



Shutdown Plan for the Postal Regulatory Commission

September 30, 2021

In the event of a lapse in appropriations leading to a shutdown of the Federal Government, the Postal Regulatory Commission (Commission) intends to remain open for an established period of time by utilizing its no-year funds available to it in accordance with a 2015 Government Accountability Office opinion.¹

In the event that the Federal Government remains shutdown and the Commission's funds are completely exhausted, all employees, except as noted below, will be furloughed for the duration of the shutdown (hereinafter Furloughed Employees or non-excepted employees). Notwithstanding the exhaustion of funds, the Commission may determine to furlough some or all of its employees in order to preserve other Commission priorities. Non-excepted employees will be given up to 4 hours on the first business day following the effectiveness of the shutdown to complete the shutdown process. Most non-excepted employees will perform these shutdown activities from a remote location, even without an existing telework agreement. For these employees, shutdown activities will be de minimis (*i.e.*, can be completed in approximately 15 minutes). For example, such activities would include receiving and acknowledging receipt of an electronic furlough notice. Certain non-excepted employees will be expected to report to work on their next scheduled work day to carry out orderly shutdown activities.

Total number of employees expected to be on-board before implementation of the plan: 74

Total number of employees to be retained under the plan: 10

- Five presidentially appointed Commissioners not covered by the furlough.
- Four support staff from the Office of Secretary and Administration (OSA) will work approximately 6 hours per day each to maintain and protect critical information technology infrastructure, servers, and property of the Commission and to ensure necessary budget and accounting-related hiatus activities. One member of the General Counsel's staff will be on-call as warranted for legal advice on all aspects of the shutdown and excepted operations. These employees are necessary to protect life and property and to perform activities necessarily implied by law.
- For shutdowns longer than 1-5 days, in addition to those employees listed above, the Chairman, in consultation with the lead excepted staff from OSA, may call additional employees as warranted to ensure the safety of human life, the protection of property, or as otherwise authorized by law.

¹ U.S. Government Accountability Office, "Postal Regulatory Commission – Amounts Appropriated by Transfer from the Postal Service Fund" File B-327122, November 30, 2015.

Lapse Plan Summary Overview	
Estimated time (to nearest half day) required to complete shutdown activities:	<i>1/2 day</i>
Total number of agency employees expected to be on board before implementation of the plan:	<i>74FTEs</i>
Total number of employees to be retained under the plan for each of the following categories:	
Compensation is financed by a resource other than annual appropriations:	<i>0 FTEs</i>
Necessary to perform activities expressly authorized by law:	<i>5 FTEs</i>
Necessary to perform activities necessarily implied by law:	<i>1 FTEs</i>
Necessary to the discharge of the President's constitutional duties and powers:	<i>0 FTEs</i>
Necessary to protect life and property:	<i>4 FTEs</i>
Brief summary of significant agency activities that will continue during a lapse:	
The Commission will maintain and protect critical information technology infrastructure, servers, and property of the Commission and ensure compliance with the Anti-Deficiency Act. One member of the General Counsel's staff will be on-call as warranted for legal advice on all aspects of the shutdown and excepted operations.	
Brief summary of significant agency activities that will cease during a lapse:	
All Commission operations will cease, including the mission-critical statutory responsibilities of regulating the United States Postal Service.	

Implementation Plan

Should the Federal Government shut down as a result of failure of appropriations and the Commission exhausts its no-year funds balance:

- A furlough letter will be issued to each Furloughed Employee per OMB guidance.
- Most Furloughed Employees will perform these shutdown activities from a remote location, even without an existing telework agreement. For these employees, shutdown activities will be *de minimis* (i.e., can be completed in approximately 15 minutes). For example, such activities would include receiving and acknowledging receipt of an electronic furlough notice.
- A few non-excepted employees will be given up to 4 hours the first workday following the

shutdown to complete the shutdown process.

- Furloughed Employees will be instructed not to work during the furlough.
- Furloughed Employees will be placed in a leave without pay status for the duration of the furlough.
- Arrangements with the United States Postal Service, in the role of accounting and human resource shared service provider, will be in place to stop all payments to vendors, contractors, suppliers, and the like, except payments will be arranged for certain recurring obligations, *e.g.*, rent, telephone.
- No new expenditures will be authorized.
- Any Commission employee who is on travel will be recalled and required to submit their travel expense voucher within 24 hours of their return.
- Remote access to the Commission network for Furloughed Employees will be disabled during the furlough.
- Service to Commission-provided mobile devices, such as a mobile phone will be disabled during the furlough for Furloughed Employees.
- Access to Commission offices for Furloughed Employees will be disabled during the furlough.
- The Commission's emergency phone line, 202-789-6870, will be kept up to date with respect to the Federal Government's operating status.
- Employees who receive a notice that they are to report to duty during the furlough will remain on duty and continue to report for duty, unless they subsequently receive a written notice of furlough.

To resume orderly operations once appropriations are restored, the Commission will:

- Instruct employees in their notice of furlough to monitor the Commission's emergency line and media outlets, and when they hear that a continuing resolution or appropriation has been signed by the President, they will be expected to return to work on their next scheduled duty day. Based on the Commission's experience, notification through the emergency line and the media provides sufficient notice for employees.
- Provide discretion to supervisors to extend the return to work time should employees notify them regarding problems returning to work on the day specified. This discretionary authority includes use of annual leave and compensatory time off.
- Return all Furloughed Employees to paid status.

- Arrangements with the United States Postal Service, in the role of accounting and human resource shared service provider, will be made to resume the stopped payments to vendors, contractors, and suppliers.