

Congress of the United States
Washington, DC 20515

July 10, 2013

The Honorable Chuck Hagel
Secretary of Defense
1000 Defense Pentagon
Washington, D.C. 20301

Dear Secretary Hagel,

We are writing to express our continued opposition, especially in light of a recent letter from the Department of Defense (DoD), to the DoD's continued insistence regarding mandatory furloughs of approximately 177,000 DoD employees funded through Defense Working Capital Funds (DWCF), and request that you brief us on this important issue facing our national security.

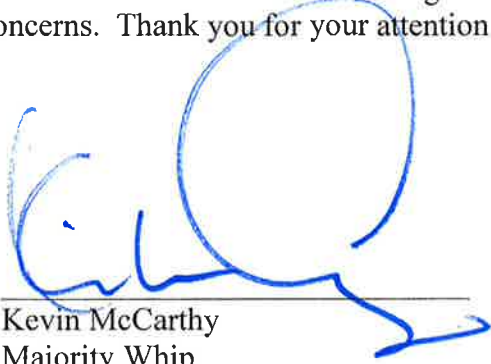
On July 5, 2013, Undersecretary of Defense Robert Hale informed Congress, on your behalf, that DoD has interpreted current law to allow the Department to furlough civilians who serve at DWCF installations. As you know, Defense Working Capital Fund employees are paid through reimbursements for the services they provide, so there are no direct savings in appropriated dollars to be rendered from furloughing these individuals. Accordingly, we disagree with the Undersecretary's rationale and maintain that continuing with these furloughs is a bad policy that will cost taxpayers' money and damage our nation's civilian defense workforce over the long term. Therefore, we would like to further discuss with you the associated economic impacts and our legal concerns, including the Department's narrow interpretation of Section 129 of Title 10 of the United States Code, regarding your decision to furlough DWCF employees.

Furthermore, we agree that it is regrettable you have made the determination to furlough DoD civilian employees, which is why the U.S. House of Representatives acted three times last Congress by passing legislation to replace across-the-board sequestration cuts with targeted spending reductions or to repeal the discretionary defense spending sequestration cuts to reduce or eliminate the need for DoD furloughs. Unfortunately, the Senate did not act on these bills, and the Administration threatened to veto each of these bills if passed by Congress. However, given our concern about the impact sequestration continues to have on DoD civilian employees and military readiness, the House acted again this year and passed H.R. 933, which was enacted into law and provides DoD with the flexibility to minimize the need for furloughs.

That said, as Members with military installations in our districts that are directly affected by DoD's decision which is currently being implemented, we would like to convey the damage this decision to furlough DWCF employees is already having on morale and the associated financial hardships it is creating for many of the employees and their families. We view this scenario as legally dubious and unnecessary, especially when the work performed by our civilian defense employees ensures our warfighters, who are currently in harm's way in Afghanistan and other operational areas around the globe, are equipped with the tools they need to accomplish their mission.

We look forward to meeting with you this month to further discuss this policy and our concerns. Thank you for your attention on this important matter.

Sincerely,



Kevin McCarthy
Majority Whip



Bill Shuster



Walter B. Jones



Michael R. Turner



Robert Wittman



Tim Cole




Mike Coffman



Steve Chabot



Tom Lujan



Jinyong



Markwayne Mullin



Bill Huelskamp



Paul Cook



M. Brooks

Lon Barletta

Blake Farathold

Ed 30

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Jim Bidmetre

Ch Stewart

Paul Kunsch

Aust. Wood

Beef

Bob Zell

Tam Coltr

1. Kevin McCarthy
2. Bill Shuster
3. Walter Jones
4. Michael Turner
5. Rob Wittman
6. Tom Cole
7. Mike Coffman
8. Jason Chaffetz
9. Frank Lucas
10. Todd Young
11. Markwayne Mullin
12. David Valadao
13. Paul Cook
14. Mo Brooks
15. Lou Barletta
16. Blake Farenthold
17. Rob Bishop
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22. Austin Scott
23. Bill Young
24. Scott Rigell
25. Tom Cotton