

DOD Officials Detail Closure Effects, Plans

By Jim Garamone
American Forces Press Service

WASHINGTON, April 8, 2011 – While still hoping to be spared a shutdown, Defense Department officials are making plans should the government close over the fiscal 2011 budget impasse, a senior Pentagon official said here today.

“We are a country of laws, and if we go through a government shutdown, we will follow the laws,” the official said on background.

Without an appropriations act, the department cannot disperse funds except for very narrow exceptions for safety of life and protection of property.

“Based on these exceptions, we can maintain key national security functions — the war in Afghanistan, the transition in Iraq, Libya operations and humanitarian operations in Japan, and other key national security missions,” he said.

All military personnel are “excepted” if the government is closed and will report to work. Only civilians in excepted positions would be directed to report to work.

“All others will be placed on no-notice, non-paid furlough status,” the official said. “We estimate about 400,000 civilians will be furloughed.”

A shutdown would cause pay issues, the official said, noting the April 15 military pay day would have only half a paycheck.

“We will be able to pay the military retroactively once we get an appropriation,” he said. “But in the meantime, it’s tough on men and women in the military. They have kids to feed, car payments to make and mortgages to pay like we all do.”

If the shutdown is over by April 12, Defense Finance and Accounting Service officials believe they would be able to get the full pay into the checks by April 15. If not, the service is looking at a special “catch-up” payday for troops.

For DOD civilians, the April 15 check will be complete for most because of the way the pay period occurs. For those directed to work, they can be paid retroactively. For those furloughed, Congress would have to pass special authority to pay them.

“If [the shutdown] were to go as long as April 30, then neither military nor civilians will get any pay at all,” the senior defense official said.

The department also will not be able to pay the \$100,000 death gratuities paid to the survivors of those killed on duty, the official said.

“We could pay that retroactively once we get an appropriation, and we’re looking for ways to be helpful in the meantime, but we won’t be able to pay the full amount,” he said.

Other effects of a shutdown, the official said, would include DOD not being able to perform routine maintenance, suspension of routine classroom training, possibly suspending military promotion boards, and stopping some supply actions.

Local commanders have some leeway in how to handle the shutdown at bases, the official said. DOD officials still do not know how military commissaries would be affected. DOD

Educational Activity Schools will remain open, and day care would still be available.

“The big problem [for families] is if this runs to April 15, they only have half a paycheck,” the official said. “That’ll be a big problem for people.”

DOD is working with the military aid societies, “but there is only so much that they can handle,” the official said.

There is legal help, according to officials.

“Under the Service Members Civil Relief Act, if a service member on active duty is unable to perform an obligation arising under a contract [for example, they cannot make an automobile, rent or mortgage payment], and is charged a late fee or other similar penalty as a result, then a court may reduce or waive that fee if the ability to pay was materially affected by such military service,” DOD officials said.

“If a service member misses a payment because of pay disruptions caused by the shutdown of the federal government,” the official said, “then this section [under the Relief Act] should provide relief. Servicemembers should contact their lenders or the other party to their contract or obligation and request relief under this section.”

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