



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.

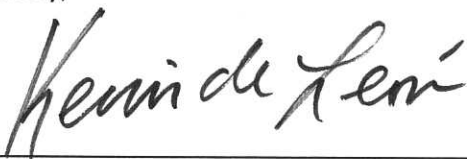
The federal clawback of the funds is devastating the families of current and former Guard members. In some cases, individuals must repay more than \$15,000. The recovery effort ignores that the primary fault lies with the recruiting system's failure to ensure eligibility at the time of the awards and 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,



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**KEVIN DE LEÓN**  
President Pro Tempore  
Twenty-Fourth Senate District



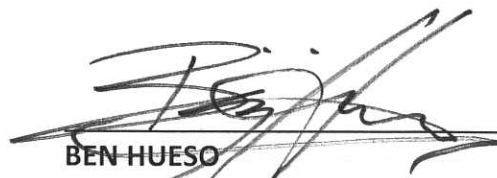
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**JIM NIELSEN**  
Chair, Committee on Veterans Affairs  
Fourth Senate District



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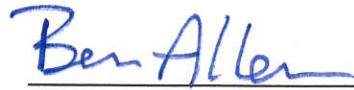
**JEAN FULLER**  
Republican Leader  
Sixteenth Senate District



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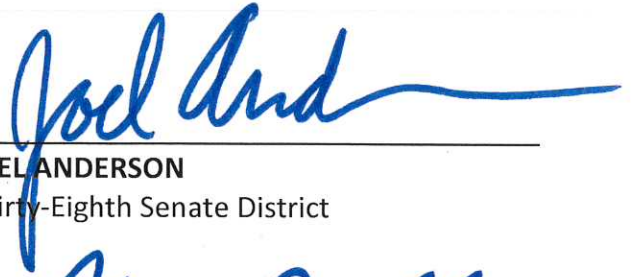
**BEN HUESO**  
Vice Chair, Committee on Veterans Affairs  
Fortieth District Senate District





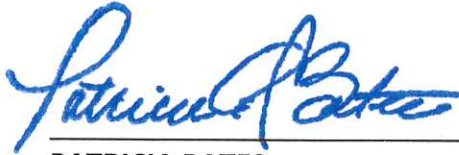
**BEN ALLEN**

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



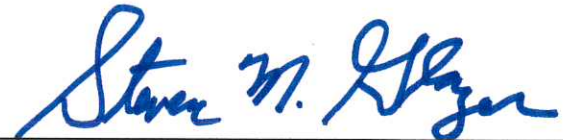
**TED GAINES**

First Senate District



**CATHLEEN GALGIANI**

Fifth Senate District



**STEVEN M. GLAZER**

Seventh Senate District



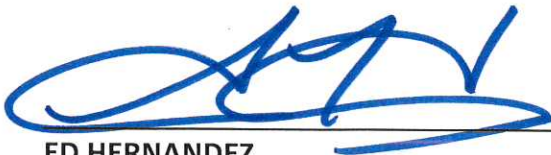
**ISADORE HALL, III**

Thirty-Fifth Senate District



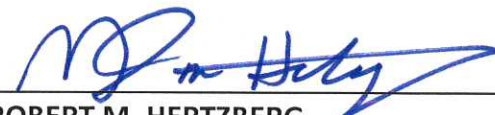
**LONI HANCOCK**

Ninth Senate District



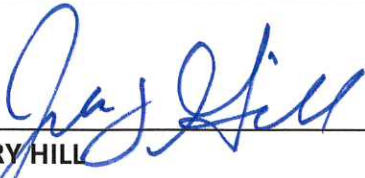
**ED HERNANDEZ**

Twenty-Second Senate District



**ROBERT M. HERTZBERG**

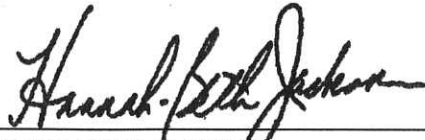
Eighteenth Senate District



**JERRY HILL**  
Thirteenth Senate District



**BOB HUFF**  
Twenty-Ninth Senate District



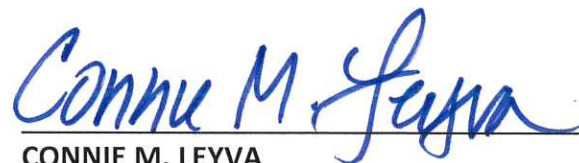
**HANNAH-BETH JACKSON**  
Nineteenth Senate District



**RICARDO LARA**  
Thirty-Third Senate District



**MARK LENO**  
Eleventh Senate District



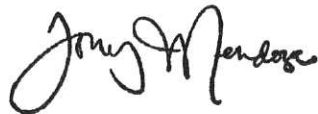
**CONNIE M. LEYVA**  
Twentieth Senate District



**CAROL LIU**  
Twenty-Fifth Senate District



**MIKE MCGUIRE**  
Second Senate District



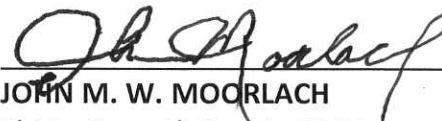
**TONY MENDOZA**  
Thirty-Second Senate District



**HOLLY MITCHELL**  
Thirtieth Senate District



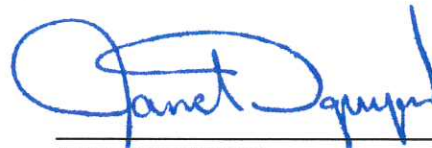
**BILL MONNING**  
Seventeenth Senate District



**JOHN M. W. MOORLACH**  
Thirty-Seventh Senate District



**MIKE MORRELL**  
Twenty-Third Senate District

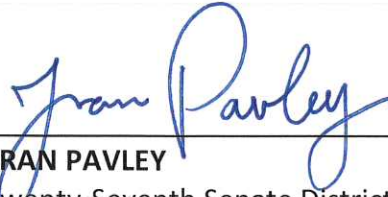


**JANET NGUYEN**  
Thirty-Fourth Senate District



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**RICHARD PAN**  
Sixth Senate District



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**FRAN PAVLEY**  
Twenty-Seventh Senate District



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**RICHARD D. ROTH**  
Thirty-First Senate District



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**JEFF STONE**  
Twenty-Eighth Senate District



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**ANDY VIDAK**  
Fourteenth Senate District



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**BOB WIECKOWSKI**  
Tenth Senate District



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**LOIS WOLK**  
Third Senate District