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House of Representatives

The House met at 10 o'clock and was called to order by the Speaker pro tempore (Mr. HOLDING).

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
October 4, 2013.

I hereby appoint the Honorable GEORGE HOLDING to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 3, 2013, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes each, but in no event shall debate continue beyond 11:50 a.m.

STOP DEPARTMENT OF DEFENSE FURLOUGHES

The SPEAKER pro tempore. The Chair recognizes the gentleman from Alabama (Mr. BROOKS) for 5 minutes.

Mr. BROOKS of Alabama. Mr. Speaker, according to the Department of Defense, "of the Department's 800,000 civilian workers, about half will be furloughed." That means President Obama, our Commander in Chief, in his sole discretion, publicly declared that roughly 400,000 DOD civilian employees are not "essential" to America's national security.

Mr. Speaker, President Obama's furloughing 400,000 civilian Defense work-

ers violates the law while putting national security at greater risk.

Let me explain. If any one of three circumstances exist, then America's Defense workers should not be furloughed.

The first circumstance is if Congress passes a Defense appropriations bill, then the military is funded and the President has no legal basis for using the shutdown as an excuse for furloughing Defense workers.

Unfortunately, this first circumstance does not exist. While the House of Representatives, 4 months ago, passed the National Defense Authorization Act on a 315-108 bipartisan vote that included 103 Democrats, and while the House, almost 3 months ago, passed the Defense appropriations bill on a 315-109 bipartisan vote that included 95 Democrats, President Obama, Democrat Senate Majority Leader HARRY REID, and their allies refused to allow the Senate to vote on either bill that would both fully restore Defense funding lost because of sequestration and fully fund America's national security.

The second circumstance exists if President Obama declares workers "essential." While I disagree and question why any Commander in Chief, in his sole discretion, would slight 400,000 Defense workers by declaring them superfluous to America's national security, President Obama did just that. Hence, the second circumstance does not prevent furloughs of civilian Defense workers during this shutdown.

This brings us to the third circumstance, the Pay Our Military Act. This act not only forces the President to pay our men and women in uniform; it does more, much more. It also bars the President from furloughing civilian Defense workers even if there is a government shutdown, even if they are not declared "essential," and even if Congress has not passed its Defense appropriations bill.

For those who wish to read it, google the Pay Our Military Act to confirm that what I say is true. The Pay Our Military Act states, in part:

There are hereby appropriated for fiscal year 2014 . . . such sums as are necessary to provide pay and allowances to . . . civilian personnel of the Department of Defense . . . whom . . . are providing support to members of the Armed Forces.

Let me repeat that for emphasis. It states:

There are hereby appropriated for fiscal year 2014 . . . such sums as are necessary to provide pay and allowances to . . . civilian personnel of the Department of Defense . . . whom . . . are providing support to members of the Armed Forces.

There is no requirement that civilian Defense workers be essential. The only requirement is that they provide support to members of the Armed Forces. For emphasis, there is also no requirement that the support be for Armed Forces who are in combat.

Mr. Speaker, every single civilian Defense worker supports the Armed Forces. By definition, that is their entire job. Hence, as a matter of law, there should be no furloughs of any civilian Defense workers.

Mr. Speaker, earlier this week, on October 1, I joined 67 other Congressmen in a letter to Secretary of Defense Chuck Hagel, the Office of Management and Budget, and the Acting Secretary of Homeland Security reminding them of the Pay Our Military Act and emphasizing that we are:

Disheartened that the administration chose to needlessly furlough workers against the intent of Congress and that since all DOD civilian employees serve to support the uniformed services, all of these civilians should be returned to work without further delay.

Mr. Speaker, the President, our Commander in Chief, is actively violating the Pay Our Military Act. The Obama administration must immediately return all 400,000 furloughed DOD workers to work. Why, Mr. Speaker? Because it's the law.

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



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