

Congress of the United States

Washington, DC 20515

October 7, 2025

Russell Vought
Director
Office of Management and Budget
Eisenhower Executive Office Building
1650 17th St. NW
Washington, DC 20006

Director Vought,

We are writing in response to reports that the White House is considering guidance that would compromise back pay for thousands of federal employees furloughed during the current Republican-driven government shutdown. This proposal is both preposterous and unlawful, as it would misrepresent congressional intent and contradict established legal interpretation.

The *Government Employee Fair Treatment Act of 2019 (GEFTA)* was enacted with overwhelming bipartisan support and signed by President Trump on January 16, 2019. It was explicitly intended to guarantee that all federal employees furloughed during any lapse in appropriations receive back pay once the government reopens. Upon receiving President Trump's signature, the Trump White House described the law as "requir[ing] the compensation of government employees for wages lost, work performed, or leave used during a lapse in appropriations that begins on or after December 22, 2018." The plain language of the statute, along with interpretations by the Trump administration's Office of Personnel Management and the Council of Economic Advisers issued within the last two months, affirms that back pay is guaranteed at the end of a government shutdown. According to OPM's guidance for a 2025 shutdown, "after the lapse in appropriations has ended, both excepted and furloughed employees will receive retroactive pay at the employee's standard rate of pay."

Reports suggest the White House has now conjured an unconvincingly narrow interpretation of the January 25, 2019 amendment to GEFTA, which provides that furloughed workers shall be compensated "subject to the enactment of appropriations Acts ending the lapse." That language was a procedural clarification ensuring furloughed employees were eligible for backpay at the end of a shutdown. In no way does it constitute a limitation on whether backpay may be administered.

Any new OMB position that conditions back pay on a specific appropriation is a distortion of congressional intent and a transparent attempt to use federal employees as leverage in a political dispute. These are real people with families who rely on their paychecks to make ends meet and should not be subjected to additional harm for political gain.

We call on OMB to uphold the law as written and intended, ensuring that furloughed employees are entitled to full back pay consistent with GEFTA and prior executive branch guidance.

Sincerely,



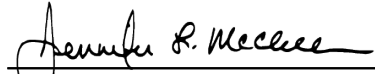
James R. Walkinshaw
Member of Congress



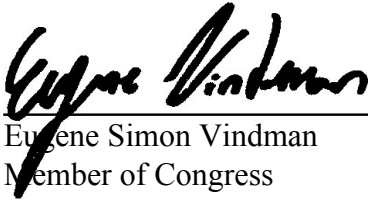
Donald S. Beyer Jr.
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Suhas Subramanyam
Member of Congress



Jennifer L. McClellan
Member of Congress



Eugene Simon Vindman
Member of Congress



Robert C. "Bobby" Scott
Member of Congress