

May 29, 2013

To: _____ (Supervisors Printed Name)

From: _____ (Your Printed Name)

In accordance with my rights under 5 USC 7513(b) I hereby protest the Adverse Action being taken against me by the, Naval Surface Warfare Center Port Hueneme Division (NSWC PHD) in that I should NOT be furloughed to meet the Budget Sequester Cuts for FY13 as proposed by the President of the United States (POTUS) and the Office of Management and Budget (OMB).

The Secretary of Defense as exceeded his statutory authority under PL 112-155 dated August 7, 2012 and pursuant to OMB reports published on behalf of POTUS in compliance with PL 112-155 mandate for notification to Congress.

The proposed adverse action against me is unwarranted, unprecedented and discriminates in the manor it is being applied. The President and the Congress have not concurred. To the contrary, the President has issued a Directive to all Executive Departments and Agencies to make furloughs the last resort, however, NSWC PHD and the Department of Defense (DoD) have exceeded their authority in ordering this adverse action against me and have unfairly exempted other civil service employees and allowed them to remain working for the balance of FY13 without the loss of pay.

Naval Surface Warfare Center Weapons Division management is obligated to provide to me supporting materials for my review about why the Agency is taking this action against me per 5 CFR 752.404 and also to provide to me materials for appeal of this adverse action furlough to the Merit System Protection Board as provided for in the Notice published in the Federal Register on April 11, 2012.

Regards

Signature

Acknowledgement of Receipt