



**DEPARTMENT OF THE NAVY**  
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CNICINST 12351.1  
N1  
2 April 2012

CNIC INSTRUCTION 12351.1

From: Commander, Navy Installations Command

Subj: PREPARATIONS FOR LAPSE IN APPROPRIATIONS AND RESULTING  
FURLOUGH OF PERSONNEL

Ref: (a) Circular No. A-11 July 2010  
(b) OMB Memorandum M-11-13 of 7 Apr 2011  
(c) COMNAVRESFOR 071828Z Apr 11 (ALNAVRESFOR 001/11)

Encl: (1) Draft Furlough WARNORD  
(2) Furlough Checklists  
(3) Draft Furlough EXORD  
(4) Draft Notice of Decision to Furlough  
(5) OGC Government Shutdown guidance

1. Purpose. To implement policy for use in the case of a lapse in appropriations and a resulting furlough of personnel in accordance with references (a) through (c).

2. Background. In the case of a lapse of appropriated funds, the Federal Government no longer has the authority to obligate funds for other than essential operations. During a lapse in appropriations, civilian employees are not authorized to continue performing the work for which they are normally assigned (unless specified in reference (b)) and are placed in a furlough (non-pay) status

3. Policy. An orderly shutdown will be completed in accordance with references (a) through (c) and guidance provided via the U.S. Office of Personnel Management's Guidance for Furlough website located at: <http://www.opm.gov/furlough/>.

a. To facilitate an orderly shutdown, Commander Navy Installations Command (CNIC) will plan and execute actions to ensure service to the Fleet, Family and Fighter is reduced to

essential functions only, in a quick and orderly manner. Procedures for implementation of a lapse in appropriations and resulting furlough are outlined in enclosures (1) through (4) and will be initiated in accordance with higher authority guidance.

b. Furlough actions will not be initiated until the order to execute is given by CNIC Commander.

c. Enclosure (5) provides useful pointers for dealing with Government contractors while most of the government is on furlough.

d. Essential financial management operations will continue to be provided to control funds, record new obligations incurred in the performance of excepted activities, manage working capital funds, and to effect upward obligations and the reallocation of prior-year unobligated funds in support of excepted activities.

e. The following guidelines will apply for specific types of employees in the event of a furlough:

(1) Civilian Appropriated Fund (APF) Employees:

(a) Civilian APF employees will be designated as "excepted" or "non-excepted."

1. "Excepted" personnel will not be furloughed in the event of a lapse in appropriations due to the nature of their position. As specified in reference (b), an "excepted" employee performs emergency work involving the safety of human life or the protection of property including operations essential for the security of our nation; is involved in the orderly suspension of agency operations; or conducts other functions exempt from the furlough.

2. "Non-excepted" personnel will be furloughed in the event of a lapse in appropriations. "Non-excepted" personnel will receive a standard furlough notice the day following the activation of a furlough. They are prohibited from using government equipment (including Blackberrys and laptops) during the lapse in appropriations.

(b) Leave will be cancelled for employees during a furlough. "Excepted" personnel will report for duty and "non-excepted" personnel will be placed in a furloughed, non-pay status.

(c) Official travel will be cancelled during a lapse of appropriations. "Non-excepted" personnel on travel will receive a standard furlough notice upon their return to the home duty station and will then be placed in a furloughed, non-pay status.

(2) Contract employees:

(a) All contracts will include language addressing actions in the case of a lapse of appropriations and a resulting furlough. This shall be done regardless of whether the contract is a prior year carry forward or a current year execution contract.

(b) The effect of a government shutdown on contract employees is explained in enclosure (5). Government employees should consult with the cognizant Office of the General Counsel (OGC), Contracting Officer Representative (COR), or N-code Contract Acquisition Management Office before making decisions or taking actions which may impact the ability of manner of contract performance following a lapse in appropriations. Only a warranted contracting officer (Naval Supply Systems Command or Naval Facilities Engineering Command) may direct a contractor to change or stop contract work. Contract employees with questions should communicate with their Company Program Manager.

(3) Military personnel:

(a) Military personnel are not subject to furlough and will continue to report for duty. They will accrue pay to be received when appropriated funds become available.

(b) Military leave may be taken by uniformed personnel during a lapse in appropriations if enough military personnel are available to support excepted functions.

(c) Official travel will be cancelled during a lapse of appropriations.

(d) All efforts will be made to support funeral details using available Active Duty or Active Guard Reserve personnel. Where funeral honors require Inactive Duty for Training personnel support, Reserve personnel can be used in accordance with reference (c).

(4) Non Appropriated Fund (NAF) Employees: In accordance with reference (a), NAF employees are excepted from furlough. NAF activities will make appropriate NAF employee staffing adjustments to reflect reduced patron utilization.

(5) Foreign National Employees: Foreign National Direct and Foreign National Indirect Employees will be governed by the appropriate Status of Forces or Host Nation agreements and will not be covered under this instruction.

#### 4. Responsibilities

a. CNIC Commander is responsible for ordering a furlough, at the direction of higher authority. Enclosure (4) is provided as an example.

b. Headquarters (HQ) N-Codes/Special Assistants (SA) and Region Commanders (REGCOMs) are designated as Action Officers during a furlough and as such are responsible for ensuring completion of action items as outlined for Action Officers in section 5c below and enclosure (2) of this instruction. Tasks related to a lapse in appropriations may be delegated, however it shall remain the responsibility of the N-Code/SA or REGCOM to ensure completion of all tasks within their area of responsibility.

#### 5. Actions

a. CNIC Chief of Staff (COS) shall issue a WARNORD similar to enclosure (1) at the onset of a Continuing Resolution (CRA).

b. HQ, Region and Installation Manpower and Personnel (N1) Directors shall:

(1) Designate "excepted" billets and personnel in the Total Workforce Management System (TWMS) as determined by the associated N-Code/SA.

(2) Complete all checklist items in section 3a of enclosure (2) of this instruction.

(3) Work with Command Management and appropriate human resources (HR) personnel to ensure necessary union notification occurs at the appropriate time.

c. HQ, Region and Installation Information Technology Services (N6) Directors shall complete all checklist items in section 3b of enclosure (2) of this instruction.

d. HQ, Region and Installation Training and Readiness (N7) Directors shall complete all checklist items in section 3c of enclosure (2) of this instruction.

e. HQ, Region and Installation Financial Management (N8) Directors shall complete all checklist items in section 3d of enclosure (2) of this instruction.

f. HQ, Region and Installation Fleet and Family Readiness (N9) Directors shall complete all checklist items in section 3e of enclosure (2) of this instruction.

g. HQ, Region and Installation Public Affairs Officers shall complete all checklist items listed in section 3f of enclosure (2) of this instruction.

h. All Action Officers shall:

(1) Identify Mission Essential Functions and those positions which support them using criteria provided in reference (b) and amplifying CNIC HQ guidance and determinations.

(2) Coordinate justification for those positions determined to be mission essential with HQ Program Directors.

(3) Specify reasons for "excepted" versus "non-excepted" designation among groups of employees performing identical or like duties. Specific reasons should be based on either required skills or a fair process to determine which employees are "excepted" and "non-excepted."

(4) Coordinate "excepted" billets and personnel designation in TWMS.

(5) Initiate actions to prepare for a lapse in appropriations as listed in enclosure (2) based on appropriate timeline. If onset of CRA is insufficient for specific steps, items shall be completed as expeditiously as the situation will permit.

(6) Report via email to the CNIC HQ COS on a weekly basis the status of completion of items in enclosure (2).

(7) Coordinate with N1 and HR to ensure appropriate union notification occurs before completion of employee notification.

(8) Deliver official Notice of Decision to Furlough to all non-excepted personnel when directed by CNIC Commander. Enclosure (4) is provided as an example.

(9) Conduct the final steps listed in enclosure (2) upon conclusion of the lapse in appropriations and the end of the authorized furlough.

i. Supervisors shall:


(1) Coordinate with N1 and HR to ensure appropriate union notification occurs before completion of any employee notifications.

(2) Contact personnel on official travel and advise them to return to their home station as soon as possible, at the onset of a Decision to Furlough. Travel orders shall be cancelled upon their return. Civilian travelers will be placed on furlough upon their return to the home duty station unless otherwise designated "excepted" from the furlough.

j. All CNIC employees (military and civilian) shall report to their normal duty site on the first regular work day of an ordered furlough for further instructions and to conduct an orderly shutdown of government business.

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k. "Non-expected" personnel shall complete items as listed in section 2 of enclosure (2).

  
W. D. FRENCH  
Vice Admiral, U.S. Navy

Distribution:  
Electronic only, via Gateway 2.0  
<https://g2.cnic.navy.mil/CNICHQ/Pages/Default.aspx>

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**DRAFT FURLOUGH WARNORD**

*[Information in brackets should be filled in accordingly.]*

From: Commander, Navy Installations Command  
To: Region Commanders, Chiefs of Staff, Executive Directors  
All CNIC N-Codes and Special Assistants

Ref: (a) CNICINST 12351.1 dated ## Apr 12

Encl: (1) ALNAVRESFOR ###/YY: COMNAVRESFOR Guidance in the  
Absence of an Appropriation

The purpose of this WARNORD is to ensure there are contingency plans in place, in accordance with reference (a), during a lapse of appropriation (more commonly referred to as a "shutdown"). In the event of a shutdown, an EXORD will be transmitted immediately to execute our contingency plans.

1. SITUATION: Department of Defense appropriation expires at midnight on [DD MMM YY]. Without passage of a Fiscal Year (FY) [YYYY] appropriations bill the Federal Government will no longer have the authority to obligate funds for other than essential operations. During a lapse of appropriations and resulting furlough of personnel, civilian employees are not authorized to carry on the work which they are normally assigned, with certain exceptions.

2. MISSION: To provide CNIC HQ, Regions, and Installation further guidance to the contingency plans outlined in reference (a) and additional guidance received from DOD in the event that there is a shutdown.

3. EXECUTION: From now until a decision is made regarding the passage of the FY#### appropriations bill.

4. APPLICABILITY: CNIC HQ, Regions, and Installations.

Enclosure (1)



5. COORDINATING INSTRUCTIONS: HQ and Regions are already preparing contingency plans and specific personnel lists to be used for a shutdown. In order to streamline the execution of the contingency planning, as well as continue exempt operations in support of critical missions, refer to the policy and procedures outlined in reference (a) to ensure smooth execution of the "shutdown."

a. Regions shall take actions necessary to execute contingency plans in accordance with reference (a) and conduct an orderly shutdown of the Federal Government when notified. An EXORD will be released providing additional guidance at the appropriate time.

b. Regions are to ensure widest dissemination of this WARNORD.

c. Today, [DATE], supervisors are to verbally notify employees of their furlough status. Employees are either "excepted" from furlough due to the nature of their position, or are "non-excepted" and will be furloughed. Notification guidance is provided in reference (a).

d. Refer to reference (a) on specific guidance regarding: Military personnel, leave issues, travel issues, and contractor personnel.

6. LOGISTICS: HQ/Regions/Installations shall execute procedures outlined in reference (a) in order to ensure office spaces are secure during the shutdown.

7. FUNDING: The Federal Government no longer has the authority to expend funds for other than excepted functions. Essential financial management operations will continue to be provided in order to maintain accountability of funds, ensure fiscal compliance, process financial documents necessary to deliver essential excepted functions, address policy issues, maintain records, and provide excepted mission and essential help desk functions.

8. PERSONNEL REQUIREMENTS: Personnel are prohibited from performing non-exempt functions in the absence of appropriations. Reference (a) specifically defines/identifies functions that are excepted/non-excepted.

9. REPORTING INSTRUCTIONS: NTR.

10. STRATEGIC COMMUNICATION GUIDANCE: Ensure all staff know to check Office of Personnel Management (OPM) web site for most up to date information on the furlough status:  
<http://www.opm.gov/furlough/>

Note: The OPM link is also located on CNIC home page.

a. For questions on pay impacts during the furlough status, refer to DFAS web site: <http://www.dfas.mil/>

b. The following websites provide additional guidance:

(1) [www.cmps.osd.mil](http://www.cmps.osd.mil) - Civilian Personnel Management Service

(2) [www.opm.gov/furlough/furlough.asp](http://www.opm.gov/furlough/furlough.asp). - Office of personnel Management

(c) [www.public.navy.mil/donhr](http://www.public.navy.mil/donhr) - Department of the Navy Human Resources

c. Out-of-Office notification: As part of the shutdown process, all furloughed employees should activate their voice mail and email Out-of-office message in accordance with reference (a).

11. COMMAND RELATIONSHIPS/FUNERAL HONORS: Enclosure (1) provides COMNAVRESFOR guidance in the absence of an appropriation. Therefore, Reserve personnel support to Funeral Honors details are as follows:

a. All efforts should be made to support funeral details using available Active Duty or Active Guard Reserve personnel. Where funeral obligations require Inactive Duty for Training (IDT) personnel to perform function, these Reserves can be used to support funeral details.

b. Region Casualty Assistance Call Offices (CACO) / Military Funeral Honors (MFH) offices need to document to COMNAVRESFOR (through applicable Navy Operational Support Centers/NOSCs) via email that there are no Active component Sailors available for the mission. COMNAVRESFOR will then endorse the utilization of Reserve component Sailors.

12. POINTS OF CONTACT:

- a. CNIC HQ N1: [email] (202) 433-4989
- b. CNIC HQ N13: [email] (202) 433-4840
- c. CNIC HQ OGC: [email] (202) 433-4808
- d. CNIC HQ Comptroller, CNIC N8: [email] (202) 433- 4663

Very respectfully,

[CNIC HQ COS email signature block]

**FURLOUGH CHECKLISTS**

1. **General Guidance for all Departments and Special Assistants (SAs).** For Commands with bargaining unit employees, appropriate union notification will occur in coordination with the supervisors, Manpower and Personnel (N1) and Human Resources (HR).

**a. First Day of a Continuing Resolution (CRA):**

(1) Revisit CNIC guidance regarding identification and funding of continued operations.

(2) Review and update excepted/non-excepted designation of billets/personnel in Total Workforce Management Services (TWMS).

**b. Thirty (30) Days Before CRA Expiration:**

(1) Inform all personnel of their status as "excepted" or "non-excepted" for furlough.

(2) Coordinate with respective Contracting Officers for any contract impacts or issues.

(3) Submit by-name list (for each contract) of "excepted" or "non-excepted" contractors to Total Force Manpower (N1). Coordinate with the Contracting officers to ensure personnel are formally notified of their status.

(4) Confirm updated information in TWMS reflects excepted/non-excepted billets/personnel.

(5) Review all official travel and prepare to cancel if necessary.

(6) Inform military personnel they will report to work as usual. Pay will be accrued during the time worked and will be received after appropriations are approved.

(7) Encourage all military and civilian personnel to check allotments tied to their paycheck and adjust as necessary.

(8) Instruct contractors to coordinate with their companies for guidance for a possible stop-work action.

(9) Encourage personnel to update Navy Family Accountability and Assessment System at <https://navyfamily.navy.mil> and register with social media outlets (Facebook, etc) to obtain information about the status of furlough (CNIC, Office of Personnel Management, and White House are all recommended).

(10) Provide updates to command leadership on status of planning/actions concerning pending furlough as tasked.

**c. Fourteen (14) Days Before CRA Expiration:**

(1) Update recall information for all employees, regardless of furlough status.

(2) Inform personnel on leave or with approved leave during the proposed furlough of the status of canceling their leave.

(3) Notify TAD personnel and those with pending travel of policy/procedures to return to their place of employment as soon as possible after furlough commences.

(4) Coordinate/participate in an All-Hands meeting to brief personnel about CRA and resulting actions.

(5) Confirm with contractor personnel their status and contingency plans in accordance with their work order.

**d. Seven (7) Days Before CRA Expiration:**

(1) Notify employees of the "report to duty" requirement on the first day of a furlough. This requirement includes employees who would typically have a regular day off (RDO). This action enables written notification of a furlough and an orderly shutdown of operations.

(2) Identify Personally Identifiable Information (PII) that needs to be secured during a furlough.

(3) Distribute standard email and voice mail verbiage (drafted by Public Affairs (PAO), shown in section 2f(4) below) for use by all "non-excepted" personnel in "out of office" messages.

(4) Distribute Unemployment Compensation Information for Federal Employees (UCFE) to all affected personnel.

**e. CRA Expires - Furlough Ordered by CNIC Commander:**

(1) Notify TDY/TAD personnel to return to their home station. Government Credit Card authorized for return travel. TDY/TAD Personnel will:

(a) Stay informed about status of furlough via TV, newspapers or Internet (i.e. [www.opm.gov/furlough](http://www.opm.gov/furlough)).

(b) Return immediately to home station after notification from supervisor.

(2) Cancel civilian leave scheduled to take place during the furlough. "Excepted" employees unable to report to duty will be furloughed until they are able to report and will be provided a NOTICE OF DECISION TO FURLOUGH.

(3) Provide NOTICE OF DECISION TO FURLOUGH written notification to each "non-excepted" employee. Advise them to carefully read the letter and the rights as described. If an employee is not present to receive a written notice prior to furlough, a notice should be issued to the employee at the conclusion of the furlough. Every effort should be made to issue written notification on the first day of the furlough.

(4) Advise employees to check My Biz in the Defense Civilian Personnel Data System (DCPDS) for an updated Standard Form (SF) 50 "Notice of Personnel Action" that reflects their furlough status.

(5) "Excepted" employees must modify their compressed work schedule in the Standard Labor Data Collection and Distribution Application (SLDCADA) if needed to support the mission.

**2. Employee Guidance in the event of a furlough**

a. Monitor media outlets to include www.opm.gov for news about the status of the CRA.

b. Alternate work schedules are suspended and all employees are to report to work on the first regular work day following the official announcement of a lapse of appropriations and furlough.

c. Receive NOTICE OF DECISION TO FURLOUGH written notification.

d. Conduct Orderly Shutdown.

(1) Secure all Personally Identifiable Information (PII) in your work station.

(2) Set out-of-office voicemail message with Command approved verbiage.

(3) Set out-of-office reply for government email account with Command approved verbiage.

(4) Submit outstanding travel voucher (if applicable)

(5) Back up computer information in your external hard drive prior to shutting down the computer. Turn off office equipment.

(6) Return all government issued equipment in accordance with Information Technology and Services (N6) procedures.

(7) Secure office area (plants, trash, etc.)

**3. N Code/SA/Department Specific Guidance**

a. Total Force Manpower (N1):

(1) First Day of a CRA:

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(a) Review TWMS designation of "excepted" and "non-excepted" billets/personnel. Coordinate with all N-Codes/SA's to ensure billet/personnel designations are current and correct.

(b) Identify "excepted" employees and complete DoD spreadsheet with name, SSN, XXXX (XX represents major command number) and Position Description number. Annotate spreadsheet with header/footer and Privacy Act Statement, and password-protect the document.

(c) Forward spreadsheet to:  
OCHR\_Furlough@ochr.navy.mil (or contact (202)685-6565) to submit spreadsheet.

(d) Gather data for use by Command leadership:

1. Number of employees anticipated to be on-board before implementation of the plan.

2. Number of civilian personnel to be "excepted" from the furlough.

**(2) Thirty (30) Days Before CRA Expiration:**

(a) Provide PAO with list of contact information for Human Resources (HR) Offices relevant to civilian employees for use during the furlough.

(b) Task each N-Code/SA to provide a by-name list of "excepted"/"non-excepted" contractors.

(c) Work with command labor/employee relations specialist to notify bargaining units regarding furlough.

(d) Work with command labor/employee relations specialist to notify bargaining units regarding projected furlough requirements, designation of personnel as "excepted" or "non-excepted", and planned meetings with bargaining unit employees.

(e) Provide guidance and advice to management officials in preparation for All-Hands meeting.

**(3) Seven (7) Days Before CRA Expiration:**



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(a) Draft verbiage for NOTICE OF DECISION TO FURLOUGH written notification (see reference (c) and enclosure (4)).

(b) Identify POC(s) responsible for answering employee questions during furlough.

(c) Operational Support Officer (N112) will coordinate with COMNAVRESFOR for verbiage to include in the WARNORD/EXORD outlining reserve support representation for funeral honors details.

**(4) CRA Expires - Furlough Ordered by Commander, Navy Installations Command:** Disseminate written NOTICE OF DECISION TO FURLOUGH letters to all Departments/N-Codes/SAs.

**b. Information Technology Services (N6):**

**(1) First day of a CRA:**

(a) Generate procedures for government equipment checked out to employees to include Blackberrys, laptops and air cards (i.e. leave laptops plugged into work stations and store blackberries in locked drawer)

(b) Identify procedures to cancel/delay roll-out or tech refresh efforts.

**(2) Seven (7) Days before CRA Expiration:** Issue procedures for Government equipment checked out to employees.

**c. Readiness and Training (N7):**

**(1) First day of a CRA:** Identify procedures to cancel/delay Shore Training Center (STC) courses and exercise planning events.

**(2) Thirty (30) Days Before CRA Expiration:** Review contracted services and impact of furlough on class schedule.

**(3) Fourteen (14) Days before CRA Expiration:**

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(a) Review class schedule and compile name and contact information of personnel scheduled to attend upcoming classes

(b) Draft standard notice for students scheduled for classes that will not be held due to the lapse in appropriations.

(c) Draft communications plan and procedures for students attending classes that started prior to the lapse in appropriations.

**(4) Seven (7) Days before CRA Expiration:**

(a) Notify students in current classes of procedures in the case of a lapse in appropriations.

(b) Coordinate with STC/Shore Leadership Training Center to notify the "detailer" for student order modifications.

**(5) CRA Expires - Furlough Ordered by CNIC Commander:**

(a) Notify existing students to implement lapse in appropriations procedures and execute modified orders as written.

(b) Notify students in upcoming classes of class procedures.

**d. Financial Management (N8):**

**(1) Prior to the beginning of the fiscal year**

(a) By June 1<sup>st</sup> prior to the start of the fiscal year provide financial guidance to regions and CNIC HQ N-codes/SA's concerning operations under a potential CRA.

(b) Provide boilerplate statement in Command Financial Management System (CFMS) for all funding documents in the event of a CRA.

**(2) First day of a CRA:** Review guidance for handling classified equipment and documents.

**(3) CRA Expires - Furlough Ordered by CNIC Commander:**

- (a) Secure financial documents.
- (b) Properly store classified materials.

**e. Fleet and Family Readiness (N9):**

**(1) Thirty (30) days Before CRA Expiration:**

(a) Draft plans for reduced hours as required by each facility.

(b) Draft communications plan to notify patrons of changes in hours of operation/services to include standardized voice mail message and base notification systems.

**(2) Seven (7) days before CRA Expiration:** Implement communications plan.

**f. PAO:**

**(1) First Day of a CRA:** Ensure public affairs guidance is current.

**(2) 30 Days Before the Completion of a CRA:**

(a) Ensure public affairs guidance is up to date.

(b) In coordination with N1, assist in publicizing information concerning the furlough.

(c) Develop a communication plan outlining what, when and how local information will be published. Information will include furlough impact to local services provided to Sailors, their families, Navy civilians, retirees and the local community to include hours of operation or closure of child care centers, Fleet and Family Support Centers, commissaries, Navy Exchanges, MWR facilities, etc. Communication plan should also include planned web page banners, social media posts and other appropriate public affairs products. In the event a web page or social media site will not be updated or maintained during the furlough, a banner or notice should be developed to post on that site on the day of execution.

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(d) Develop a manning plan to execute the communication plan.

(e) Identify command spokesperson for local media queries regarding impact to local Region or Installation.

(f) Provide guidance and advice to management officials in preparation for All-Hands meeting.

**(3) Fourteen (14) days Before CRA Expiration:**

(a) Ensure public affairs guidance is current.

(b) Refine communication plan and public affairs products.

**(4) Seven (7) days Before CRA Expiration:**

(a) CNIC HQ will provide standard verbiage for use by all "non-excepted" personnel on their email and voice mail "out of office" messages. The drafts below will be used as guidance.

1. Email: "Due to the Federal Government shutdown, I am in a furlough status. I will be out of the office and unable to monitor or respond to emails until the furlough has ended. For emergency/urgent (*insert N-Code/SA*) issues, please contact: (*Name, phone number and email address of military person who is acting on behalf of your N-Code/SA*)."  
(Note: If no one is available, list the Command Duty officer number).

2. Phone message: "Due to the Federal Government shutdown, I am in a furlough status and unavailable to take your call. Additionally, I will be unable to respond to voice mails until the furlough has ended. For emergency/urgent (*insert N-Code/ SA*) issues, please contact: (*Name, phone number of military person who is acting on behalf of your N-Code/ SA*)."  
(Note: If no one is available, list the Command Duty officer number).

(b) Collect and distribute list of web sites to monitor during furlough, to include social media sites (Facebook, Twitter, etc.)

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(c) Draft and finalize public affairs products.

**(5) Date of Execution (DOE):**

(a) Publish press releases; post web page banners and social media notices.

(b) Respond to local media queries on impact to local facilities.

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**DRAFT FURLOUGH EXORD**

*[Information in brackets should be filled in accordingly.]*

From: Commander, Navy Installations Command  
To: Region Commanders, Chiefs of Staff, Executive Directors  
All CNIC N-Codes, Special Assistants

Ref: (a) WARNORD (YY-##) > CNIC CONTINGENCY PLANNING IN THE  
EVENT OF A GOVERNMENT SHUTDOWN sent MM/DD/YYYY ##:##  
AM/PM  
(b) (Official Notice of Furlough)  
(c) CNICINST 12351.1 dated ## Apr 12

Encl: (1) ALNAVRESFOR ###/YY: COMNAVRESFOR Guidance in the  
Absence of an Appropriation

The purpose of this EXORD is to direct execution of reference (a). Reference (b) informs us of the lapse in appropriations and the resulting furlough of Government personnel.

1. SITUATION: On [DD MMM YY] at [time] a lapse in Government appropriations went into effect. This action results in a mandated furlough of "non-excepted" Government employees. Therefore, the CNIC Enterprise is directed to execute furlough of Government personnel in accordance with references (a) and (c).
2. MISSION: To execute the furlough of Government civilian employees designated as "non-excepted" personnel to include select Government contractors in accordance with reference (c).
3. EXECUTION: Immediately until further notice.
4. APPLICABILITY: CNIC HQ, Regions, and Installations.
5. COORDINATING INSTRUCTIONS:
  - a. Regions are to ensure widest dissemination of this WARNORD.

Enclosure (3)

b. In accordance with reference (c), Regions shall provide official written NOTIFICATION OF DECISION TO FURLOUGH to all "non-excepted" personnel. Enclosure (4) of reference (c) shall be used as an example.

c. Refer to reference (c) on specific guidance regarding: Military personnel, leave issues, travel issues, and contractor personnel.

6. LOGISTICS: HQ/Regions/Installations shall execute procedures outlined in reference (a) in order to ensure office spaces are secure during the shutdown.

7. FUNDING: The Federal Government no longer has the authority to expend funds for other than excepted functions. Essential financial management operations will continue to be provided in order to maintain accountability of funds, ensure fiscal compliance, process financial documents necessary to deliver essential excepted functions, address policy issues, maintain records, and provide excepted mission and essential help desk functions.

8. PERSONNEL REQUIREMENTS: Personnel are prohibited from performing non-exempt functions in the absence of appropriations. Reference (a) specifically defines/identifies functions that are excepted/non-excepted.

9. REPORTING INSTRUCTIONS: NTR.

10. STRATEGIC COMMUNICATION GUIDANCE: Ensure all staff know to check Office of Personnel Management (OPM) web site for most up to date information on the furlough status:  
<http://www.opm.gov/furlough/>

Note: The OPM link is also located on CNIC home page.

a. For questions on pay impacts during the furlough status, refer to DFAS web site: <http://www.dfas.mil/>

b. The following websites provide additional guidance:

(1) [www.cmps.osd.mil](http://www.cmps.osd.mil) - Civilian Personnel Management Service

(2) [www.opm.gov/furlough/furlough.asp](http://www.opm.gov/furlough/furlough.asp) - Office of personnel Management

(3) [www.public.navy.mil/donhr](http://www.public.navy.mil/donhr) - Department of the Navy Human Resources

c. Out-of-Office notification: As part of the shutdown process, all furloughed employees should activate their voice mail and email Out-of-office message in accordance with reference (a).

11. COMMAND RELATIONSHIPS/FUNERAL HONORS: Enclosure (1) provides COMNAVRESFOR guidance in the absence of an appropriation. Therefore, Reserve personnel support to Funeral Honors details are as follows:

a. All efforts should be made to support funeral details using available Active Duty or Active Guard Reserve personnel. Where funeral obligations require Inactive Duty for Training (IDT) personnel to perform function, these Reserves can be used to support funeral details.

b. Region Casualty Assistance Call Offices (CACO) / Military Funeral Honors (MFH) offices need to document to COMNAVRESFOR (through applicable Navy Operational Support Centers/NOSCs) via email that there are no Active component Sailors available for the mission. COMNAVRESFOR will then endorse the utilization of Reserve component Sailors.

12. POINTS OF CONTACT:

a. CNIC HQ N1: [email] (202) 433-4989

b. CNIC HQ N13: [email] (202) 433-4840

c. CNIC HQ OGC: [email] (202) 433-4808

d. CNIC HQ Comptroller, CNIC N8: [email] (202) 433- 4663

Very respectfully,

[CNIC HQ COS email signature block]



DRAFT NOTICE OF DECISION TO FURLOUGH

[Information in brackets should be filled in accordingly.]

[COMMAND LETTERHEAD]

12752  
[DD MMM YYYY]

From: Commander, Navy Installations Command  
To: [Employee name]

Subj: NOTICE OF DECISION TO FURLOUGH DUE TO ABSENCE OF  
AVAILABLE APPROPRIATIONS

Encl: (1) Standard Form 8  
(2) Fact Sheet on Civilian Employee Furloughs  
(3) Fact Sheet of Questions/Answers

1. In the absence of either a Fiscal Year (FY) [YYYY] appropriation or a Continuing Resolution for the Department of Defense (DoD), no further financial obligations may be incurred by the Department of the Navy (DON), except for those related to the orderly suspension of DON operations or performance of "excepted" activities as defined by the Office of Management and Budget (OMB).

2. All employee work is essential to conducting regular operations. However, when regular operations cease under a funding lapse, because you are not engaged in one of the "excepted" functions, you are being placed in a furlough status effective [DD MMM YY] at 12:01am EDT. This furlough, e.g., non-pay, non-duty status, is not expected to exceed XX days. Therefore, this furlough is predicted to expire on [DD MMM YY] or upon approval of either a new Continuing Resolution or an FY [YYYY] appropriation for the DoD.

3. Employees should monitor media outlets for news about the approval of a Continuing Resolution or an FY [YYYY] appropriation for the DoD. When you hear that either the Continuing Resolution or the appropriation has been approved, you will be expected to return to work on your next regular duty day.

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4. The furlough action is being taken because of a sudden emergency requiring curtailment of the DON's activities; therefore, no advance notification is possible. The customary 30-day advance notice period and opportunity to answer questions are suspended under the provisions of 5 CFR 752.404(d)(2) and under 5 CFR 359.806(a) for Senior Executive Service career appointees.

5. If employees are being retained in your competitive level, they are required for the orderly suspension of agency operations or they are performing one of the "excepted" activities defined by the OMB.

6. During the furlough period, you will be in non-pay, non-duty status. Also, during the furlough, you will not be permitted to serve as an unpaid volunteer to your workplace nor in an unpaid volunteer telework status, but must remain away from your workplace or otherwise remain in a non-pay, non-duty status, unless and until recalled. Any paid leave (annual, sick, court, etc.) approved for use during the furlough period is cancelled. Enclosure (1) is a Standard Form 8, which is needed to file for unemployment compensation and is provided for your information. Enclosures (2) and (3) are fact sheets on civilian employee furloughs.

7. If you have completed a probationary or trial period or one year of current continuous employment in the competitive service under other than a temporary appointment, you may appeal this action to the Merit Systems Protection Board (MSPB). If you are in the excepted service and have veteran's preference, you may appeal to the MSPB if you have completed one year of current continuous service in the same or similar position as the one you now hold. If you are in the excepted service and do NOT have veterans preference and are not serving a probationary or trial period under an initial appointment pending conversion to the competitive service, you may appeal to the MSPB if you have completed two years of current continuous service in the same or similar position in an executive agency under other than a temporary appointment limited to two years or less. SES career appointees adversely affected may also appeal. You have the

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right to representation in this matter and may be represented by an attorney or other person of your choosing.

8. If you have the right of appeal to MSPB and wish to appeal this action to the MSPB, you must file the appeal within 30 calendar days after the effective date of your furlough. If you wish to file an appeal, go to:

<http://www.mspb.gov/appeals/forms.htm> to obtain a copy of the MSPB appeal form, regulations and the address of the MSPB regional office having jurisdiction. MSPB will be closed during any furlough, including the e-file system used for filing appeals. You may file an appeal once the e-file system becomes available.

9. If you are in a bargaining unit represented by a labor organization, you may grieve this action in accordance with the grievance procedure specified in the negotiated agreement under which you are covered or may appeal to MSPB in accordance with the procedures outlined above, but not both. To obtain information on filing a grievance under the negotiated grievance procedure, contact your union representative.

[CNIC Commander Signature Block]

I acknowledge receipt of this decision.

\_\_\_\_\_  
Employee's signature

\_\_\_\_\_  
Date

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# Government Shutdown!



Useful Pointers for Dealing  
With Government Contractors  
While Most of the Government is on Furlough

These rules should be followed by those who are making arrangements for an orderly shutdown, for those responsible for planning continuation of minimal levels of operations, and for those designated as "exempt" from furloughs and given the responsibility of overseeing contract performance, delivery of goods, and acceptance of services. Here are a few simple guidelines:

- **Prior FY Contracts.** Contracts awarded in prior Fiscal Years (FY) and operating (presumably) on prior FY money are usually unaffected by a government shutdown. The money was already fully appropriated and "locked in" when the contract was awarded.
- **Exceptions:** If CNIC determines that performance of this work is not practicable because:
  - ✓ The services are not essential;
  - ✓ The services are useless under the circumstances (for instance, because no one is around to receive services);
  - ✓ The services must be performed on the installation, but because of the shutdown it is not possible to provide office space/work space to the contractor;
  - ✓ The services must be performed under the observation of a Contracting Officer's Representative (COR), but because of the shutdown no COR is available;

then consideration should be given to contacting the contracting activity (such as NAVSUP/FLC) to arrange for a stop work order, partial termination, or modification of performance dates. Please note that the decision to scale back an already-funded and awarded contract is purely discretionary—it is not required by the law.

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- *Offsite Performance*: If the contractor is able to properly perform off-site, the Command should contact FISC and request that the following message be sent to, and acknowledged by, the contractor:

During the time period encompassing the shutdown of government facilities, and until further notice, your company is authorized to continue performance at offsite facilities. This authorization does not relieve you of any contract requirements other than temporarily relieving you of the requirements relating to the place of performance. All contract work, duties, functions, and deliverables will continue to be required in terms of quality, quantity, and time of delivery as delineated in the contract. This authorization does not entitle you to any additional costs, reimbursements, or equitable adjustment based upon a temporary variation in the location of performance.

- **Current FY Contracts**. Contracts awarded in this FY that have fully obligated the amount of funds reasonably anticipated to cover the scope of work during the entire foreseeable shutdown may also proceed with performance. This money is also "locked in."
  - *Exceptions*: Same as "Prior FY Contracts" above.
  - *Exception to Exceptions*: Same as "Prior FY Contracts" above.
- **No New Contract Awards**. No contracts may be awarded after the effective date of the shutdown. There is no money to obligate on a contract. Even if funds were properly "committed" or "fenced" before the shutdown, once federal appropriations lapse, there is no way to obligate these funds. Violation of this rule runs afoul the Antideficiency Act.
- *Exception*: If CNIC determines, in writing, that a contract is "exempt" from the funding lapse, necessary for the protection of life, limb, protection of property, national security, essential military mission, emergency,

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maintenance of bare-essential operations, or "feed and forage" of military personnel, then monies can be obligated and expended during a funding lapse. This exception applies to both new contracts and continuing requirements (for instance, options or follow-on task orders) that provide services that are exempt from the shutdown.

- **No "Sharing" Contractors.** If your Department/N-Code does not need or cannot use contractor support during the shutdown, do not offer the services/support to another office without approval from N5/CAMO and Office of the General Counsel. "Sharing the wealth" might seem like a cost-conscious thing to do, but it could run contrary to the contract terms and conditions and violate the prohibitions against personal service contracts as well.
- **No "Borrowing" Contractors.** Only warranted contracting officers (such as at NAVSUP) or properly appointed CORs can give direction to a contractor. Directing contractor employees to do something "extra" for the Command—no matter how well intentioned or seemingly important—could exceed the contract scope, create an unauthorized commitment, and possibly result in a violation of the Antideficiency Act.