



July 15, 2020

The Honorable Mitch McConnell
Majority Leader, United States Senate
Washington, D.C. 20510

The Honorable Nancy Pelosi
Speaker, United States House of Representatives
Washington, D.C. 20515

The Honorable Charles E. Schumer
Democratic Leader, United States Senate
Washington, D.C. 20510

The Honorable Kevin McCarthy
Republican Leader, United States House of Representatives
Washington, D.C. 20515

Dear Leader McConnell, Speaker Pelosi, Leader Schumer and Leader McCarthy:

Section 3610 of the CARES Act (P. L. 116-136) authorizes federal agencies to reimburse certain company expenses for keeping skilled personnel and key employees in a ready state when they are unable to perform work either on site or remotely due to closures or other government imposed restrictions and are also unable to telework because their jobs cannot be performed remotely. Unless Congress acts soon, this important provision will expire on September 30, 2020.

When the CARES Act was enacted on March 27, 2020, there was no clear estimation or understanding of the duration or magnitude of the impact of COVID-19 on federal government operations and on the many thousands of contractors whose support is vital to those operations. Today, it is apparent that such impact will clearly extend beyond September 30, and it is not possible to predict how long such authority will be needed.

Therefore, on behalf of the more than 400 member companies of the Professional Services Council (PSC), I write to request your urgent action to extend this authority until December 31, 2020, or the expiration of the coronavirus public health emergency, whichever comes later.

Section 3610 applies to all federal agencies, and each such agency can use its authority to address their specific needs. Implementation issues have arisen, including incomplete, inconsistent, and untimely guidance from federal agencies and the possible need for additional funding. These are vital concerns, but the need to extend current authority is equally important and especially urgent.

COVID-19 will impact the blended federal workforce beyond this September 30. Federal civilian workers and uniformed personnel continue to be paid whether they can access workspaces or not. For the contractor workforce, however, that is often not the case. Section 3610 is essential to preserving the cohort of highly skilled workers and key personnel, many with high-level security clearances, that has taken decades to assemble. Failure to sustain the employees in that workforce will lead to negative impacts on the agencies which they support as well as on the workers themselves, their families, and their employer companies. Such a failure could also lead to furloughs and layoffs that would further damage an already faltering economy. Extending Section 3610 authorities will help prevent these negative consequences.

In addition, PSC member companies support U.S. Government operations across the country in all fifty states and around the world, where access to facilities and remote work options often face significant uncertainties and frequent changes. With the ever-changing impact of COVID-19 affecting different areas of the country and with varying severity, an extension of Section 3610 provides federal agencies with timely and necessary flexibility to meet mission needs.

The support that Section 3610 provides for federal operations will clearly be needed government-wide until the COVID-19 crisis is over, and that is well beyond September 30, 2020. For all of these reasons, PSC urges you to place such an extension of Section 3610 on the first available legislative vehicle. We would be happy to provide additional supporting material in support of this request and to discuss this further with you or your staff at your earliest convenience.

Yours respectfully,

A handwritten signature in dark ink, appearing to read "David J. Berteau". The signature is fluid and cursive, with the first name "David" and last name "Berteau" clearly distinguishable.

David J. Berteau
President and CEO
Professional Services Council