

## **Department of Commerce Lapse in Appropriations Travel Approval**

During a lapse in appropriations, an affected agency must suspend regular agency operations, including travel, except under limited circumstances. This form must be completed in advance of all travel to be undertaken during a lapse. This includes travel that was arranged prior to a lapse occurring, travel that is already underway at the time a lapse occurs, and travel not previously arranged that needs to be undertaken during a lapse.

Travel arranged prior to a lapse that does not meet the legal requirements for continued operations during a lapse and that has not been approved using this form must be cancelled. Likewise, travel already underway that does not meet the legal requirements for continued operations during a lapse and that has not been approved using this form must be discontinued, and the traveler must be brought back to their official station as soon as practicable.<sup>1</sup>

The form can be used to cover multiple travelers where there is a common nexus of facts (e.g., all travelers are going to the same event or are traveling for the same purpose albeit to different locations). **All sections of this form must be completed.** An attachment may be used in lieu of completing sections of the form if there is insufficient room. Completion and approval of this form is required in addition to the issuance of written travel authorizations for the traveler(s) as required by the Federal Travel Regulation.

Upon completion, this form must be emailed to the Department's Office of the General Counsel (OGC) with a copy to the Travel Management Division (TMD). **Please use the subject "Lapse in Appropriations Travel Approval" in the subject line of the email.** The email addresses for OGC and TMD are:

- OGC General Law Division: generallaw@doc.gov
- Travel Management Division: ofm-doctravelpolicyhelpdesk@doc.gov

SECTION I: OPERATING UNIT AND CONTACT INFORMATION		
Primary Operating Unit/Bureau	Constituent Operating Unit/Line Office	Program Office
Point of Contact Name	Point of Contact Email	Point of Contact Phone
The point of contact <b>must</b> be an individual who will be available to respond <b>immediately</b> to questions from OGC or TMD.		

<sup>1</sup> This form does not need to be completed to approve the return of an employee or invitational traveler to their official station as soon as practicable upon a lapse occurring. Obligations incurred relative to such return travel constitutes the orderly termination of regular agency operations, and they may be legally incurred during a lapse in appropriations.

SECTION II: DESCRIPTION OF TRAVEL	
Name(s) of Traveler(s) and Trip ID(s) from E2 (if applicable)	
Temporary Duty Location(s):	
Estimated Cost:	
Departure Date (From official station)	Return Date (To official station)
Purpose of Travel and the Employee's Role	
SECTION III: NEXUS WITH DEPARTMENTAL LAPSE PLAN	
Is the activity to which this travel relates already accounted for on the Department's Lapse in Appropriations Plan? (Available at <a href="https://www.commerce.gov/lapse-appropriations-contingency-plans">https://www.commerce.gov/lapse-appropriations-contingency-plans</a> )	
If YES, please identify (including the page and paragraph number from plan):	
If NO, please coordinate with the primary operating unit/bureau's lapse plan coordinator to submit a revised narrative to the Department's lapse plan coordinator. Note that travel will not be approved until the underlying activity is cleared for inclusion in the Department's lapse plan.	
SECTION IV: BASIS TO UNDERTAKE TRAVEL DURING A LAPSE	
(Select by completing the explanation narrative below the appropriate exception described below)	
EXCEPTION 1	
The activity, including the travel at issue, is financed by other than current year annual appropriations.	
Merely because common carrier transportation may have been procured prior to a lapse does not mean this exception applies if no appropriation is available to cover the employee's salary and benefits and per diem, including lodging, meals, and incidental expenses, for which the Government's obligation arises each day the employee is on travel.	
Please explain what account will be used by name, including the fiscal year in which appropriated if a prior year annual appropriation (e.g., "FY23 Salaries & Expenses Account"). If the travel relates to a fee-based service provided to non-Federal parties or to an interagency agreement, please explain how the travel relates to such a transaction. You must verify with your primary operating unit/bureau's CFO's office <u>and state below</u> that (1) the funds are in hand to cover the cost (not merely an account payable); (2) the account holding the funds has a current apportionment by OMB; and (3) the funds have been internally allotted and suballotted for use (to the extent those internal controls are utilized).	
Explanation:	

## **EXCEPTION 2**

The activity that is expressly authorized by law to continue even in the absence of an appropriation (not merely because the activity is generally authorized or required by law).

Please consult with the Department's Office of the General Counsel before selecting this exception.

### *Explanation:*

### **EXCEPTION 3**

The activity is implicitly authorized by law to continue during a lapse in appropriations. Generally, this will be limited to scenarios where the activity in question does not have a continuing source of appropriations but is necessary to support an activity that is financed by other than current year annual appropriations and the failure to continue such support would prevent or significantly damage the execution of the activity that does have a continuing source of appropriations. The supporting activity/travel cannot be reasonably deferred.

### *Explanation:*

## **EXCEPTION 4**

The activity is necessary to discharge the President's unique constitutional duties.

Please consult with the Department's Office of the General Counsel before selecting this exception.

### *Explanation:*

## EXCEPTION 5

The activity relates to a significant and imminent threat to human life or property or is in support of such an activity. The activity/travel cannot reasonably be deferred.

*Explanation:*

## SECTION V: APPROVALS AND CLEARANCES

Operating Unit Approving Official

Printed Name Signature and Date

Office of the General Counsel Clearance

Printed Name Signature and Date

Office of Financial Management Approval

Printed Name Signature and Date