

Transition of National Guard Activations for COVID-19 Response Activities

Federal funding for the National Guard to support the whole-of-America response to COVID-19 under Title 32 of the U.S. Code is transitioning to State Active Duty (SAD) on July 1, 2022. In Title 32 status, the National Guard has been under the command and control of their states' respective governors but funded at 100 percent by the Department of Defense (DoD) under a mission assignment from the Federal Emergency Management Agency (FEMA). After July 1, 2022, governors may still activate National Guard personnel to State Active Duty as necessary for ongoing COVID-19 response and may receive reimbursement from FEMA's Public Assistance (PA) program at a 90 percent federal cost share.

Background

For more than two years, the National Guard has been instrumental in the nation's collective response to COVID-19. National Guard mobilization, through FEMA-issued mission assignments to DoD, as directed by the President under U.S. Code Title 32, has been one of the largest and longest direct federal assistance missions in FEMA history. At its peak, as many as 40,000 National Guard personnel were deployed in an array of missions to include COVID-19 testing and vaccination, transportation and distribution of personal protective equipment PPE and other supplies, staffing augmentation at healthcare facilities, sanitation, and security. Thanks in part to the work of National Guard members, the nation has made significant progress in the fight against COVID-19. Today, fewer than 6,000 service members remain on Title 32 orders, the lowest total since the initial mobilization in April 2020.

Transition of National Guard to State Active Duty

DOD has provided detailed instructions to the Adjutants General and the Commander of the D.C. National Guard regarding the expiration of Title 32 orders and the release of National Guard personnel from those orders by July 1, 2022. After that time, National Guard service members are not authorized to remain on orders in a Title 32 duty status for COVID-19 response missions. (Refer to the National Guard Bureau Memorandum dated March 23, 2022, [Implementation Guidance Extending Federal Support for Governors' Use of the National Guard to Respond to COVID-19](#)).

After the Title 32 authorization expires, FEMA will continue to provide FEMA PA funding to states and territories that activate their National Guard to SAD. This process should be familiar to all of our state and territorial partners, as it is the standard process for disaster response. Under this process, governors must employ their National Guard in SAD status, in accordance with applicable state or territorial processes for authorization of orders and associated pay and benefits, to conduct COVID-19 operations. States and territorial governments then request PA funding for



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the costs related to COVID-19 activities conducted by National Guard personnel activated under SAD. FEMA will provide PA funding for eligible COVID-19 activities performed by the National Guard at 100 percent federal cost share through July 1, 2022. Beginning July 2, 2022, PA funding for all eligible activities, including those performed by the National Guard, [will be provided at 90 percent federal cost share](#). Such assistance is provided via the standard process for submitting project applications for COVID-19 activities, which includes submittal of a project application at grantee.fema.gov.

FEMA reimburses both straight-time and overtime labor costs for National Guard personnel activated under SAD. Eligible activities include emergency protective measures as defined in the PA policies for COVID-19 declarations found in the [FEMA Public Assistance COVID-19 Guidance](#).

Contact Us

If you have any questions, please contact FEMA Office of External Affairs:

- Congressional Affairs at (202) 646-4500 or at FEMA-Congressional-Affairs@fema.dhs.gov
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