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Sincerely,

A handwritten signature in dark ink, appearing to be "John M. McInerney", with a long horizontal flourish extending to the right.

cc:
Secretary of the Air Force
Chief, NGB, General Craig R. McKinley
Assistant Secretary of Defense Paul Stockton

Appendix J

April 27, 2012

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

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

The Honorable Howard "Buck" McKeon
Chairman
Committee on Armed Services
U.S. House of Representatives
Washington, D.C. 20515

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

Dear Chairman Levin, Senator McCain, Chairman McKeon and Representative Smith :

As commanders-in chief, governors take very seriously the duties and responsibilities placed on the men and women of the National Guard. The Guard is a cost-effective operational force that is critical to our national security and our ability to respond to domestic emergencies. The Air National Guard (ANG) provides 35 percent of the U.S. Air Force's capability for 6 percent of the budget. Disproportionate cuts to the ANG that also diminish its capacity to fulfill dual missions at home and abroad are simply not acceptable.

Governors, through our Adjutants General and the Council of Governors (CoG), have worked diligently with the Air Force and the U.S. Department of Defense to rectify the surprising and disproportionate cuts facing the ANG as part of the U.S. Air Force's Fiscal Year (FY) 2013 budget request. Unfortunately those negotiations have not produced an agreement; it is therefore critical that Congress address the deficiencies in the Air Force's budget request.

When the CoG discussed the Air Force's budget proposal with Defense Secretary Leon Panetta on February 27, they were pleased that he agreed to work with governors to address our concerns. Following that meeting, several Adjutants General engaged with the Air Force to develop a plan that would mitigate the most harmful impacts of the Air Force's budget and ensure that each state would maintain the necessary personnel and aircraft to fulfill the ANG's mission at home and abroad. Unfortunately, the Air Force was not willing to move much beyond their budget proposal. They never fully responded to states' concerns about manpower reductions and refused to make any adjustments to their transfer of fighter aircraft units from the ANG to the active service.

The proposal outlined by Secretary Panetta this week is essentially the same as an Air Force proposal rejected by governors more than five weeks ago. While we greatly appreciate the willingness of the Secretary to

adjust the Air Force's budget request to restore some organic ANG airlift capacity, the package still fails to address state concerns regarding remaining ANG manpower cuts and fighter aircraft and other ANG unit reductions.

Secretary Panetta has offered to work with governors and establish procedures that engage states early in the budget process and determine state civil support requirements for FY2014 and beyond. This is a critical step forward for incorporating the domestic duties and operational capabilities of the ANG into the overall budget of the Air Force. Until that process can be put in place, however, we request that Congress sustain FY12 funding, manpower and aircraft levels for the ANG for FY13.

We look forward to working with you to support a proposal that honors the enhanced role the ANG plays in our national security today and in the future.

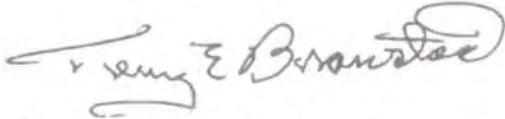
Sincerely,



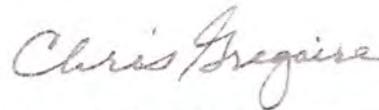
Governor Dave Heineman
Chair



Governor Jack Markell
Vice Chair



Governor Terry E. Branstad
Co-Chair
Council of Governors



Governor Christine O. Gregoire
Co-Chair
Council of Governors

April 27, 2012

The Honorable Daniel K. Inouye
Chairman
Committee on Appropriations
Subcommittee on Defense
U.S. Senate
Washington, D.C. 20510

The Honorable William "Thad" Cochran
Ranking Member
Committee on Appropriations
Subcommittee on Defense
U.S. Senate
Washington, D.C. 20510

Dear Chairman Inouye and Senator Cochran :

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We look forward to working with you to support a proposal that honors the enhanced role the ANG plays in our national security today and in the future.

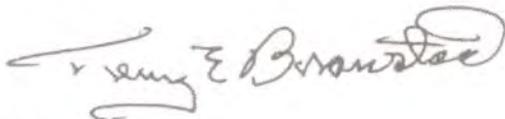
Sincerely,



Governor Dave Heineman
Chair



Governor Jack Markell
Vice Chair



Governor Terry E. Branstad
Co-Chair
Council of Governors



Governor Christine O. Gregoire
Co-Chair
Council of Governors

April 27, 2012

The Honorable Hal Rogers
Chairman
Committee on Appropriations
U.S. House of Representatives
Washington, D.C. 20515

The Honorable Norm Dicks
Ranking Member
Committee on Appropriations and
Subcommittee on Defense
U.S. House of Representatives
Washington, D.C. 20515

The Honorable C.W. "Bill" Young
Chairman
Committee on Appropriations
Subcommittee on Defense
U.S. House of Representatives
Washington, D.C. 20515

Dear Chairman Rogers, Representative Dicks and Chairman Young:

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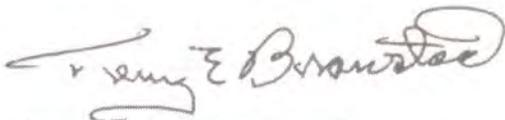
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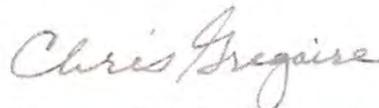
Governor Dave Heineman
Chair



Governor Jack Markell
Vice Chair



Governor Terry E. Branstad
Co-Chair
Council of Governors



Governor Christine O. Gregoire
Co-Chair
Council of Governors

Appendix K



SECRETARY OF DEFENSE
1000 DEFENSE PENTAGON
WASHINGTON, DC 20301-1000

JUN 22 2012

The Honorable Daniel K. Inouye
Chairman
Subcommittee on Defense
Committee on Appropriations
United States Senate
Washington, DC 20510

Dear Mr. Chairman:

Thank you for your June 14, 2012, letter regarding force structure changes in the Air Force. I received a similar letter on June 8 from Senator Levin strongly discouraging force structure changes by the Air Force that would pre-judge the outcome of congressional deliberations on the FY 2013 President's Budget (PB).

Both the House-passed FY 2013 National Defense Authorization Act (NDAA) and the FY 2013 NDAA reported by the Senate Armed Services Committee (SASC) would reject or defer Air Force force structure adjustments and related savings proposed in FY 2013 and would authorize an additional \$1.4 billion to cover this cost. Secretary Donley committed to waiting for congressional deliberations before implementing the proposed FY 2013 force structure changes in congressional testimony earlier this year and has assured me the Air Force stands by that commitment.

In addition, however, the SASC report language strongly urged the Air Force to suspend all force structure adjustments until October 1, 2013, to provide the Committee an opportunity to review recommendations from their proposed Commission on the Structure of the Air Force. The FY 2013 SASC bill would also prohibit any expenditure of funds after October 1, 2012, to effect force structure changes, potentially including those in approved budgets from previous years. This provision has introduced a new dimension of complexity to the current situation, as it impacts force structure adjustments addressed in budgets from FY 2010, FY 2011, and FY 2012 involving the transfer of approximately 150 aircraft among various locations and the retirement of 98 aircraft, that are scheduled to transfer or retire in the FY 2012 and FY 2013 timeframe.

The FY 2013 PB builds upon the force structure changes included in previous budget years. The Department supports both the earlier force structure changes and the force structure changes proposed by the Air Force in the FY 2013 PB. The difficult choices made in the FY 2013 PB, reviewed by the Office of the Secretary of Defense and the Joint Chiefs of Staff, were consistent with strategic guidance and will provide balanced force capabilities and sustainable deployment cycles for the total Air Force -- Active, Guard, and Reserve. We also believe authorization is in place that would support continuation of force structure adjustments included in the budgets for FY 2010 through FY 2012. However, the FY 2013 NDAA language now under consideration introduces the possibility that these transfers and retirements may be revisited by Congress or may lack the FY 2013 funding necessary to proceed. While the Air Force could proceed with these previously addressed moves, the more prudent course of action is to take a cautious approach.

Therefore, I have directed the Air Force to suspend aircraft transfers and retirements previously scheduled for implementation in FY 2012 with the expectation that Congress completes action on the FY 2013 defense authorization and appropriation bills prior to the end of the fiscal year, providing clear support for a way forward.

We need to be mindful of the potential operational and cost impacts that could emerge from such delay. Further, we must recognize that the lingering uncertainty has direct effects on airmen and their families. I have asked Secretary Donley to work with your staffs to identify those transfers and retirements where Congress and the Air Force, including the Air National Guard and Air Force Reserve, agree that previously addressed force structure changes should move forward and also provide you with cost estimates for the force structure and aircraft whose transfer or retirement are being delayed.

I would also caution that delaying FY 2013 force structure decisions and potentially revisiting decisions from earlier budget cycles will only make our FY 2014 deliberations even more complex and difficult. These delays impact our military capability and introduce uncertainty in future missions and training schedules for the effected units; and they will also delay the Department's ability to reach the level of budget reductions mandated in the 2011 Budget Control Act.

Thank you again for your strong support of this Department and our men and women in uniform. I look forward to working closely with you as we move toward completion of the legislative cycle later this year. A similar letter has been sent to Senator Levin and the Chairmen and Ranking Members of the House and Senate defense committees.

Sincerely,

A handwritten signature in black ink, appearing to be "John", with a long horizontal line extending to the right.

cc:
The Honorable Thad Cochran
Vice Chairman



SECRETARY OF DEFENSE
1000 DEFENSE PENTAGON
WASHINGTON, DC 20301-1000

JUN 22 2012

The Honorable Carl Levin
Chairman
Committee on Armed Services
United States Senate
Washington, DC 20510

Dear Mr. Chairman:

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The FY 2013 PB builds upon the force structure changes included in previous budget years. The Department supports both the earlier force structure changes and the force structure changes proposed by the Air Force in the FY 2013 PB. The difficult choices made in the FY 2013 PB, reviewed by the Office of the Secretary of Defense and the Joint Chiefs of Staff, were consistent with strategic guidance and will provide balanced force capabilities and sustainable deployment cycles for the total Air Force -- Active, Guard, and Reserve. We also believe authorization is in place that would support continuation of force structure adjustments included in the budgets for FY 2010 through FY 2012. However, the FY 2013 NDAA language now under consideration introduces the possibility that these transfers and retirements may be revisited by Congress or may lack the FY 2013 funding necessary to proceed. While the Air Force could proceed with these previously addressed moves, the more prudent course of action is to take a cautious approach.

Therefore, I have directed the Air Force to suspend aircraft transfers and retirements previously scheduled for implementation in FY 2012 with the expectation that Congress completes action on the FY 2013 defense authorization and appropriation bills prior to the end of the fiscal year, providing clear support for a way forward.

We need to be mindful of the potential operational and cost impacts that could emerge from such delay. Further, we must recognize that the lingering uncertainty has direct effects on airmen and their families. I have asked Secretary Donley to work with your staffs to identify those transfers and retirements where Congress and the Air Force, including the Air National Guard and Air Force Reserve, agree that previously addressed force structure changes should move forward and also provide you with cost estimates for the force structure and aircraft whose transfer or retirement are being delayed.

I would also caution that delaying FY 2013 force structure decisions and potentially revisiting decisions from earlier budget cycles will only make our FY 2014 deliberations even more complex and difficult. These delays impact our military capability and introduce uncertainty in future missions and training schedules for the effected units; and they will also delay the Department's ability to reach the level of budget reductions mandated in the 2011 Budget Control Act.

Thank you again for your strong support of this Department and our men and women in uniform. I look forward to working closely with you as we move toward completion of the legislative cycle later this year. A similar letter has been sent to Senator Inouye and the Chairmen and Ranking Members of the House and Senate defense committees.

Sincerely,



cc:
The Honorable John McCain
Ranking Member



SECRETARY OF DEFENSE
1000 DEFENSE PENTAGON
WASHINGTON, DC 20301-1000

JUN 22 2012

The Honorable C. W. Bill Young
Chairman
Subcommittee on Defense
Committee on Appropriations
U.S. House of Representatives
Washington, DC 20515

Dear Mr. Chairman:

On June 14, 2012, Senator Inouye sent a letter to me regarding force structure changes in the Air Force. I received a similar letter on June 8 from Senator Levin strongly discouraging force structure changes by the Air Force that would pre-judge the outcome of congressional deliberations on the FY 2013 President's Budget (PB).

Both the House-passed FY 2013 National Defense Authorization Act (NDAA) and the FY 2013 NDAA reported by the Senate Armed Services Committee (SASC) would reject or defer Air Force force structure adjustments and related savings proposed in FY 2013 and would authorize an additional \$1.4 billion to cover this cost. Secretary Donley committed to waiting for congressional deliberations before implementing the proposed FY 2013 force structure changes in congressional testimony earlier this year and has assured me the Air Force stands by that commitment.

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Sincerely,



cc:
The Honorable Norman D. Dicks
Ranking Member



SECRETARY OF DEFENSE
1000 DEFENSE PENTAGON
WASHINGTON, DC 20301-1000

JUN 22 2012

The Honorable Howard P. "Buck" McKeon
Chairman
Committee on Armed Services
U.S. House of Representatives
Washington, DC 20515

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Sincerely,

A handwritten signature in black ink, appearing to be "John M. McQuinn", with a long horizontal flourish extending to the right.

cc:
The Honorable Adam Smith
Ranking Member