April 26, 2018

The Honorable Richard Shelby
Chairman
Committee on Appropriations
United States Senate
Washington, D.C. 20510

The Honorable Patrick Leahy
Vice Chairman
Committee on Appropriations
United States Senate
Washington, D.C. 20510

Dear Chairman Shelby and Vice Chairman Leahy:

As you and your colleagues begin work on the Fiscal Year (FY) 2019 appropriations bills, we respectfully request that you provide the resources needed to support the women and men of the federal workforce.

Federal workers across the country dedicate their professional lives to protecting, promoting, and preserving our rights and interests as Americans and they deserve our support in return. If we are to expect our federal government to function effectively and in the interest of the public it serves, we must invest in its workforce by offering fair compensation, including pay, health, and retirement benefits in order to attract and retain qualified, diverse, and dedicated federal workers. In addition, due to projected retirements in the coming years of the current workforce, it is essential that the federal government attract the next generation of public servants.

The President's FY 2019 budget request shortchanges federal workers by placing unjustifiable burdens on them. It includes a pay freeze for federal workers who were on schedule to receive a modest 2.1 percent average base pay raise next year based on the across-the-board pay adjustment formula established by the Federal Employees Pay Comparability Act (FEPCA). We respectfully ask that you reject the proposed pay freeze for federal workers. The budget also includes proposals to slow federal workers' career progression, make them contribute more towards their own retirement, lower their pensions, decrease the government's share toward health insurance, and cut sick and annual leave. In total, the President's FY 2019 budget proposal asks federal workers to give up $159 billion over ten years through cuts to their health and retirement benefits. This is on top of the approximately $200 billion that federal employees have already contributed to deficit reduction since FY 2010. In short, we are already getting more for much less from our federal workforce, and if we want to ensure that federal services are provided professionally and effectively, we need to make sure that the federal government is an attractive place to work. Therefore, we respectfully request you reject these proposed cuts that are made across all federal agencies.

The President's FY 2019 budget request also calls for steep reductions to staffing levels at several mission-critical Federal agencies. This concerted effort to reduce the size of the federal workforce is counterproductive to running a responsive federal government and it has not been adequately justified by the Administration. These proposed staffing reductions also come at a time when thousands of federal workers are either quitting or retiring from federal service. Below are examples of proposed staffing reductions of greatest concern to us that will increase risk to public safety and health, weaken U.S. economic competitiveness abroad, and undermine the federal government's ability to effectively manage services provided to American taxpayers:

- **Environmental Protection Agency (EPA)**: The EPA is charged with protecting human health and our environment. In addition to the cuts that have already been undertaken in FY18, the budget proposes cutting the agency workforce by an additional 25 percent or 3,800 workers.
- **Federal Labor Relations Authority (FLRA):** The FLRA enforces federal labor law through its adjudicatory and prosecutorial roles and also trains agency officials and union officers on their rights and responsibilities in accordance with the law. The budget proposes to close two of the FLRA's regional offices in Dallas and Boston. This decision will undermine the FLRA's ability to carry out its mission to oversee labor-management relations across the federal government.
- **Internal Revenue Service (IRS):** Although the President's budget request provides slightly more overall funding, it also proposes reducing staffing by 2,307 full-time employees, which would strain the IRS's ability to respond to questions from taxpayers, businesses, and tax preparers who routinely interact with the IRS on the toll-free telephone service, via correspondence, and in Taxpayer Assistance Centers (TACs). The proposed staffing reduction, for example, would decrease the toll-free telephone service from 75 percent in FY18 to 47 percent in FY19. This inadequate level of funding and resulting loss of full-time employees would undermine the IRS's ability to provide the quality taxpayer service that is a critical component of the agency's efforts to help the taxpaying public understand their tax obligations, while making it easier to participate in the tax system. Every dollar provided to the IRS ensures revenue owed to the Treasury is properly paid, errors and confusion are avoided, and fraud is combatted. When the IRS is underfunded, those who use dubious or even unlawful tax avoidance schemes benefit, secure in the knowledge that they are unlikely to be audited or penalized. This behavior has resulted in an estimated tax gap of over $450 billion. The tax gap stands to increase if the President's proposal to reduce the workforce comes to fruition. Finally, the President's budget also fails to provide enough funding to implement the new tax law, which the IRS is required to implement regardless of funding, but rather only mentions that IRS will need additional funds. If additional resources are not provided in FY19, the IRS could be forced to divert resources from other critical enforcement and taxpayer service programs and defer investing in or upgrading its existing aged IT infrastructure. The IRS Taxpayer Advocate reported that the IRS will need approximately $500 million in total to fully implement the tax cut law. While the Administration requested $397 million ($302 million for FY18 and $77 million for FY19) from Congress to implement the new law, the FY18 Omnibus Appropriations bill only allocated $320 million in FY18. There is no certainty of additional resources in FY19 for further implementation.
- **National Institute of Standards and Technology (NIST):** NIST is a measurement standards laboratory and a non-regulatory agency within the Department of Commerce. NIST develops compliance standards while also promoting U.S. innovation and fostering industrial competitiveness. The budget proposes cutting close to 400 positions at NIST. This represents a 15 percent reduction to their staff.
- **National Park Service (NPS)**: The NPS's 20,000 employees are entrusted with caring for our national parks. The budget proposal calls for cutting over 1,700 employees at a time

when national park visitation is at its highest level ever. In 2016, the national parks received a record number of nearly 331 million visitors. Cuts to park staff could lead to a reduction in services to the public, closed facilities, and heavier workloads for remaining staff.

- **National Weather Service (NWS)**: NWS as an organization within the National Oceanic and Atmospheric Administration at the Department of Commerce provides weather forecasts and warnings for the protection of life and property. The budget proposes cutting 355 additional positions at NWS. The majority of these positions are "emergency essential" operational personnel who play a critical role in protecting lives and property.
- **Customs and Border Protection Office of Field Operations (CBP OFO)**: CBP OFO is responsible for trade and travel inspection, interdiction, and facilitation at the 328 ports of entry. According to the Joint Economic Committee, many varied studies have found that delays at the air, sea, and land ports of entry due to CBP OFO staffing shortages can cost the U.S. economy between $90 million and $5.8 billion each year. The CBP OFO FY 2018 Workload Staffing Model shows a current staffing shortage of 2,516 CBP Officers and 731 Agriculture Specialists at the ports of entry. The budget proposes no increase in direct appropriations to hire any new CBP OFO positions.

We ask that you reject these and other proposed staffing reductions included in the President's FY 2019 Budget, and adequately fund our federal workforce so they may perform the responsibilities expected of them. We recognize the difficult choices that the Committee faces with respect to the budget, and we greatly appreciate your consideration of our request.

Sincerely,

Mazie K. Hirono
United States Senator

Tim Kaine
United States Senator

Benjamin L. Cardin
United States Senator

Chris Van Hollen
United States Senator

Mark R. Warner
United States Senator

Richard J. Durbin
United States Senator

Thomas R. Carper
United States Senator

Dianne Feinstein
United States Senator

Bernard Sanders
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Edward J. Markey
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Robert Menendez
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