



**Federal Communications Commission**

**Plan for Orderly Shutdown  
Due to Lapse of Congressional Appropriations**

**August 2019**

<b>Lapse Plan Summary Overview</b>	
Estimated time (to nearest half day) required to complete shutdown activities:	<i>½ day</i>
Total number of agency employees expected to be on board before implementation of the plan:	<i>1430</i>
<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:	<i>220</i>
Necessary to perform activities expressly authorized by law:	<i>0</i>
Necessary to perform activities necessarily implied by law:	<i>14</i>
Necessary to the discharge of the President's constitutional duties and powers:	<i>3</i>
Necessary to protect life and property:	<i>25</i>
<b>Brief summary of significant agency activities that will continue during a lapse:</b>	
<ul style="list-style-type: none"> <li>• Activities necessary for the protection of life or property</li> <li>• Spectrum Auction activities funded through a source other than lapsed appropriations</li> <li>• International and treaty-related activities</li> <li>• Certification of Universal Service Fund disbursements</li> <li>• Other excepted activities</li> <li>• OIG operations performed by staff funded by prior year funds</li> </ul>	
<b>Brief summary of significant agency activities that will cease during a lapse:</b>	
<ul style="list-style-type: none"> <li>• Response to consumer complaint and inquiry phone lines</li> <li>• Consumer protection and local competition enforcement</li> <li>• Licensing services, including broadcast, wireless, and wireline</li> <li>• Management of radio spectrum and the creation of new opportunities for competitive services for the American public</li> <li>• Equipment authorization</li> <li>• All other activities not immediately necessary for the protection of life or property or otherwise excepted or funded through a source other than lapsed appropriations</li> </ul>	

If a potential lapse in appropriations is imminent, the FCC will determine whether and for how long prior year funds are available to continue agency operations during a lapse.

If prior year funds are available, employees will be notified that the FCC will remain open beyond a lapse and directed to report to work as usual until further notice.

If the prior year funds are unavailable, or such funds are exhausted during the lapse in appropriations, the agency will furlough employees and take other actions in accordance with this plan.

Generally, during such a shutdown all FCC activities will cease other than those immediately necessary for the protection of life or property, performing other excepted activities or those funded through a source other than lapsed appropriations. Suspended activities include, among many others: Consumer complaint and inquiry phone lines cannot be answered; consumer protection and local competition enforcement must cease; licensing services, including broadcast, wireless, and wireline, must cease; management of radio spectrum and the creation of new opportunities for competitive technologies and services for the American public must be suspended; and equipment authorizations, including those bringing new electronic devices to American consumers, cannot be provided.

When this shutdown plan is activated, all FCC employees will be instructed to report to work the first business day following a lapse in appropriations if necessary to conduct orderly shutdown of operations. FCC estimates that the time required for each employee to accomplish an orderly shutdown will be not more than four (4) hours with very rare exceptions detailed below. During this time, all but full-time, furlough-excepted FCC employees will receive a notice of decision to furlough in the form of a letter attached to an e-mail. The notice of decision will inform employees to cease regular work activities. Employees being furloughed also will be provided shutdown instructions advising them to engage only in shutdown activities, which include items such as:

- Securing the work area and locking up materials and files;
  - Canceling travel plans and scheduled training;
  - Canceling internal and external meetings and informing attendees;
  - Canceling FCC sponsored events and notifying participants, and
  - Placing out-of-office messages on email and voicemail.
- With very rare exceptions detailed below, FCC estimates orderly shutdown will be completed in approximately four (4) hours – one half-day for planning purposes.
  - FCC expects that approximately 1,430 employees will be on-board before the implementation of the plan.
  - Five (5) employees will be retained under the plan because their compensation is financed by a resource other than annual appropriations. These are full-time employees. They are the FCC Chairman and four Commissioners.

- Up to forty-four (44) employees in the Office of Inspector General will continue agency operations until further notice because of the availability of prior year funds.
- Up to one hundred sixty-four (164) employees\* will be retained under the plan because their salary and expenses are not funded out of annual appropriations that will lapse on October 1 and they will be supporting spectrum auction-related activities.
- Up to thirteen (13) employees, not otherwise exempt, will be retained to protect life and property. These are full-time employees, working shifts to cover 24 hour and 18 hour operations. Up to two (2) employees working per shift at each location. Staff of the FCC Operations Center will handle emergency contacts for agency. Staff of the High Frequency Direction Finding (HFDF) Center will operate the high frequency antenna system used to protect life and property. An additional one (1) management employee will oversee and coordinate regularly with both operations to help identify and respond to imminent threats to life or property. One (1) full-time on employee on detail to the National Security Agency will also continue working to protect life and property.
- Up to four (4) employees will be retained to provide oversight or conduct interference detection, mitigation, and disaster response operations wherever they may be needed. These will be full-time employees strategically located across the country to resolve imminent threats to the safety of life or property.
- Up to twelve (12) employees\* will be retained for critical oversight/protection of life or property.
- Up to three (3) employees\* will be retained to perform international and treaty related activity instrumental in the discharge of the President's constitutional power.
- Five (5) employees\* will be retained for critical Information Technology (IT) issues.
- Two (2) employees\* will be retained, working as needed, to certify Universal Service Fund (USF) disbursements.
- Up to twelve (12) employees\* will be retained initially to assist in the orderly shutdown of operations by the Agency (e.g. process timesheets).
- Two (2) employees on details to other government entities will be retained to perform excepted work.

After the plan has been implemented, the 262 total employees listed above, or 18% of those on board before the plan was implemented (\* indicates that employees are also counted in other bullets, but are not double-counted in the 262 total number), will have been retained. The remaining 1,168 employees, or 82% of those on board before the plan was implemented, will have been furloughed and sent home.

In addition to the employees listed above, the following approximate number of contractors will be retained to protect life or property and support spectrum auction-related activity:

- 1) 24/7 IT support to monitor system – 10 full-time contractors; 71 contractors working as needed.
- 2) Headquarters (HQ) Security Guards and security personnel, forty-one total contractors working on a rotating basis with eight (8) contractors (8:00 am to 6:00 pm, Mon thru Fri) and five (5) at all other times
- 3) Field Security Guards, four (4) contractors, three who working on a part-time basis, (Gettysburg, PA and Columbia, MD) (5:30 am to 8:00 pm, Mon thru Fri)
- 4) Security Patrol Service for Honolulu (drive by twice daily)
- 5) 70 full-time IT contractors needed to support auction-related activity.
- 6) 37 Facility services contractors working full-time; 8 contractors working as needed.

Employees otherwise in furlough status, may be called upon to work as necessary during the furlough due to the nature of their responsibilities to perform excepted work on an as needed basis.

#### Resumption of Orderly Operations

Prior to the shutdown, employees will be instructed to listen to public broadcasts or news that a CR or appropriation has been signed. Employees will be expected to return to work on the next scheduled work day after the furlough has ended.

Supervisors may approve accrued annual leave, compensable time-off, or credit hours in the event employees have problems returning to work on their next scheduled work day.