



Northern Border Regional Commission

August 26, 2025

Northern Border Regional Commission Lapse Plan

To be enacted in the event of a lapse in governmental appropriations.

The Northern Border Regional Commission (NBRC) is funded on a “no year” basis, and as such, consistent with **OMB Circular A-11, Section 124**, (*Agency Operations in the Absence of an Appropriation*) NBRC would be able to maintain operations in the near-term using any administrative funds remaining from the previous Fiscal Year, provided they are appropriately apportioned.

Regardless of the status of NBRC’s full-year appropriation, the Commission may continue to incur obligations to the extent that those obligations can be funded by balances from its prior “no-year” funding. Per OMB Circular A-11, Section 124.1, “Agency functions that are financed with appropriations that have not lapsed may continue and are ‘exempt’ from any shutdown procedures, even while a lapse has occurred in other appropriations.”

In a new Fiscal Year in which there is a lapse in appropriations, day-to-day NBRC operations would be maintained such that regularly scheduled business, grants management and servicing can continue, although any new business would be put on hold. Should a lapse extend for a prolonged period, it may be necessary for NBRC to take measures to shutdown activities as required by **OMB Circular A-11, Section 124.3**. Shutdown procedures will proceed in a manner that minimizes disruption in service to existing grantees. For example, NBRC may curtail mission critical travel and suspend or eliminate administrative contracts. Shutdown activities may also include furloughing staff, beginning with shortening work weeks, and finally furloughing all non-grant staff members. Staff members who work directly with grantees will be among the last staff furloughed. Finally, the NBRC will delay any *new* programmatic activities until an appropriation is secured.

The Executive Director will be responsible for communicating with staff regarding their furlough status as operations shutdown. The Federal Co-Chair (as Agency Head, referenced below), will notify the Executive Director when appropriations resume, following notification from OMB. At that point, the Executive Director will notify staff where and when to begin reporting for work.

Please note that the Federal Co-Chair will be the only NBRC employee to continue to report for work during a long-term shutdown period when other-than-annual appropriations have been exhausted. This position is classified as **PAS**, and is therefore excepted, as authorized by law. Currently the Federal Co-Chair is not the primary contact for OMB, and as such, his email address and phone number are included below:

Email: fedcochair@nbrc.gov

Phone: 202-590-6650

Lapse Plan Summary Overview	
Estimated time (to nearest half day) required to complete shutdown activities:	1 day
Total number of agency employees expected to be on board before implementation of the plan:	18 FTE & 1 PTE
Total number of agency employees expected to be furloughed under the plan (unduplicated count):*	17 FTE & 1 PTE
Total number of employees to be retained under the plan for each of the following categories (may include duplicated counts):	
Compensation is financed by a resource other than annual appropriations:	18 FTE & 1 PTE
Necessary to perform activities expressly authorized by law:	1 FTE
Necessary to perform activities necessarily implied by law:	0 FTE
Necessary to the discharge of the President's constitutional duties and powers:	0 FTE
Necessary to protect life and property:	0 FTE

* Displaying number of employees expected to be furloughed under the plan in the event of a prolonged lapse in appropriations and exhaustion of remaining balances.

This plan has been reviewed by NBRC legal counsel and was submitted to the Federal Office of Management & Budget on August 26, 2025.

Sarah Waring, Executive Director, Northern Border Regional Commission