



COMMONWEALTH of VIRGINIA
Office of the Governor

Ralph S. Northam
Governor

January 25, 2019

President Donald J. Trump
The White House
1600 Pennsylvania Ave, NW
Washington, D.C. 20500

The Honorable Mitch McConnell
Majority Leader
United States Senate
U.S. Capitol Building, Room S-230
Washington, D.C. 20510

The Honorable Chuck Schumer
Minority Leader
United States Senate
U.S. Capitol Building, Room S-224
Washington, D.C. 20510

The Honorable Nancy Pelosi
Speaker of the House
United States House of Representatives
U.S. Capitol Building
Washington, D.C. 20510

The Honorable Kevin McCarthy
Minority Leader
United States House of Representatives
U.S. Capitol Building
Washington, D.C. 20510

President Trump, Leader McConnell, Leader Schumer, Speaker Pelosi, and Leader McCarthy:

I am writing to you on behalf of the 177,000 federal workers who call Virginia home, about 64,000 of whom are impacted by the longest government shutdown in American history. I urge you to find a path forward to reopen government and return federal employees back to work immediately.

The sustained nature of this shutdown hurts Virginia. If it continues, I urge you to immediately approve legislation introduced by Representative Anthony Brown of Maryland and co-sponsored by Representatives Don Beyer, Elaine Luria, and Jennifer Wexton of Virginia, which would overturn a U.S. Department of Labor regulation that prohibits federal essential workers who are furloughed from receiving unemployment insurance benefits. Making this change would alleviate concerns over possible enforcement action the Department may take against states that issue benefits against current guidance.

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As Virginia's governor, I must consider all available options for alleviating the impacts of the shutdown on our residents. Earlier this week, I wrote a letter to U.S. Secretary of Labor Alexander Acosta asking for clarification of the Department's guidance regarding the issuance of unemployment benefits to furloughed workers deemed "essential", who have been working over the last 35 days of this partial government shutdown without pay. That guidance states these federal workers are not "unemployed" within the meaning of the states' unemployment compensation acts, leaving them ineligible for unemployment insurance benefits.

I asked Secretary Acosta to clarify what, if any action, the Department will take against states that issue unemployment insurance benefits against the Department's stated guidance. I asked specifically for assurances that the Commonwealth would not be penalized for stepping in to help federal personnel while Washington remains in gridlock over ending the shutdown.

To date, I have received no assurances. This is an affront to Virginia's employers for whom enforcement action would result in the loss of the credit currently provided to them under the Federal Unemployment Tax Act, which could result in significant hardship. This credit reduces the tax liability of Virginia employers by approximately 90 percent. Elimination of the credit would result in an additional cost of about \$2.5 billion to our employers.

I write to you in support of this legislation, and urge its speedy passage. Today, furloughed workers will miss their second paycheck – the tremendous financial challenge this presents for them cannot be overstated.

I am deeply concerned for federal workers like our TSA screeners, FAA personnel, and Coast Guard members, who have dedicated their careers to federal service, and are more constrained in their ability to meet their needs and the needs of their families each day this shutdown continues. Unemployment benefits to essential personnel would, in part, mitigate the costs associated with reporting to work, such as childcare and transportation, and basic necessities like food and housing.

I cannot overstate the urgency of this situation. The longer this shutdown lasts, the more dire the effects on federal employees. If dialogue continues to stall over reopening the government, I implore you to consider the unnecessary burden on federal employees and act on Representative Brown's bill.

Sincerely,

A handwritten signature in black ink, appearing to read "Ralph S. Northam". The signature is fluid and cursive, with a long horizontal stroke at the end.

Ralph S. Northam