

October 3, 2013

The Honorable Chuck Hagel
Secretary of Defense
1000 Defense Pentagon
Washington, DC 20301-1000

Dear Secretary Hagel,

One of the issues that this divided Congress can agree on is ensuring that our troops who serve in harm's way, and those that support them, receive the pay and benefits that they have earned. That is why Congress unanimously passed the "Pay Our Military Act" and the President quickly signed the bill into law.

The "Pay Our Military Act" gives the Department of Defense broad latitude to pay service members and civilians. The bill does not limit the provision of pay to civilians or certain service members who were previously categorized by the Administration as 'excepted' or 'essential' during sequestration furloughs. The law that we recently passed is explicitly clear: all members of the Armed Forces, including Reserve component personnel serving in an active status, will be paid in the event of a government shutdown. Further, the bill requires that civilian Department of Defense personnel "providing support to members of the Armed Forces" continue to receive their pay and allowances.

Unfortunately, we are receiving disturbing and conflicting reports from constituents and military personnel that uniformed service members and civilians who are directly supporting troops, including those in combat, are being furloughed. It is our understanding that under the current Department of Defense guidance, our National Guard and Reserves are seeing disruptions for personnel, to include:

- Traditional members of the Guard or Reserve who attend drill and annual training, including those who are performing domestic disaster relief and recovery operations; and
- Dual-status technicians, who are uniformed service members, and also non-dual status technicians; and
- Active Guard Reserve (AGR) personnel; and
- Personnel on short-term, mission-essential, active duty tours (commonly known as ADOS); and
- Federally reimbursed state civilians, such as firefighters, air traffic controllers and other civilians in direct support of military operations

Beyond the impact on the National Guard and Reserves, we have also received reports of civilians who have been furloughed, even though they directly support deployed troops and their family members.

Therefore, we urge you to review the policies that the services are disseminating to their commands to ensure that the spirit of the “Pay Our Military Act” is upheld and that guidance is standard across the services. Congress has given you the authority to maintain our national security without interruption. We strongly believe that all service members, and the civilians that support them, should receive equitable and fair treatment under this law.

Thank you for reviewing this matter.

Sincerely,

CC: The White House, Department of Justice, Office of Management and Budget