

**STEVE COHEN**

9TH DISTRICT, TENNESSEE  
2268 RAYBURN HOUSE OFFICE BUILDING  
WASHINGTON, DC 20515

TELEPHONE: (202) 225-3265  
FAX: (202) 225-5663

**Congress of the United States**  
**House of Representatives**  
**Washington, DC 20515-4209**

COMMITTEE ON THE JUDICIARY

HOUSE PERMANENT SELECT  
COMMITTEE ON INTELLIGENCE

COMMISSION ON SECURITY AND  
COOPERATION IN EUROPE (U.S.  
HELSINKI COMMISSION)

ODELL HORTON FEDERAL BUILDING  
167 NORTH MAIN STREET  
SUITE 369  
MEMPHIS, TN 38103

TELEPHONE: (901) 544-4131  
FAX: (901) 544-4329

[WWW.COHEN.HOUSE.GOV](http://WWW.COHEN.HOUSE.GOV)

The Honorable Russell T. Vought  
Director  
Office of Management and Budget  
The White House  
Washington, D.C., 20503

*October 9, 2025*

Dear Director Vought,

I was deeply troubled to learn of the Office of Management and Budget's (OMB) recent memorandum suggesting that federal employees affected by the ongoing Republican shutdown may not be guaranteed back pay once the government reopens.

This interpretation is inconsistent with both federal law and decades of bipartisan precedent.

The Government Employee Fair Treatment Act of 2019 — signed into law by then-President Donald J. Trump — explicitly guarantees back pay for all federal employees affected by a lapse in appropriations.

The plain language of that statute leaves no room for doubt: federal employees who are required to work without pay, as well as those furloughed during a shutdown, must be made whole when government funding is restored.

To suggest otherwise would not only contradict the law, it would inflict needless uncertainty and hardship on hundreds of thousands of public servants who are already caught in the middle of this manufactured crisis.

These men and women are not political pawns. They are air traffic controllers, TSA officers, correctional staff, and countless others who continue to serve the American people while Congress remains at an impasse.

Accordingly, I request that OMB provide:

- The full legal justification for its recent memorandum regarding back pay eligibility;
- An explanation of how this interpretation aligns with the Government Employee Fair Treatment Act of 2019; and
- Confirmation that all furloughed federal employees and those required to work during the shutdown will receive full back pay once appropriations are restored.

Please also provide any correspondence or legal opinions consulted in preparing this memorandum.

It is unacceptable to force civil servants to go without pay while billionaires and corporations are being granted record-breaking tax cuts. The Administration should immediately clarify that every federal worker will receive the pay they have earned under the law.

I appreciate your prompt attention to this urgent issue.

As always, I remain,

Most sincerely,

A handwritten signature in blue ink that reads "Steve Cohen". The signature is written in a cursive, flowing style.

Steve Cohen  
Member of Congress