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Congress of the United States
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CHAIRMAN,
SUBCOMMITTEE ON DOMESTIC POLICY

COMMITTEE ON OVERSIGHT AND
GOVERNMENT REFORM

COMMITTEE ON EDUCATION AND LABOR

March 25, 2010

Ms. Teresa McKay
Director
Defense Finance and Accounting Service
1851 Bell Street
Arlington, VA 22202-3538

Dear Ms. McKay:

It has come to our attention that a significant number of long-term employees at the Defense Finance and Accounting Service (DFAS) in Cleveland have been faced with indefinite suspensions or terminations of employment as a result of background investigations conducted pursuant to Department of Defense (DOD) regulation 5200.2-R. Unjustified terminations may have resulted, and continue to result, from this policy. We ask that DFAS and DOD demonstrate a good faith effort to ensure that no DFAS employee be unjustly terminated by suspending this policy pending a full review in conjunction with our offices.

As you know DFAS Cleveland is a major employer in Northeast Ohio, which we represent in Congress. Regulation 5200.2-R requires DOD employees to undergo extensive background investigations to determine their suitability to access sensitive information, which is a critical element of their job duties in many cases. There are indications that as DFAS has executed this policy, valuable employees who had been with the agency for decades lost their jobs, for example, because of a bad credit rating. While we agree that there may be compelling reasons to hold employees requiring security clearances to a more stringent code of personal conduct and financial standard, the exclusive use of bad credit, for example, as grounds for suspension or termination of employment raises questions of intent.

Employees who have dedicated years to DFAS have lost their jobs; DOD has equally invested in the careers of these employees. If the DOD is going to place such an emphasis on employees' credit history, it should do so by heeding the recommendation in the same regulation it is using to fire people. The recommendation is to implement a program to help employees address personal financial problems. Specifically, Chapter 9, Section C9.1.2.2 of 5200.2-R encourages *"heads of all DOD Components to develop programs designed to assist employees in sensitive positions who are experiencing problems in their personal lives with respect to such areas as financial, medical, or emotional difficulties. Such initiatives should be designed to identify potential problem areas at an early stage so that any assistance rendered by the employing activity will have reasonable chance of precluding long term, job related security problems."*

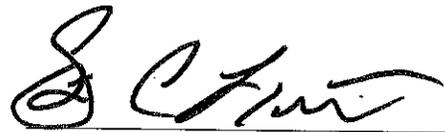
While programs of this type are not mandatory, adherence to all sections of 5200.2-R would ensure that employees of DFAS have the support to appropriately and successfully respond to personal issues that may compromise their security clearance and ultimately, their employment. DFAS has not implemented the aforementioned program, and is firing long-term employees who have no prior history of problems. DOD must hold itself to the same standard by ensuring their due diligence that they have taken all the appropriate steps to educate employees on the ramifications of their financial history on employment.

The policy and its implementation are of particular concern to this delegation and they raise serious questions. Please provide our offices with the rationale and cost-benefit analysis for the policy. In addition, please include statistics on the number of indefinite suspensions and terminations due to personal finances that have occurred in the State of Ohio. These statistics should include, but not be limited to age, race, gender, pay grade, and years of service at the agency. Until a review of the policy and its implementation is complete, we ask that you immediately suspend all related terminations. Thank you for your immediate attention to this matter of great importance to the people of Northeast Ohio.

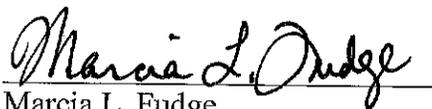
Sincerely,



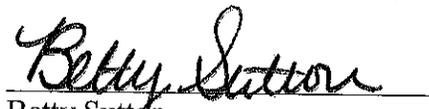
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