

Congress of the United States

Washington, DC 20510

October 24, 2025

The Honorable Russ Vought
Director
The Office of Management and Budget
725 17th Street, NW
Washington, DC 20503

Director Vought:

We are deeply concerned by reports of federal employees whose jobs are fee-funded being furloughed or denied pay while working during the current government shutdown at the direction of the Office of Management and Budget (OMB). These moves are unprecedented during a government shutdown and have no legal or financial justification. They are clearly designed simply to inflict pain on the federal workforce and to deprive the American people of the services these federal employees provide.

The General Services Administration (GSA) has reportedly furloughed employees working in functions that do not rely on congressional appropriations, like those funded through the Acquisition Service Fund or carryover funds. These employees have typically been exempt from furloughs and been paid during shutdowns. Rather than determining a furlough plan based on availability of funds and job functions, a GSA department was reportedly “given a number to hit” for total furloughs.¹

Likewise, we have learned that employees in the Department of State’s Bureau of Consular Affairs (CA) have been furloughed, including employees in Passport Services, at OMB’s direction. However, these CA employees’ wages do not rely on appropriated funds. Instead, the salaries are paid with the fees that are collected to carry out services such as visa and passport adjudication. A lapse in appropriations should have no bearing on these employees’ work status, as they and their operations are fully fee-funded.

We have also been made aware that those CA employees who have been excepted are continuing to work without pay, despite the availability of funds and past precedent that has allowed fee-funded employees to continue to receive pay during a shutdown. There is no legal or financial reason to deny compensation to these employees as the money necessary to pay them is still being collected for services that are still being rendered.

The State Department’s own documentation supports these conclusions. On September 29th, 2025, the Department issued lapse guidance, which notes that “Consular operations domestically and abroad will remain operational as long as there are sufficient fees to support operations,”²

¹ <https://federalnewsnetwork.com/government-shutdown/2025/10/furloughs-hit-federal-employees-exempt-from-shutdown-laid-off-staff-told-to-keep-working/>

² <https://www.state.gov/wp-content/uploads/2025/09/DOS-Lapse-Guidance-updated-29-September-2025.pdf>, Pg. 25

that, as a category 4 entity, CA is “generally expected to operate normally,”³ and that, for these excepted “entities, no new obligations should be made except for *payroll*, to protect life and property, and for reasons essential to national security” [emphasis added].⁴

Moreover, OMB has allowed these entities to continue operations and to pay employees during previous shutdowns. Passport Services did not suffer any disruption to its operations or payroll during either of the government shutdowns during President Trump’s first term. The only rationale here seems to be needlessly inflicting maximum pain on federal workers who are serving the American people.

There is no legal, financial, or historical reason to furlough or withhold pay from any federal employees whose wages do not rely on appropriated funds. These employees are non-partisan Americans who work hard to ensure the safety, security, and prosperity of their fellow Americans day in and day out. As such, we urge the immediate reinstatement of and resumption of pay for all federal employees who do not rely on appropriations for their work or wages, and we also request urgent answers to the below questions within 7 days:

1. How many fee-funded GSA employees have been furloughed during this current lapse in appropriations? Please provide a breakdown by agency and office. What is the justification for furloughing GSA employees whose wages do not rely on congressional appropriations?
2. What is the anticipated impact on GSA operations as a result of these unnecessary furloughs?
3. How many employees have been furloughed or denied pay while working during this current lapse in appropriations from the State Department’s Bureau of Consular Affairs, including Passport Services? Please provide a breakdown by bureau and office. Given that the entire Consular Affairs Bureau is fee-funded, what is the justification for furloughing or denying pay to any of these employees?
4. What is the anticipated impact on consular operations, including visa and passport adjudication, as a result of these unnecessary furloughs?
5. Outside of GSA and the State Department’s Bureau of Consular Affairs, how many fee-funded employees have been furloughed or denied pay across the federal government while working during this current lapse in appropriations? Please provide a breakdown by agency and office. Given these offices are fee-funded, what is the justification for furloughing or denying pay to any of these employees?

Sincerely,



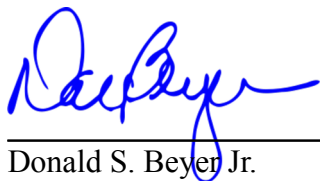
Chris Van Hollen
United States Senator



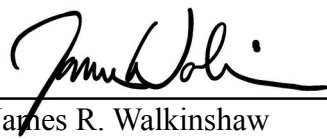
Angela D. Alsobrooks
United States Senator

³ Ibid., Pg. 67

⁴ Ibid., Pg. 4



Donald S. Beyer Jr.
Member of Congress



James R. Walkinshaw
Member of Congress



Richard Blumenthal
United States Senator



Kirsten Gillibrand
United States Senator



Mazie K. Hirono
United States Senator



Tim Kaine
United States Senator



Andy Kim
United States Senator



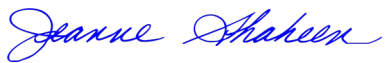
Jeffrey A. Merkley
United States Senator



Alex Padilla
United States Senator



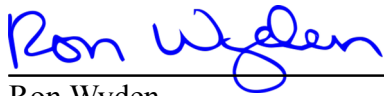
Gary C. Peters
United States Senator



Jeanne Shaheen
United States Senator



Mark R. Warner
United States Senator



Ron Wyden
United States Senator



Andre Carson
Member of Congress



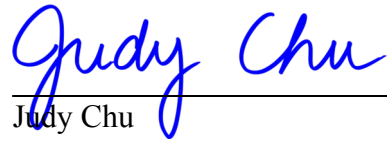
Troy A. Carter, Sr.
Member of Congress



Yvette D. Clarke
Member of Congress



Emanuel Cleaver, II
Member of Congress



Judy Chu
Member of Congress



J. Luis Correa
Member of Congress



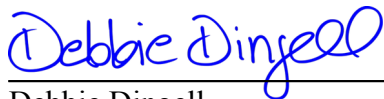
Danny K. Davis
Member of Congress



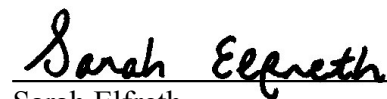
Diana DeGette
Member of Congress



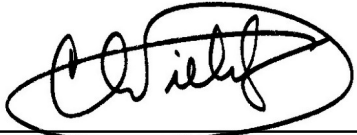
Mark DeSaulnier
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Debbie Dingell
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Sarah Elfreth
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Cleo Fields
Member of Congress



Bill Foster
Member of Congress



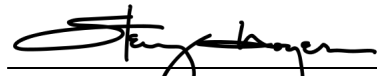
Sylvia R. Garcia
Member of Congress



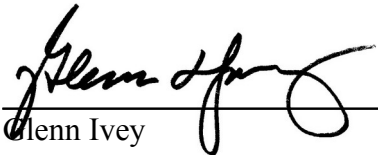
Dan Goldman
Member of Congress



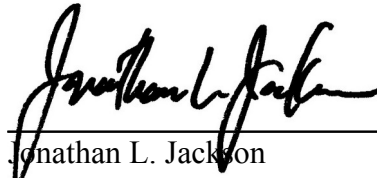
Maggie Goodlander
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Steny H. Hoyer
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Glenn Ivey
Member of Congress



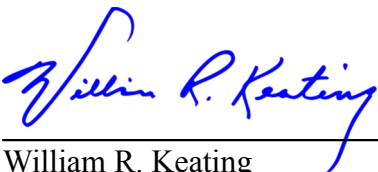
Jonathan L. Jackson
Member of Congress



Pramila Jayapal
Member of Congress



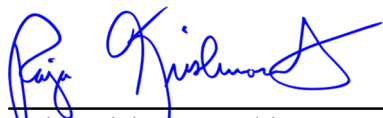
Henry C. "Hank" Johnson, Jr.
Member of Congress



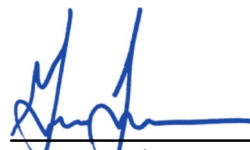
William R. Keating
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Ro Khanna
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Raja Krishnamoorthi
Member of Congress



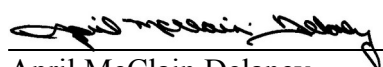
Greg Landsman
Member of Congress



Summer L. Lee
Member of Congress



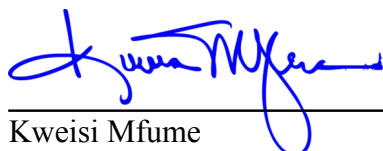
Stephen F. Lynch
Member of Congress



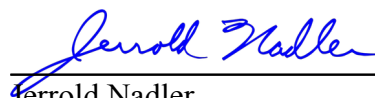
April McClain Delaney
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James P. McGovern
Member of Congress



Kweisi Mfume
Member of Congress



Terrold Nadler
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Eleanor Holmes Norton
Member of Congress



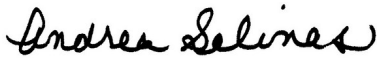
Nellie Pou
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Jamie Raskin
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Raul Ruiz, M.D.
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Andrea Salinas
Member of Congress



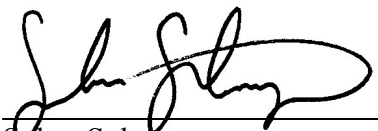
Robert C. "Bobby" Scott
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Lateefah Simon
Member of Congress



Darren Soto
Member of Congress



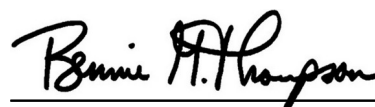
Suhas Subramanyam
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Thomas R. Suozzi
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Eric Swalwell
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Bennie G. Thompson
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Dina Titus
Member of Congress



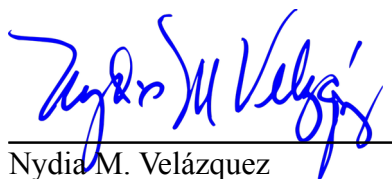
Paul D. Tonko
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Ritchie Torres
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Juan Vargas
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Nydia M. Velázquez
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Eugene Simon Vindman
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