



## AGENCY OPERATIONS IN THE ABSENCE OF APPROPRIATIONS

### PURPOSE AND APPLICABILITY:

The Anti-Deficiency Act, 31 U.S.C. §§ 1341 and 1342 strictly prohibits the conduct of business by federal agencies during a lapse of appropriations. This plan describes the National Capital Planning Commission’s (NCPC) procedures to conduct an orderly shutdown in the absence of appropriations. This plan applies to all NCPC staff and will go into effect only when directed by the Office of Management and Budget (OMB) and subsequently communicated to the NCPC staff by the Executive Director or the Director of the Office of Administration (Administrative Officer). This plan will be updated by the NCPC Office of Administration and submitted to OMB bi-annually or when there is significant modification or change to the agency’s program or funding source.

<b>LAPSE PLAN SUMMARY OVERVIEW</b>	
Estimated time (to the nearest half day) required to complete shutdown activities:	1/2 day
Total number of agency employees expected to be on board before implementation of the plan:	35 FTEs
<b>Total number of employees to be retained under the plan for each of the following categories</b>	
Compensation is financed by a resource other than annual appropriations:	0 FTEs
Necessary to perform activities expressly authorized by law:	0 FTEs
Necessary to perform activities necessarily implied by law:	0 FTEs
Necessary to the discharge of the President’s constitutional duties and powers:	0 FTEs
Necessary to protect life and property:	0 FTEs
<b>Summary of significant agency activities that will continue during a lapse:</b>	
<u>No</u> NCPC activities will continue during a lapse in appropriations.	
<b>Summary of significant agency activities that will cease during a lapse:</b>	
<u>All</u> agency activities will cease during a lapse in appropriations.	

This plan supersedes all plans that were published prior to August 01, 2023. The NCPC point of contact responsible for implementing and adjusting this plan is:

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## **GENERAL PROCEDURES:**

When the NCPC receives notification from OMB that there has been a lapse in appropriations, the NCPC will begin an orderly shutdown of its operations. As of September 30, 2023, all NCPC staff are in 80% telework status. Given the remote work of agency staff, the NCPC estimates that actions related to shutting down operations will require not more than one workday. It is expected that a shutdown in NCPC operations would be temporary however should a shutdown be for an extended period (e.g., 5 days or longer) the shutdown procedures will remain the same. No action delineated in this plan will impede the orderly resumption of operations once funds are available.

This plan assumes that staff will conduct shut down activities remotely. Activities will include cancelling leave, closing out priority work projects, completing time and attendance for the applicable period prior to the shutdown, posting notices to the NCPC's website, updating the NCPC's voicemail to advise callers of the agency's status and ensuring IT assets are secure. Other specific shutdown activities and actions are as follows:

### **SPECIFIC AGENCY ACTIONS:**

1. The Executive Director or designee will notify the NCPC Chairman that shutdown activities have been initiated. If applicable, a decision will be made to cancel a regularly scheduled monthly Commission meeting, planned public meeting, or other planned activity.
2. Unless instructed otherwise, staff will only engage in actions necessary to perform shutdown operations. Shut down operations should last no more than four hours.
3. All NCPC staff are non-excepted employees and will be furloughed in accordance with adverse action procedures (5 CFR Part 752)\*. The NCPC's staff will be notified of the furlough by email, telephone, and/or by written notice. Efforts will be made to deliver furlough notification to each employee; however, an employee could be furloughed without first receiving a written notice of decision to furlough. In the event a written notice is not possible at the onset of the shutdown (5 CFR 752.404 (d)(2)) an oral notice via telephone or other means is acceptable until a written or email notice is issued.
4. Staff will be advised that no work will be performed during a shutdown of NCPC operations. During the shutdown period, staff are prohibited from using NCPC-issued cellular phones, computers, tablets, or other electronic and communication devices. Staff will update their NCPC email and voice mail with a standard notice to advise of the agency's shutdown status.
5. The Administrative Officer will issue notices to all NCPC vendors and contractors to cease operations due to the shutdown.
6. The Administrative Officer or designee will coordinate with the National Finance Center and the Bureau of Public Debt Administrative Resource Center to address personnel, payroll, budget, and finance matters that may be affected by the lapse in appropriations.
7. Employees will be advised to monitor the news media to determine when the lapse has ended and when they should report to work. Employees should also monitor their personal email for notices and updates from the NCPC Administrative Officer.
8. When the furlough period has ended, the Administrative Officer will notify the NCPC's Division Directors via email or telephone to contact their staff with return-to-work instructions. When issuing return to work instructions, supervisors should consider and utilize all available NCPC workplace flexibilities to ensure an orderly return to operations. Staff can find additional information and guidance throughout the furlough period on OPM's webpage "OMB Communications Regarding a Lapse in Appropriations."

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\*While not excepted employees, the Executive Director and Administrative Officer shall be allowed to use NCPC-issued resources to communicate with the Office of Management and Budget and the Office of Personnel Management to remain abreast of furlough activities and respond to any furlough-related inquiries.