

U.S. ELECTION ASSISTANCE COMMISSION

Agency Operating Procedures in the Absence of Appropriations

1. **PURPOSE:** This document provides contingency planning in event of a funding hiatus caused by the absence of appropriations, either through failure to pass a regular appropriation bill or a continuing resolution.
2. **REFERENCES:** OMB Circular A-11, Section 124 (2010), OPM *Guidance and Information on Furloughs* (opm.gov/furlough).
3. **POLICY:** Because no U.S. Election Assistance Commission staff provide law enforcement, military or health care services, or actions necessary to protect life and property as required by the Antideficiency Act (31 U.S.C. §1341) and relevant OMB and Department of Justice guidance, in the event of a funding hiatus no agency staff will report to work.
4. **ACTIONS:** The following actions will be taken to effect the shutdown:
 - A. Employees will be advised by the Executive Director or his designee of a possible funding hiatus as soon as such an event is deemed likely by management.
 - B. When a funding hiatus occurs, EAC Office of Human Resources staff will email all employees with instructions.
 - C. No employees report to work.
 - 1) No employees will be granted leave of any type during the funding hiatus. When funds are restored, staff will either be returned to duty or placed on leave, as appropriate.
 - 2) Staff in travel and/or training status must be contacted by their supervisors and told that they are in nonpay status and must return home immediately.
 - 3) Building facilities and services should not be used during the funding hiatus.
 - D. A telephone recording on the main EAC telephone number (202-566-3100) and an EAC website message will alert the public to the status of the agency.
 - E. All payments scheduled during the furlough period, which were authorized under prior appropriations, e.g., travel and per diem, contract payments, etc., will be delayed until the

furlough period is ended. All contractors will be paid in accordance with their specific agreements for the hiatus period.

- F. Division/Office Directors are responsible for notifying all contract vendors for rented meeting facilities, or non-government training contractors scheduled to execute the terms of a contract during the anticipated hiatus period of the lapse of appropriations, with assurances that the contracted servicers will be rescheduled or resumed when funds are restored. Expenses incurred by reason of necessary cancellations will also be paid when funds are restored.
- G. It is the employee's responsibility to stay informed as the status of agency funding during the hiatus. Employees are expected to report to work as scheduled on the first workday after the enactment of an appropriation or continuing resolution that makes funds available to the agency.

5. EMPLOYEE BENEFITS

- A. Health, Life and Retirement Insurance coverage continues under the absence of appropriations. Employees are responsible for paying the employee share of the premiums. Once returned to pay status, any amounts owed will be deducted from biweekly gross pay.
- B. For leave accrual purposes, leave will be prorated for the period covered by appropriation.