

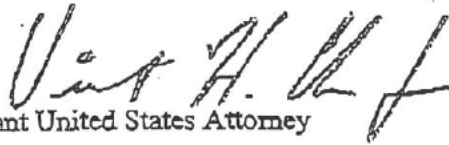
ASSISTANT UNITED STATES ATTORNEY PROPOSED FURLOUGH NOTICE

Date: February 20, 2013

To: [REDACTED]

From: [REDACTED]

Principal Assistant United States Attorney



Subject: Notice of Proposed Furlough Due to Sequestration of Agency Funds

This memorandum notifies you that the Department of Justice (DOJ) proposes to furlough you no earlier than 30 days from receipt of this notice. The furlough is being proposed under the authority of 5 CFR part 752, subpart D. This furlough is necessitated by the Budget Control Act of 2011 (Public Law 112-25) and the American Taxpayer Relief Act of 2012 (Public Law 112-240), which require a sequestration of federal agencies' funds in the event Congress does not take alternative measures to reduce the federal budget deficit by specified amounts. If Congress fails to take such action by March 1, 2013, automatic cuts to the Department's Fiscal Year 2013 budget will be triggered.

If other employees in your competitive level (i.e., generally, positions at the same grade level and classification series, the duties of which are generally interchangeable – see 5 CFR 351.403(a)) are not being furloughed or are being furloughed for a different number of days, it is because they (1) are currently in nonpay status, (2) are under an Intergovernmental Personnel Act mobility assignment, (3) are on an assignment that does not require the expenditure of DOJ funds, (4) are in a position the duties of which have been determined to be of crucial importance to this agency's mission and responsibilities, and cannot be curtailed, or because furloughing the employee does not generate any cost savings for agency.

We plan to apply the following procedures and conditions related to the furlough:

1. If the furlough occurs, it will be on discontinuous (intermittent) days, during the period between April 21, 2013, through September 30, 2013. Full-time employees will be furloughed no more than 14 workdays or 112 hours. If you are a part-time employee, your furlough time off will be prorated, based on your work schedule.
2. Because every DOJ Component has a different funding profile, the number of furlough days could vary across the Department. Also, the number of hours per pay period required for the furlough may vary. Accordingly, if the decision is made to furlough, you will be advised in advance of each pay period of the number of furlough hours required to allow this agency to meet its financial obligations.
3. You may request a specific schedule for furlough time off subject to management approval based upon mission and workload considerations.
4. Annual, sick, court, or military leave which has been approved for a day which is later designated as a furlough day will be recorded as a furlough and you will be placed in a nonpay status for the day. However, when you receive the notice of your furlough dates, you

may request that the furlough time off be rescheduled, as provided in paragraph 3 above, if you wish to use leave as approved.

When you are on furlough, you will be in a nonpay, nonduty status. Also, during the furlough, you will not be permitted to serve as an unpaid volunteer and must remain away from your workplace. At this time, we do not anticipate the need for furlough beyond 14 workdays. However, should additional furlough days become necessary, you will receive another employee notice.

If you wish to reply to this notice of proposed furlough, you are allowed seven (7) calendar days from receipt of this letter to review the supporting material, respond orally and/or in writing, and furnish any affidavits or other supporting documentary evidence in your answer. You have the right to be represented in this matter by an attorney or other person you may choose. If you are in duty status, you and/or your representative, if an agency employee, will be allowed up to four hours of official time to review the supporting material, seek assistance, prepare your reply, secure affidavits and statements, consider appropriate courses of action, and make a response. Contact your supervisor to arrange for official time. To arrange for an oral reply, submit a written reply, or review the supporting materials, please contact the individual listed below:

Ronald C. Machen Jr.
United States Attorney
555 Fourth Street NW, Room 5806
Washington, DC 20530
[REDACTED]
[REDACTED]

A final written decision, including an explanation of the specific reasons for the action taken, will be given to you as soon as possible after the seven days allowed for your reply. No decision to furlough you has been made or will be made until full consideration has been given to your reply.

We recognize the difficult personal financial implications of any furlough, no matter how limited its length. We will make every effort to keep you informed as additional information regarding agency funding becomes available. If you have questions, contact [REDACTED]
[REDACTED]

I acknowledge receipt of this notice.

Employee (AUSA) Signature

Date