



U.S. SENATE COMMITTEE ON RULES AND ADMINISTRATION

Guidance During a Lapse in Appropriations

Unified Guidance on Expenses during a Lapse in Appropriations

Senate Committee on Rules and Administration, Senate Select Committee on Ethics, Secretary of the Senate, Senate Chief Counsel for Employment, and Senate Sergeant at Arms updated September 2025.

A lapse in appropriations severely curtails the activities and use of official funds by Senate offices. The following FAQs are intended to assist you in your planning.

The first thing each office must do is determine the status of staff. Excepted employees are those who perform excepted activities – that is, activities necessary either to support the Senator in fulfilling their constitutional duties (e.g., legislating) or for emergencies involving the safety of human life or the protection of property. Each office makes its own determination of who is an excepted employee. The job title is not determinative, what matters are the functions performed by the staffer. If an office does not determine that a staff member is excepted, then the staff member is non-excepted.

Once offices have determined which staffers are excepted, then staff should be notified of their status. You may change status if additional needs arise. A limited number of non-excepted staff may work for a short period immediately after the lapse for the sole purpose of “completing the orderly suspension of non-excepted functions” to include processing personnel actions, securing confidential information, canceling appointments, and documenting status of casework and projects. This is a one-time, not a weekly, exercise. Apart from this limited exception, non-excepted staff are not permitted to work during a lapse in appropriations.

FREQUENTLY ASKED QUESTIONS

| Category | Question | Answer | Contact |
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| Appointments Desks | Will the Appointments Desks be open? | The Capitol Appointment Desk and Russell Appointment Desk will open 30 minutes before the Senate convenes and close at 5:00 p.m. or when the Senate adjourns, whichever is earlier. | Capitol Appointment Desk (202) 224-6302 Russell Appointment Desk (202) 224-4670 |

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| Building Access | Will constituents be able to enter the Capitol building? | Yes, constituents will need an official appointment and enter through the North Capitol door. Gallery pass holders may enter through the North Capitol Door when the Senate is in session. | SAA Police Ops (202) 224-2525 |
| Building Access | Will constituents be able to enter the Senate Office Buildings? | Yes, a limited number of doors will be open, and the public will be able to enter the buildings. | SAA Police Ops (202) 224-2525 |
| Capitol Visitor Center | Will constituents be able to enter the CVC? | No, the CVC will be closed. | CVC (202) 593-1762 |
| Capitol Visitor Center | Will CVC tours take place? | No. | CVC (202) 593-1762 |
| Capitol Visitor Center | Will staff led tours be allowed? | No. | CVC (202) 593-1762 |
| Credit cards | Can office and travel cards be used to charge items during lapse, or will they be suspended? | No new charges may be incurred, except for those necessary to perform excepted activities. Offices should document the reason for any such expense (e.g., necessary to fulfill constitutional functions) and submit it with the voucher provided to the Rules Committee. | Rules Committee (202) 224-6352 |
| Employee Assistance Program (EAP) | Will EAP services be available? | EAP will be open from 8:00am – 9:00pm EST. The Senate Wellness Program will not be open. | EAP (202) 224-3902 |

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| Expenses (non-travel) | Will offices be able to incur new non-travel expenses? | No new expenses may be incurred, except for those necessary to perform excepted activities. Offices should document the reason for any such expense (e.g., necessary to fulfill constitutional functions) and submit it with the voucher provided to the Rules Committee. | Rules Committee (202) 224-6352 |
| Expenses | Will vouchers be processed? | No. | Rules Committee (202) 224-6352 |
| Expenses (non-travel) | Would expenses related to hearings and markups be allowed? | Yes, if the expenses are meant to enable Congress to continue to perform its constitutional duties. Expenses cannot be paid until the lapse in appropriations ends. Committees may use the Senate Recording Studio to tape and webcast any hearings. Payment for a transcript made from the Recording Studio's recordings after the lapse in appropriations is resolved may also be reimbursed from official funds. Hearing room requests should be made via email, a minimum of 24 hours in advance, to the Chief Clerk of the Rules Committee. | Senate Recording Studio (202) 224-4977 Rules Committee (202) 224-6352 |
| Fellows | Can Fellows not paid by the US Government continue to work in the office? | Yes. | SCCE (202) 224-5424 |

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| Flags | Can constituents still request and pay for flags through Pay.gov? | No, all Pay.gov flag forms will be temporarily suspended. | Disbursing (202) 224-3207 |
| FMLA (excepted employee) | How do we handle FMLA leave requests from excepted employees? | If an excepted employee requests/requires FMLA leave during a lapse in appropriations, then the office must permit the employee to take (unpaid) FMLA leave and must charge the FMLA time against the employee's FMLA leave entitlement. If the excepted employee's FMLA leave would have been paid (e.g., Paid Parental Leave, Disabled Veteran Leave, or a type of FMLA leave for which an office provides a paid FMLA benefit), then the office must retroactively provide the paid benefit for that time period and compensate the employee for the leave at the earliest possible date after the lapse ends. | SCCE (202) 224-5424 |
| FMLA (excepted employee) | How do we handle an excepted employee's previously scheduled paid leave for FMLA reasons? | If an excepted employee was already scheduled to take paid leave for FMLA reasons during a lapse, your office must permit the employee to take (unpaid) FMLA leave and must charge the FMLA time against the employee's FMLA leave entitlement. When the lapse ends, the office must retroactively provide the paid benefit for that time period and compensate the employee for the leave at the earliest possible date after the lapse ends. | SCCE (202) 224-5424 |

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| FMLA (non-expected employee) | How do we handle a non-expected employee's request for FMLA leave during a lapse in appropriations (regardless of whether the leave was previously scheduled or is unscheduled)? | A non-expected employee cannot be charged FMLA leave during a lapse in appropriations because the employee was not permitted to work during that time. For the period of the lapse, the office should cancel a non-expected employee's previously scheduled leave for FMLA reasons and may not charge any FMLA time against the employee's FMLA leave entitlement. | SCCE (202) 224-5424 |
| Food Services | Will food service be open? | Yes, food service will be available. | AOC (202) 224-3141 |
| Galleries | Will the galleries be open to watch the floor? | Yes, the galleries will open 30 minutes before session until adjournment. | SAA (202) 224-6068 |
| Health Insurance | How will benefits like health insurance, life insurance, and flexible spending be impacted? | Coverage will continue. Any missed premiums will be withheld from pay after the lapse in appropriations is resolved. | Disbursing (202) 224-3207 |
| HELP Desk | Will the HELP desk be open? | Yes, the HELP desk will open from 7:00am – 8:00pm EST or 30 minutes before the Senate convenes until 30 minutes after adjournment. | SAA (202) 228-4357 |
| IDs | Will offices be able to get IDs for new staff or interns? | No. | Senate ID Office (202) 224-2338 |
| IDs | Will offices be able to get replacement IDs for existing staff or interns? | Yes, existing staff and interns may replace a lost or stolen ID. With a 24-hour notice, a SmartCard can be issued. | Senate ID Office (202) 224-2338 |

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| Interns (unpaid) | Can unpaid interns work? | Yes, provided they meet the CAA definition of an intern (part of a defined educational plan, performing work for educational benefit) and have signed the gratuitous services form, and that no excepted employee loses his/her status by virtue of supervising them. | SCCE (202) 224-5424 |
| Interns (paid) | Can paid interns work? | Paid interns are treated the same as other paid staff. They may continue to work only if they are designated as excepted staff. If they are designated as non-excepted, they should be placed in a furlough status. | SCCE (202) 224-5424 |
| Sick Leave (non-FMLA) | If an excepted staffer is sick or cannot get to work for some reason, what do we do? | Your office should place the excepted staffer in a furlough status until he or she can come to work or, if possible, work from home. See information on working from home. | SCCE (202) 224-5424 |
| Leave (non-FMLA) | Can excepted staff take paid leave during a lapse in appropriations? | No, all paid leave is cancelled. If an excepted staffer needs leave, you may provide it to them, but you should place them in a furlough status during the duration of their leave. Under current law, they will be paid for the leave after the end of the lapse in appropriations. | SCCE (202) 224-5424 |
| Mail | Can offices send Franked Mail during a lapse in appropriations? | Yes, PGDM will process franked mail for a Senate office that determines franked mail is necessary for the conduct of excepted activities. | PGDM (202) 224-6138 |

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| Mail | Can offices use stamps? | Yes, if the stamps are purchased before the lapse in appropriations and the use is for an excepted activity. | Rules Committee (202) 224-6352 |
| Mail | Will mail and packages be screened and delivered? | Yes, mail will be processed at the Congressional Acceptance Site, and digital inbound USPS 1st Class mail will continue on schedule. Inbound 3rd Class mail will be paused. Mail will continue to be delivered to offices by the Senate Post Office. | Senate Post Office (202) 224-2331 |
| Metro Subsidy | How are metro subsidies handled? | Metro subsidies are paid a month in advance so this month's subsidy has already been paid. Staff on payroll one day per month are allowed to receive the metro subsidy. State transit programs vary, but state staff are advised to purchase monthly passes prior to a lapse in appropriations in order to receive reimbursement after the lapse in appropriations is resolved. However, during a lapse in appropriations subsidies may only be used by excepted employees. | Rules Committee (202) 224-6352 |

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| Parking | Will offices be able to obtain parking permits for the garage or lots? | Yes, there will be attendants on the lots from 8:30am – 3:00pm EST and the Russell garage booth will be open from 8:30am – 4:30pm EST for permits. | Rules Committee (for garage) (202) 224-6352 SAA Parking Office (for outdoor lots) (202) 224-8888 |
| Parking | Will the SAA Parking Shuttle be running? | Yes, the SAA Shuttle will be running from 7:00am – 7:00pm EST (or 1-hour post adjournment). | Fleet Operations (202) 224-3858 |
| Passports | Will offices be able to obtain passports? | Official passports can be obtained Monday – Thursday 8:30am – 12:30pm EST. | Passports (202) 228-7277 |
| Payroll | Will all employees receive missed pay following a lapse? | Yes, following passage of Public Law 116-1 all federal employees – including legislative branch employees – are required under current law to receive back pay following the end of a lapse, regardless of if they were in furlough status. | Disbursing (202) 224-3207 |
| Payroll | Will employees be paid for the pay period prior to the lapse? | Yes, all payroll-related payments for that pay period will be made as usual. | Disbursing (202) 224-3207 |
| Payroll | If a lapse occurs in the middle of a pay period, how will staff be paid? | If funding is not enacted by the end of the pay period, staff will receive a proportional partial payment on the scheduled payday. Once funding is restored, staff will receive payment for the remaining portion of the pay period, which will be paid as soon as possible and separately from any other paycheck. | Disbursing (202) 224-3207 |

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| Payroll | If staff receive a partial paycheck, how will deductions (e.g., TSP, insurances, etc.) and tax withholdings be collected/subtracted? | For the partial paycheck that includes the greater number of days, full pay period deductions and proportional tax withholdings will be collected. For the partial paycheck that includes the lesser number of days, only proportional tax withholdings will be collected. | Disbursing (202) 224-3207 |
| Payroll | Can I add someone to payroll? | No, you may not add staff to payroll during a lapse in appropriations. | Disbursing (202) 224-3207 |
| Payroll | I need to take someone off payroll during a lapse, how do I do that? | Managers should submit paperwork well in advance of a lapse in appropriations for any staff who have announced their departure. The Secretary of the Senate, upon receipt of a Payroll Action Form or a letter from a Senator, may take someone off payroll if that person is leaving the Senate and failure to remove the individual from payroll would create a legal or ethical problem (for example, someone leaving to lobby would need to be off the government payroll). | Disbursing (202) 224-3207 |
| Payroll | Will payroll be processed after a funding bill is signed? | Once an appropriations bill is signed, staff will return to work and process payroll as expeditiously as possible. | Disbursing (202) 224-3207 |

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| Payroll | What payroll actions are allowed during a lapse in funding? | Overtime for excepted employees, salary decreases, title changes, terminations, certification of sick leave, duty station changes, renewal of student loan agreement (for same or lesser amount), Student Loan Reimbursement Determination forms, termination of student loan agreements. | Disbursing (202) 224-3207 |
| PGDM | Will PGDM be open for hearing support (nametags/copies), floor support (charts), and mailings? | Yes, PGDM will open 30 minutes before session begins until 15 minutes after adjournment for floor, hearing, and mail support. | SAA (202) 224-6138 |
| Photographic Services | Will Photographic Services be open? | Yes, Photographic Services will open at 8:00 a.m. and close at 5:00 p.m. or 30 minutes after the Senate adjourns, whichever is earlier. | Senate Photographic Services (202) 224-6000 |
| Rooms | Are Senate event rooms open? | Rooms are open for Committee business meetings, hearings, and markups only. All other events are cancelled. | Rules Committee (202) 224-6352 |
| Staff | Can non-excepted employees obtain outside employment? | All federal laws, Senate Rules, and office policies continue to apply to such employees. This includes conflicts of interest rules and laws applicable to outside activity and employment. Employees should obtain approval from their employing office before engaging in outside employment to ensure no violation of rules or law occurs. | Ethics Committee (202) 224-2981 |

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| Staff | Can non-excepted employees volunteer to work for the office during a lapse in appropriations? | No. It is against the law for a Member or employee to knowingly and willingly accept voluntary services from employees who are prohibited from working during a lapse. | SCCE (202) 224-5424 |
| Staff | Can non-excepted employees apply for unemployment? | This varies by state. | SCCE (202) 224-5424 |
| Staff | May excepted employees work from home? | Yes. The determination of an employee's status as excepted vs. non- excepted is based upon the duties performed by the employee; if those duties can be performed from home, then the excepted employee is permitted to perform those duties from home. Employees can be required to work in the office, regardless of any pre-existing telework schedule. | SCCE (202) 224-5424 |
| State Office Operations | Will State Office Operations be open? | State Office Operations will be open for security and ongoing office project issues from 9:00am – 6:00pm EST. | SAA (202) 228-7828 |
| Security | Will the SAA be providing security assistance at hearings and for Member travel? | Yes, security at hearings, law enforcement coordination requests, residential assessments, and travel coordination in preparation for the conclusion of a shutdown will be available. | SAA Police Ops (202) 224-2525 |
| Student Loan Payments | How will student loan payments be impacted? | Payments will not be made during a lapse in appropriations. If any payments have been missed, and once funding is restored, retroactive student loan payments will be sent. | Disbursing (202) 224-3207 |

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| <p>Travel</p> | <p>Are Senators permitted to incur travel expenses?</p> | <p>No new travel to be paid with official funds may be incurred during a lapse in appropriations unless the travel is necessary to perform excepted activities.</p> <p>Offices should document the reason for any such expense (e.g., necessary to fulfill constitutional functions) and submit it with the voucher provided to the Rules Committee.</p> <p>Senators may use accumulated frequent flyer miles, accumulated Amtrak reward points, and personal funds. Under certain circumstances it <i>may</i> be permissible to use excess campaign funds to pay for officially related travel. Please contact the Ethics Committee for guidance regarding your specific travel plans.</p> | <p>Rules Committee (for questions regarding use of official funds) (202) 224-6352</p> <p>Ethics Committee (for questions regarding use of excess campaign funds) (202) 224-2981</p> |
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| Travel | Are Senate staff permitted to travel? | <p>No staff travel using official funds is permitted during a lapse in appropriations unless the travel is necessary to perform excepted activities.</p> <p>Offices should document the reason for any such expense (e.g., necessary to fulfill constitutional functions) and submit it with the voucher to the Rules Committee, but vouchers will not be processed until the lapse ends.</p> <p>Staff on travel that is not necessary to perform excepted activities should return to their duty station before funding lapses.</p> | Rules Committee (202) 224-6352 |
| Travel | Can staff travel be paid for with a Senator's excess campaign funds? | Under certain circumstances it <i>may</i> be permissible to use excess campaign funds to pay for officially related travel. Please contact the Ethics Committee for guidance regarding your specific travel. | Ethics Committee (202) 224-2981 |
| Websites and social media | Can offices update their websites, tweet, and send email updates? | Offices should post a notice about the office's status on its website and carefully evaluate whether any additional website updates are necessary to support the Senator in fulfilling his/her constitutional functions. | Rules Committee (202) 224-6352 |
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