



October 28, 2016

The Honorable Mitch McConnell
Majority Leader
United States Senate
317 Russell Senate Office Building
Washington, DC 20510

The Honorable Paul Ryan
Speaker
United States House of Representatives
1233 Longworth House Office Building
Washington, DC 20515

The Honorable Harry Reid
Democratic Leader
United States Senate
522 Hart Senate Office Building
Washington, DC 20510

The Honorable Nancy Pelosi
Democratic Leader
United States House of Representatives
233 Cannon House Office Building
Washington, DC 20515

Dear Majority Leader McConnell, Speaker Ryan, Democratic Leader Reid, and Democratic Leader Pelosi:

The California State Senate requests, in the strongest possible terms, for Congress to expedite all actions necessary to permanently waive the requirement that our state's Army National Guard members repay federal financial incentives they received in exchange for wartime reenlistment.

We appreciate that the leadership of the United States Senate and House of Representatives already are beginning to address the matter, and that Secretary of Defense Ashton Carter has suspended collection of the repayments; however, we respectfully submit that this situation requires a solution that is both permanent and timely.

As you know, from 2005-2010, thousands of members of the Army National Guard in California and elsewhere were granted various financial incentives, including reenlistment bonuses and student loan repayments, to encourage their service reenlistment, primarily to help ensure their continued availability in fighting global terrorism.

We also understand that subsequent audits determined that approximately 6,500 California Soldiers were ineligible and improperly received those financial incentive payments. Although a small number of Guard members took bonus money knowing that they were committing fraud, the overwhelming majority acted on good faith, relying on bad information from recruiters and others in positions of authority. Now, years later, the federal government is demanding that the good-faith Soldiers pay the funds back - in most cases long after the money has been spent.

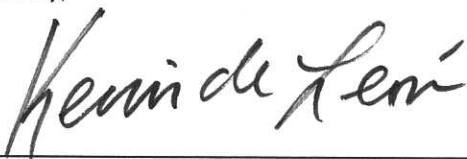
The federal clawback of the funds is devastating the families of current and former Guard members. In some cases, individuals must repay more than \$15,000. The recovery effort ignores that the primary fault lies with the recruiting system's failure to ensure eligibility at the time of the awards and also that the Soldiers fulfilled the associated service obligations, which often included deploying back into combat zones in Iraq and Afghanistan.

As Californians, we are greatly appreciative of the crucial national security role that the California National Guard plays as part of the United States Department of Defense. However, we also know how vital the Guard's support is to our state during times of natural disaster and unrest. The morale of the California National Guard has been and continues to be tested by its exhausting wartime deployment schedule over the past 15 years, the current downsizing of the federal military force structure, and now also by the retroactive clawback of these incentive awards. We believe it is crucial to protect the morale and financial well-being of our Guard members and their families so that they can continue to serve our state and nation in times of crisis. Waiving the repayment requirement is both a moral obligation and practical necessity.

In addition, we posit that any federal remedy should extend some form of relief or repayment to those Soldiers who have already complied with recoupment orders despite the financial hardship.

Thank you for your leadership in resolving this issue in a manner that is fair and just to those Guard members who received the moneys in the same good faith with which they have served our nation during wartime.

Sincerely,



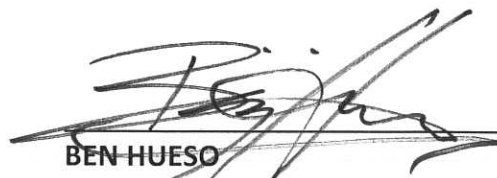
KEVIN DE LEÓN
President Pro Tempore
Twenty-Fourth Senate District



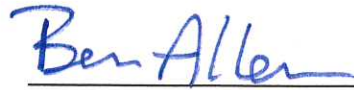
JIM NIELSEN
Chair, Committee on Veterans Affairs
Fourth Senate District



JEAN FULLER
Republican Leader
Sixteenth Senate District

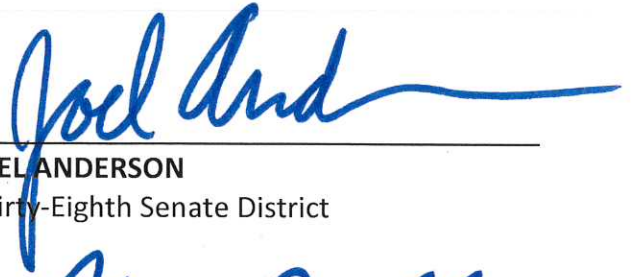


BEN HUESO
Vice Chair, Committee on Veterans Affairs
Fortieth District Senate District



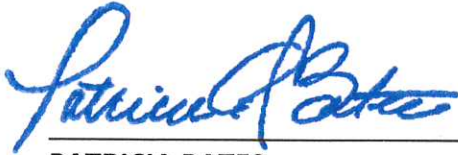
BEN ALLEN

Twenty-Sixth Senate District



JOEL ANDERSON

Thirty-Eighth Senate District



PATRICIA BATES

Thirty-Sixth Senate District



JIM BEALL

Fifteenth Senate District



TOM BERRYHILL

Eighth Senate District



MARTY BLOCK

Thirty-Ninth Senate District



ANTHONY CANNELLA

Twelfth Senate District



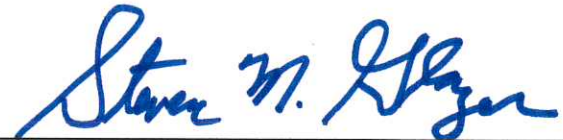
TED GAINES

First Senate District



CATHLEEN GALGIANI

Fifth Senate District



STEVEN M. GLAZER

Seventh Senate District



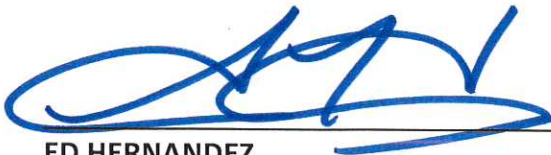
ISADORE HALL, III

Thirty-Fifth Senate District



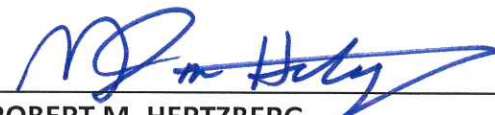
LONI HANCOCK

Ninth Senate District



ED HERNANDEZ

Twenty-Second Senate District



ROBERT M. HERTZBERG

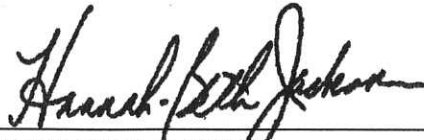
Eighteenth Senate District



JERRY HILL
Thirteenth Senate District



BOB HUFF
Twenty-Ninth Senate District



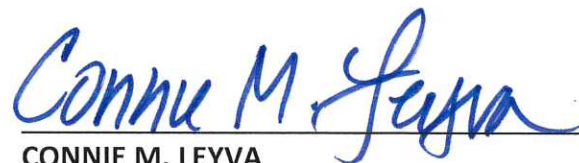
HANNAH-BETH JACKSON
Nineteenth Senate District



RICARDO LARA
Thirty-Third Senate District



MARK LENO
Eleventh Senate District



CONNIE M. LEYVA
Twentieth Senate District



CAROL LIU
Twenty-Fifth Senate District



MIKE MCGUIRE
Second Senate District



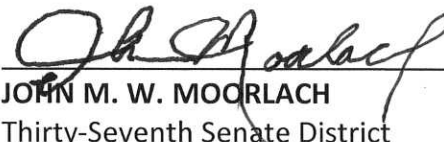
TONY MENDOZA
Thirty-Second Senate District



HOLLY MITCHELL
Thirtieth Senate District



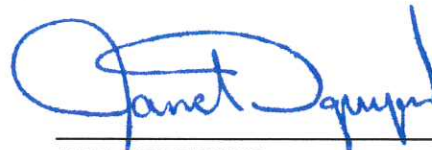
BILL MONNING
Seventeenth Senate District



JOHN M. W. MOORLACH
Thirty-Seventh Senate District



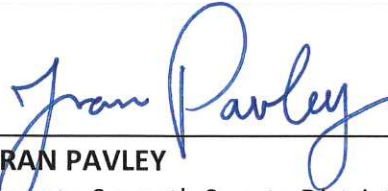
MIKE MORRELL
Twenty-Third Senate District



JANET NGUYEN
Thirty-Fourth Senate District



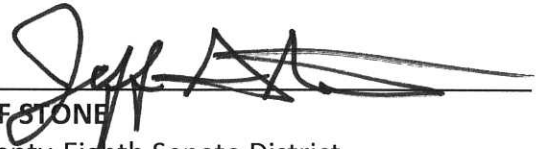
RICHARD PAN
Sixth Senate District



FRAN PAVLEY
Twenty-Seventh Senate District



RICHARD D. ROTH
Thirty-First Senate District



JEFF STONE
Twenty-Eighth Senate District



ANDY VIDAK
Fourteenth Senate District



BOB WIECKOWSKI
Tenth Senate District



LOIS WOLK
Third Senate District