

Office of the Chief Financial Officer Contingency Plan

Scope

This plan of action is developed based on the latest guidance for shutdown planning and activities for this organization, as relayed by the Office of Management and Budget (OMB) and the Department. This plan is subject to amendment as developments require and provided such amendments are consistent with applicable law.

The Department is subject to seasonal variations and at one time up to 80 percent of employees may need to report to work during a furlough, but this would be on an intermittent basis. When Category I funding is no longer available those employees listed in this category will either be furloughed or moved to either Excepted or Exempted and will show in either Category III or Category IV.

The functions and activities described herein are to be executed in accordance with all applicable statutes, regulations, policies, and delegations of authority. OMB provides guidance on how to prepare for and operate during a funding gap in OMB Circular A-11. The circular establishes two policies regarding the absence of appropriations:

- 1) A prohibition on incurring obligations unless the obligations are otherwise authorized by law; and
- 2) Permission to incur obligations “as necessary for orderly termination of an agency’s functions,” but prohibition of any disbursement (i.e., payment).

The Anti-Deficiency Act (<http://www.gao.gov/legal/lawresources/antideficiency.html>) prohibits agencies from incurring obligations in advance of, or that exceed, an appropriation. Thus, with certain limited exceptions, an agency cannot incur obligations when the funding source for the obligation is an appropriation that has lapsed. Any activities that would incur a new obligation must be suspended and are prohibited. Activities that are under way that would lead to an increased obligation or incurred costs must cease.

There are, however, limited exceptions to this general rule, including obligations incurred performing activities that protect life and/or property, incurred to accomplish an orderly shutdown of the normal functions of the agency, or where such payment activity is necessarily implied.

An agency must otherwise continue certain activities despite a lapse in their appropriations because the lawful continuation of other funded or excepted activities “necessarily implies” that these additional activities will continue as well. A “necessary implication” can arise when an agency needs to incur obligations, even though there has been a lapse in the appropriation against which those obligations would be charged, in order to implement:

- 1) An “orderly shutdown” when there has been a lapse in appropriations (as the Department of Justice has explained, “authority may be inferred from the Anti-deficiency Act itself for federal officers to incur those minimal obligations necessary to closing their agencies”);
- 2) “Excepted” activities including functions:
 - a. Authorized by statute or other legal requirement expressly authorizing an agency to obligate funds in advance of appropriations;
 - b. That address emergency circumstances such that the suspension of the function would imminently threaten the safety of human life or the protection of property;
or
 - c. That are necessary to the discharge of the President’s constitutional duties and powers.
- 3) Congressionally authorized or appropriated functions for which Congress has provided funding that remains available during the lapse (including funds already obligated from the current fiscal year) where the suspension of the related activity (during the funding lapse) would prevent or significantly damage the execution of the terms of the statutory authorization or appropriation.

I. *Overview*

The Office of the Chief Financial Officer (OCFO) serves as the principal advisor to the Secretary and Senior Officials on all matters related to financial management, financial management systems, financial control and accounting, internal control and assessment, and financial training. During a hiatus of funding event, all OCFO employees are categorized as one of the following:

- ***Exempt* employees** are not affected by a lapse in appropriations and includes employees who are not funded by annually appropriated funds. Such employees will generally continue to be governed by the normal pay, leave, and other civil service rules.
- ***Excepted* employees**, usually designated as emergency or mission essential, will normally work some or all of their normal tour of duty during a furlough.
- **Employees who are neither *excepted* nor *exempt*** are funded through annual appropriations but are not designated as excepted and are barred from working during a shutdown, except to perform minimal activities as necessary to execute an orderly suspension of agency operations related to non-excepted activities. These employees will be furloughed.

This plan also recognizes that some OCFO employees may be needed on an *ad hoc* basis to address emergent excepted requirements after the initial orderly suspension of operations. In the event additional excepted employees are needed, employees may be designated as “**on-call**” **excepted employees**. If a qualifying need arises, the appropriate supervisor/manager will contact a furloughed employee via personal phone or email and designate the employee as excepted for specific excepted duties and provide instruction on the nature of the “on-call” work assignment(s), the “on call” worksite, protocol for communication, and any other pertinent information. Furloughed employees must not use Government issued systems such as computers, cell and smart phones, tablets, and/or laptops during a shutdown event.

II. *OCFO Headquarters*

Day One

All Headquarters employees will be directed to report to work on the first scheduled workday. Employees are only allowed to work the first four (4) hours unless they are exempted. Employees will then receive instructions to suspend their activities and secure property in their offices in a timely and orderly fashion. The OCFO Travel Support Team will cancel any OCFO approved travel beginning after the first day of the hiatus.

All employees not necessary for protection of life and property, except those employees referenced below, will be released on furlough by mid-day of their work day:

- Deputy Chief Financial Officer (DCFO)
- Chief Operating Officer (COO) / Associate Chief Financial Officer for Financial Systems (ACFO-FS)
- Associate Chief Financial Officer for Financial Policy and Planning (ACFO-FPP)
- Director, Budget Formulation Division (ACFO-FPP)
- Director, Fiscal Policy Division (FPD)(ACFO-FPP)
- Travel Lead, FPD(ACFO-FPP)
- Director, WCF Division (ACFO-FPP)
- Budget Branch Chief, WCF (ACFO-FPP)
- Lead Budget Analyst, WCF (ACFO-FPP)

Day Two

The following employees referenced below will report to work on day two to provide essential support to policy officials to manage the hiatus of government activities, and to provide essential staff support to policy officials and agency managers in the preservation of health and safety and the protection of property:

- Deputy Chief Financial Officer (DCFO)
- Chief Operating Officer (COO) / Associate Chief Financial Officer for Financial

Systems (ACFO-FS)

- Associate Chief Financial Officer for Financial Policy and Planning (ACFO-FPP)
- Director, Budget Formulation Division (ACFO-FPP)
- Travel Lead, FPD (ACFO-FPP)
- Director, WCF Division (ACFO-FPP)
- Budget Branch Chief, WCF (ACFO-FPP)
- Lead Budget Analyst, WCF (ACFO-FPP)

The DCFO or COO will modify personnel needed consistent with the operational needs.

Day Three through Five

The following employees referenced below will report to work each day to provide essential support to policy officials to manage the hiatus of government activities, and to provide essential staff support to policy officials and agency managers in the preservation of health and safety and the protection of property:

- Deputy Chief Financial Officer (DCFO)
- Chief Operating Officer (COO) / Associate Chief Financial Officer for Financial Systems (ACFO-FS)
- Associate Chief Financial Officer for Financial Policy and Planning (ACFO-FPP)
- Director, Budget Formulation Division (ACFO-FPP)
- Travel Lead, FPD (ACFO-FPP)
- Director, WCF Division (ACFO-FPP)
- Budget Branch Chief, WCF (ACFO-FPP)
- Lead Budget Analyst, WCF (ACFO-FPP)

Thereafter

If the absence of appropriations continues, the DCFO or COO will reevaluate the status on the fifth day and thereafter to make decisions on the necessity for continued attendance by the employees identified above. All other employees will continue in furlough status.

III. *Financial Systems*

The ACFO-FS provides executive leadership and management vision to manage, direct and implement corporate financial management and other corporate administrative systems delegated to CFO to maintain current systems, ensure compliance with external mandates, and enhance financial information dissemination and financial accountability. The ACFO-FS serves as the Chief Information Officer for financial management and administrative systems. If Appropriations expire, the ACFO-FS technical staff will maintain a minimal (11) staff for system oversight, security and interface processing and integrity as needed for operations.

Day One

All employees will be directed to report to work on the first day (either on site or telework if approved). Employees are only allowed to work the first four (4) hours unless they are exempted. Employees will then receive instructions to shut down their activities and secure property in their offices or telework location.

Thereafter

Payments not subject to funding hiatus will continue. To process payments from funds not subject to the funding hiatus or other payments under the approved exclusions, if the hiatus is projected to continue more than 12 days the Technical Innovations Systems Division Director will recall eight employees and 12 contractors for system oversight, security and interface processing and integrity maintenance of the central financial system. After the four days of operations required for support of a payment cycle with Treasury, the processing of financial payments will cease and the recalled employees will be released. This cycle of 12 days down followed by four days of minimum operations will be continued for the duration of the hiatus period.

In addition to the recalled employees, the following FMS employees will report to support the protection of Federal equipment and other property owned by the United States.

- Financial Analyst, Logistics and Administration Division, FMS
- Director, Technical Innovation Services Division Director, Implementation Division
- Chief, Technical Operations and Maintenance Branch Lead, Information Technology Security, FMS
- Lead, Financial System Technical Support, FMS
- Risk Management Officer, FMS

If the numbers of calls associated with financial operations of USDA are significant as determined by the CFO, additional employees may be instructed to report (i.e., “on call” excepted) to support for the protection of Federal equipment and other property owned by the United States. In consultation with the appropriate contracting officer, service contracts will be suspended or reduced during the hiatus. Only contractor staff needed to protect/secure the financial systems will be maintained during the hiatus.

A. Financial Management Services

Reporting to the Associate Chief Financial Officer for Financial Systems (ACFO-FS), the Financial Management Services (FMS) has responsibility for the Department’s financial management and reporting, administrative payments processing and certification, customer liaison and training administration, and related regulatory and policy compliance. These services are provided to customer agencies and are further defined under the Memorandums of Understanding and Service Level Agreements established between FMS and the agencies.

Days minus Five to minus One

Commence acceleration of vendor payments.

Day minus One

In consultation with the appropriate contracting officer, inform contractors that federal funding runs out at midnight, and if a new appropriations or additional continuing resolution is not passed, FMS operations will cease until the hiatus ends.

Day One

All employees will be directed to report to work on the first scheduled workday (either on site or telework, if approved). Employees are only allowed to work the first 4 hours unless they are exempted. Employees will receive instructions to shut down their activities and secure property in their offices or telework location. All employees not necessary for protection of life and property, except those employees below, will be released on furlough by mid-day of their work day:

- Director, Financial Management Services (FMS)
- Director, Customer Service Division (FMS)

Thereafter

Payments not subject to funding hiatus will continue. In order to process payments from funds not subject to the funding hiatus or other payments under the approved exclusions, if the hiatus is projected to continue more than 12 days, the Financial Services Division Director, will recall five (5) employees for payment processing, the Customer Support Division Director will recall three (3) employees for travel (TDY) and three (3) employees for grants payment processing and the Implementation Division will recall one (1) employee in support of grants. Key FMS management personnel will utilize the Division call tree to maintain communication, as needed.

1. USDA Agency Identified Needs (Exempted Activities):

<i>Agency</i>	<i>Exempted Activities</i>	<i>Required Systems</i>	<i>Required Staff</i>
APHIS AMS	Trust funds, user fee funded programs, buildings and facilities, programs with no year funding, and reimbursable agreements.	FMMI	Basis Team Interface Team Certification Payment Processing

FSIS	Trust funds, user fee funded programs, buildings and facilities, programs with no year funding, and reimbursable agreements. Travel related processing for inspectors.	FMMI Concur	Basis Team Interface Team Certification Payment Processing ETS2 Support Staff
FAS	All major FAS program activities would continue operations, including Grants and Agreements.	FMMI PEGA CRM	Basis Team Interface Team Certification Payment Processing Grants Team
NRCS	Emergency Watershed Program “EWP” would continue.	FMMI IAS	Basis Team Interface Team Certification Payment Processing
REE	Trust funds, user fee funded programs, buildings and facilities, programs with no year funding, and reimbursable agreements.	FMMI	Basis Team Interface Team Certification Payment Processing
RMA	All major RMA program activities would continue operations for a period of 5 weeks.	FMMI	Basis Team Interface Team Certification Payment Processing

B. Pegasys Financial Services – Category II 216

Pegasys Financial Services’ (PFS) largest FMLOB customer is GSA. GSA’s order for operations in the absence of appropriations keeps most activities at full strength due to their exempt status. GSA has instructed to fully support their mission during the possible shutdown. GSA and USDA have entered into an agreement that will provide advance funding to cover the organizations expenses during the time of the government shutdown. The small boards and commissions funding vary by organization and PFS will process transactions based on individual direction from those entities. PFS’s two largest child care customers are US Coast Guard and GSA, both organizations are exempt and PFS will continue child care payments for both of organizations. PFS employees will need continued physical and logistical access during a furlough event.

IV. National Finance Center – Category II 241

The National Finance Center (NFC) performs automated payroll, personnel, financial, applications hosting, and a myriad of administrative functions for the Department and many cross-serviced agencies. NFC is a non-appropriated agency, and the functions performed by NFC are financed on a cost-reimbursement basis through the Departmental Working Capital Fund, and through cost-reimbursable agreements. NFC is comprised of several organizations including the Government Employees Services Division (GESD), Administrative Management Staff (AMS), and the Human Resources Management Staff (HRMS) that work conjunctively to perform NFC's mission.

Overall Planning Assumptions

Any ordered hiatus of the Government will be of an indefinite period of time. NFC has the ability to furlough key personnel, but the agency will have the ability to place those key employees in an "on-call" status. NFC's level of activities during a hiatus will be dictated by the actions of the clients who are serviced by NFC. The needs of the clients will be closely monitored throughout the period of reduction or hiatus. Some clients may continue operating because their appropriations are passed; they receive continuing resolutions; they operate on non-appropriated funds; they are essential to protect life and property; or their employees are engaged in military, law enforcement, or direct health care activities (e.g., Secret Service, Drug Enforcement Administration; Bureau of Alcohol, Tobacco and Firearms, etc.). Many of the Agencies within NFC's customer base include exempted employees that protect life and property or support employees who are exempted and/or not affected by the lapse in government funding and will continue to require support from the NFC.

NFC's workload will increase in the short term (e.g., increase in the number of telephone inquiries, work associated with the processing of additional personnel actions related to the furlough). All contractor support will cease with the exception of Iron Mountain off-site tape storage and all hardware and software maintenance contracts supporting the NFC data center. These contracts are essential activities for the protection of property owned by the United States. Additionally, some pre-funded contract activity will continue, such as SETA Bridge SAN Support and Network Support. Government Insurances Consumer Division (GICD) – The Tribal Insurance Program (TIPS) and Direct Premium Remittance System (DPRS) are considered protection of human life and two employees are excepted in support of these programs.

Day One

All NFC employees will be directed to report to work on the first scheduled workday. Employees will then receive instructions to suspend their activities and secure property in their offices. AMS will cancel any OCFO approved travel beginning after the first day of the hiatus. All employees not necessary for protection of life and property, except those employees referenced below, will be released on furlough by mid-day of their work day:

- Director, NFC (Acting)
- Deputy Director, NFC (Acting)
- Director, GESD

A. Government Employee Services Division (GESD)

GESD maintains the human resources line-of-business, the insurance line-of-business, and many other operations in support of the NFC. As such, the organization’s business cycle fluctuates throughout the calendar year. While some basic assumptions hold true throughout the year, the date of the potential lapse in government funding dictates the final personnel requirements. In preparation for a potential government hiatus, NFC has designated personnel necessary in preparation for the hiatus. GESD must provide Help Desk Operations in support of the payroll scheduled to run that aligns with a hiatus. In addition, if a prolonged hiatus (in excess of 3 or more days) occurs, GESD will be responsible for ensuring that all payroll processing is completed.

GESD Personnel Requirements Day One

Activities	Number of Employees
Payroll/Personnel Operations Directorate (POD)	31
Payroll Accounting Directorate (PAD)	9
Government Insurance Services Directorate (GICD)	14
Mainframe Applications Directorate (MAD)	6
GESD Management & Oversight	5

GESD Personnel Requirements Day Two

Activities	Number of Employees
POD	31
PAD	9
GICD	15
MAD	6
GESD Management & Oversight	5

GESD Personnel Requirements Day Five

Activities	Number of Employees
POD	31
PAD	11
GICD	14
MAD	3
GESD Management & Oversight	5

After Day Five

The number of personnel required for GESD will fluctuate due to the payroll processing schedule. The maximum number of employees needed after day 5 of the shutdown week are: POD 31; PAD 11; GICD 14; MAD 3; and GESD Management 5.

B. Administrative Management Staff (AMS)

In response to a Government-wide shutdown, AMS will work to secure the OCFO's physical and personnel assets at the Michoud Assembly Facility (MAF) in New Orleans, LA and the Alternate Work Site (AWS) in Bossier City, LA. AMS will ensure that the excepted personnel have access to a secure and safe work environment during a hiatus.

Day One:

In consultation with the contracting officer, advise all vendors/contractors of the hiatus and monitor procurements to ensure that acquisition activity is consistent with reductions in operations.

Inform National Aeronautics Space Administration (NASA), MAF Facility Management Contractor, and the General Services Administration (GSA) that NFC is reducing its operations and may need increased security for excepted personnel, and for the preservation of health and safety and the protection of property. Ensure that all NFC property (equipment, furniture, records and files) are properly accounted for and appropriately secured.

Provide both NASA (and its security contractor Security Wall, Inc. with an approved listing of personnel who are authorized to enter the Interim Business Operations Facility (MAF Building 101). Administer access to the PCF (Denver) in collaboration with the OSC Denver Site Chief and the GSA. When appropriate, all updates to that listing will be provided to NASA and GSA, respectively.

For the Interim Business Operations Facility (MAF Building 101) and the Bossier City AWS, if in use, ensure that there is an on-site presence to address any facility-related matters that may arise during the hiatus and ensure that there is an on-site physical security presence to guard against access by any unauthorized individuals.

Instruct the U.S. Postal Service and other package delivery and mail entities (FedEx, UPS) of the hiatus, and our requirements to handle the delivery of mail and packages during the hiatus.

All employees not necessary for protection of life and property, except those employees referenced below for Day One and thereafter, will be released on furlough by mid-day of their work day:

Activities	Number of Employees
Facility Management – To provide basic presence to address any facility matters that arise; one position will be a supervisory position.	4
Physical Security – To provide physical security presence in MAF Building 101 and administer access to the facility.	3
Financial Management – To provide billing and collection for NFC customers and oversight of financial transactions.	2
Administrative/Communication – To provide support for the Human Resources notifications and overall administrative support, and coordinate any support needed from entities such as NASA, the City of New Orleans, and other emergency responders.	2

Approximately 7 employees are identified as “On-Call” for any emergent issues impacting activities, e.g., Contracting/Purchasing Support, Budget and Facilities Support and Financial Management.

C. Human Resources Management Staff (HRMS)

HRMS will maintain excepted personnel to process all personnel actions related to the furlough and return to duty as a result of the Government hiatus. This includes the initial furlough action and the intervening actions resulting from the need to recall employees to perform time and attendance, and other special functions during the furlough period.

Day One and thereafter:

Activities	Number of Employees
Review and Update Pay Impacting Personnel Actions in Suspense	1
Process Payroll Actions External Customer (U.S. Coast Guard)	2
Preparation and Distribution of Policy Guidance, Instructions, Employee/Customer Notifications, etc.	2
Management and Oversight	2

D. Civil Rights and Conflict Management Office

CRCMO will be available, in an “on-call” status, to respond to time-sensitive request and/or facilitate swift responses to conflicts which may arise from Day One and thereafter.