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MSGID/GENADMIN/COMNAVRESFOR NORFOLK VA//

SUBJ/NAVY RESERVE FORCE GUIDANCE IN THE EVENT OF A LAPSE IN  
APPROPRIATIONS 18 NOV 2023//

POC/EDMONDS/CAPT/COMNAVRESFORCOM/TEL (757) 322-5600/ E-MAIL:  
GARETT.E.EDMONDS.MIL(AT)US.NAVY.MIL//

POC/BOOKEY/CAPT/COMNAVAIRFORES/TEL: (757) 322-5600/E-MAIL:  
MARY.G.BOOKEY(AT)US.NAVY.MIL//

POC/MADSON/CAPT/COMNAVIFORES/TEL: (817) 782-5022/E-MAIL:  
PETER.N.MADSON.MIL(AT)US.NAVY.MIL//

POC/BAILEY/CAPT/COMNAVRESFOR/TEL: (571) 256-8587/E-MAIL:  
WILLIAM.J.BAILEY.MIL(AT)US.NAVY.MIL//

RMKS/1. The current continuing resolution expires at 2359 on 17 November 2023. As this deadline coincides with the start of a drill weekend, prudent management requires that we continue to prepare for all contingencies, including the possibility that a lapse in appropriations could occur. This is not an order to shutdown and as part of our effort to keep you apprised of planning efforts, we are providing further information on how a potential government shutdown will affect the Navy Reserve Force. In the event of a lapse of funding, the Navy Reserve Force will execute an orderly shutdown of operations unless a particular operation or duty supports an excepted activity. Navy Reserve Activities (NRAs) should continue proceeding with operations and executing established schedules, presuming that appropriations will be available on 18 November 2023. In the event of a lapse of appropriations (i.e., a government shutdown) Commanders shall implement the following guidance.

2. Excepted Mission Authority: Per Office of the Secretary of Defense (OSD) Memorandum dated 27 September 2023, the responsibility for determining which activities meet the criteria for being excepted from shutdown reside with the Secretaries of the Military Departments and Heads of the DoD Components, including combatant commanders with respect to activities undertaken by their immediate headquarters and subordinate Joint headquarters.

2.a. Delegation of Excepted Mission Authority: Those with

authority listed above may delegate this authority as they deem appropriate, but Navy Reserve senior officials are unable to make any excepted activity determinations, for the activities identified in Paragraph 3 below, until properly delegated such authority (which has not occurred at the time of message release). Authorized delegation will be communicated SEPCOR.

3. Excepted Activities. With the approval of an excepted activity determination authority, the following activities may continue in case of a lapse of appropriation:

3.a. Mobilization/Deployment: Reserve Component personnel identified for mobilization and/or deployment in support of contingency operations and who are fulfilling requirements in preparation for those duties may continue those preparation activities despite a lapse in appropriations.

3.b. Military Operations: As part of providing expeditionary ready forces across the Naval service, excepted activities include those scheduled military operations or exercises which are (1) in direct support and coordination with the Active Component (AC) force; (2) in direct support of an identified military operation or activity, as decreed by the President, the Secretary of Defense or other cognizant authority, for the safety of life or the protection of property in the interest of national security; and/or (3) determined to be operationally necessary in order to maintain mobilization and warfighting readiness.

4. Inactive Duty Training (IDT) execution.

4.a. Should a lapse in appropriations occur less than twenty-four hours before the start of a scheduled drill period, Reserve Component personnel, whose IDT drills do not directly support excepted activities, may perform an orderly shutdown of unit operations, which includes concluding previously-scheduled operational training requirements and taking action to ensure continuity, mobilization readiness and unit sustainability. Reserve Component personnel, who are on-site at a drill location during a lapse in appropriations and whose IDT drills do not support an excepted activity, must return to their primary residence within a reasonable period of time after completing an orderly shutdown of unit operations.

4.b. Should a lapse in appropriations continue for an extended period beyond the weekend of 18 and 19 November 2023, future IDT drill weekends will only be conducted as necessary to support excepted activities until appropriations are authorized. Consult your Reserve Program Director (RPD) or ISIC to verify if you are on an approved excepted activity. Sailors or units not part of an excepted activity are not authorized to complete IDT of any type (paid, non-paid, additional [ATP, AFTP, RMP], telework, IDT Travel, etc.) during lapse in appropriations.

5. Orders.

5.a. While under a lapse of appropriation, drilling SELRES members

executing mobilization, definite recall or ADOS orders, which are greater than 30 days and were initiated prior to a lapse in appropriations, may continue on those orders; however, no extensions to those orders will be allowed unless it is expressly determined that such orders involve the performance of an excepted activity. All orders with a start date of 18 November 2023 or later shall not be executed unless cognizant authority determines that such orders are in support of an excepted activity. Prior to cancellation of orders, it is essential that Navy Reserve Readiness Unit (NRRU), NRA, and Gaining Command RPD are in constant contact regarding status of affected orders.

5.b. For members performing Active Duty for Training (ADT) or Annual Training (AT) prior to a lapse in appropriations, a determination must be made if those members are engaged in an excepted activity to continue executing those orders. If cognizant authority determines that members performing AT or ADT orders are engaged in an excepted activity, then those members will be allowed to continue those orders. If the activity being performed during AT or ADT is not excepted, then cognizant authority should, in an orderly fashion, modify orders to direct members to return to their primary residence within a reasonable period.

5.c. Order modifications not in support of excepted activities will not be approved unless modification reduces cost of original obligation.

5.d. All personnel are advised that pay and compensation will be deferred. Military personnel in an active status will serve without pay until such time as Congress makes appropriated funds available. No obligation may be made to support non-excepted activity during a lapse in appropriations, as that is a violation of the Anti-Deficiency Act.

5.e. eMuster in NSIPS must take place to record check-in and ensure accountability. This muster will ensure payment of the member when funding is approved.

5.f. AT/ADT/IDTT/ATP will not be used to back-fill non-excepted civilian positions.

6. Temporary Duty (TDY) Travel and Conference Participation:

6.a. Training and Administration of Reserve (TAR) and Selected Reservists (SELRES) TDY travel and conference participation scheduled to begin after the shutdown occurs shall not be executed during a lapse in appropriation, except for excepted activities (as determined by cognizant authority) identified in paragraphs 2 and 3 and SECDEF guidance or DoN guidance. Any TDY travel or conference participation, which does not involve an excepted activity and that began prior to the shutdown will, except as noted below, be terminated (i.e., return to official duty station) as quickly as possible, in an orderly fashion. This includes TDY travel and conference participation associated with professional military education training.

- 6.b. Local TDY orders may be authorized if no additional cost to the government is incurred.
7. Follow Commander, Navy Installations Command (CNIC) guidance on Military Funeral Honors (MFH). If MFH is determined to be an excepted activity, SELRES utilization ISO MFH will be minimized. AC or TAR assets will be utilized first and coordinated with CNIC or designated regional MFH representatives prior to authorizing performance of MFH by SELRES personnel.
8. TAR personnel are expected to report to duty as ordered. TAR personnel will serve without pay until such time as Congress makes appropriated funds available. Speak to your chain of command about monetary relief and resources available to you during a prolonged lapse in appropriations.
9. Civilian personnel: ECH III and IV Commanders will enforce confirmed excepted employee lists provided by originator. Civilian personnel who are not necessary to carry out or support excepted activities shall be furloughed using lapse in appropriation procedures and published guidance provided through separate guidance.
10. Good judgment and communication is essential at all levels of Force leadership. When in doubt, consult with your ISIC and assigned legal counsel.
11. Further guidance and Standard Operating Procedure (SOP) updates on excepted activities will be promulgated via RPD Mailbags and ForceConnect.
12. Released by RADM Michael Steffen Deputy Commander, Navy Reserve Force.//

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