

**Special Inspector General
for the Troubled Asset Relief Program**



Shutdown Plan
During Periods of Lapsed Appropriations
September 25, 2023

Table of Contents

Overview	3
Purpose.....	3
Background.....	3
Information required by OMB Circular A-11	3

Overview

The Special Inspector General for the Troubled Asset Relief Program (SIGTARP) Shutdown Plan During Periods of Lapsed Appropriations describes actions and activities for the first five (5) business days following a lapse in appropriations. The plan is updated annually in accordance with guidance from the Office of Management and Budget (OMB) and the Department of Treasury. During FY 2024 SIGTARP will continue activities that fall under established exceptions to the Anti-Deficiency Act where compensation is financed by resources other than annual appropriations. If funds are not available to continue operations during a lapse, ancillary support services will be maintained only to the extent necessary to support excepted operations.

Purpose

During a federal funding hiatus, or lapse in appropriations, SIGTARP must be able to cease its government operations in an orderly fashion. Only those functions and activities that are exempt or excepted from the work restrictions specified in the *Anti-Deficiency Act* (ADA/ the Act)¹ may continue during a lapse in appropriations.

Background

The ADA codifies the Constitutional requirement that “No Money shall be drawn from the Treasury, but in consequence of appropriations made by Law.”² Federal officials are prohibited from incurring obligations, to include entering into contracts or grants, or performing activities in the absence of a currently available appropriation, unless authorized by law. The Act further restricts acceptance of voluntary services or personal services beyond authorized levels “except for emergencies involving the safety of human life or the protection of property.” As a result, only activities that are exempt or qualify as excepted may continue to operate during a lapse in appropriations.

Information required by OMB Circular A-11

In accordance with Section 124 of the Office of Management and Budget’s (OMB) 2019 Circular A-11, “Agency Operations in the Absence of Appropriations,” SIGTARP has developed the procedures outlined in this document as its contingency plan. As specified by the OMB A-11 guidance, the contingency plan includes the following information:

1. An estimate, to the nearest half-day, of the time necessary to accomplish an orderly closure.
2. The total number of SIGTARP employees on-board before implementation of the plan.
3. The total number of employees expected to be exempt or excepted from a lapse in appropriations.

¹ 31 U.S.C. §§ 1341 et seq

² U.S. Constitution, Article 1, section 7, clause 1.

1. Estimated time to complete shutdown of non-excepted activities	Not in excess of a half day
2. Number of employees expected to be on board prior to implementation of shutdown plan	19
3. Number of employees to be retained due to:	
a. Compensation is financed by a resource other than annual appropriations	19*
b. Necessary to perform activities expressly authorized by law	0
c. Necessary to perform activities implied by law;	0
d. Necessary to the discharge of President's constitutional duties and powers	0
e. Necessary to protect life and property	0
4. Total number of excepted employees	19

*Employees retained by 3(a) above are funded by non-expiring appropriations provided in P.L. 110-343 and P.L. 111-22