

**Open Letter to the Director of the Office of Management and Budget  
and Heads of Executive Departments & Agencies  
Regarding Impending Lapse in Appropriations**

September 30, 2025

If by the end of the day Congress does not pass, and the President does not sign, regular appropriations acts or a continuing resolution, many executive branch agencies will run out of funds to keep operating. Any government shutdown will impose significant costs, erode trust in our institutions, and needlessly disrupt taxpayer-funded services and operations. But the harms caused by such a lapse do not affect the requirement that executive branch agencies comply with the Antideficiency Act and its attendant limitations on agency spending absent an appropriation from Congress.

Office of Management and Budget (OMB) Circular A-11 directs each agency to submit an updated lapse plan to OMB by August 1, 2025. As part of this process, Circular A-11 also requires agencies to identify any updates from the previous plan, submit a document with tracked changes or annotated comments, and publish the final lapse plan on the agency's website.

OMB has indicated, however, that certain agencies did not send an updated lapse plan by the August 1 deadline. To ensure full transparency to the American taxpayer during any impending lapse in appropriations, we urge:

- Each agency to post its current lapse plan to its website (to the extent it has not already), and for OMB to resume posting agency contingency plans to its website;
- For any agency that has updated its lapse plan since August 1, 2023, to post any document containing tracked changes that the agency submitted to OMB pursuant to the requirements of OMB Circular A-11 § 124.2; and
- For any agency that has relied upon guidance provided by OMB or the Department of Justice Office of Legal Counsel in making their plan, to post copies of such guidance.

Thank you for your attention to this matter.

Citizens for Responsibility and Ethics in Washington  
Mormon Women for Ethical Government  
National Taxpayers Union  
Project On Government Oversight  
Protect Democracy  
R Street Institute  
Taxpayers for Common Sense