



September 2023

Lapse Plan Summary Overview	
Estimated time (to nearest half day) required to complete shutdown activities:	.5 day
Total number of agency employees expected to be on board before implementation of the plan:	429
Total number of employees to be retained under the plan for each of the following categories:	
Compensation is financed by a resource other than annual appropriations:	67 FTEs ¹
Necessary to perform activities expressly authorized by law:	14 FTEs
Necessary to perform activities necessarily implied by law:	0 FTEs
Necessary to the discharge of the President's constitutional duties and powers:	0 FTEs
Necessary to protect life and property:	6 FTEs ²
<p>¹ Please note that certain OIG personnel may be actively engaged in activities funded by the Infrastructure Investments and Jobs Act of 2021 and, therefore, exempted during a shutdown. OIG would be able to identify any exempted employees on the day prior to any shutdown. These employees would work only for the duration of the specific activity in which they are involved.</p> <p>² Includes an appropriate number of personnel in the Office of Investigations who are required to work in an ad hoc capacity because of their involvement in specific law enforcement activities that occur during the period of the shutdown. For planning purposes, we anticipate 6; however, there could be as many as 32 additional agents if they are engaged in judicial proceedings as directed by a court, which include activities such as serving arrest and search warrants or testifying in court proceedings such as before a grand jury or in a trial. These employees would work only for the duration of the specific activity in which they are involved.</p>	
Brief summary of significant agency activities that will continue during a lapse:	
<p>During a lapse in appropriations, OIG would continue performing essential law enforcement-related activities, albeit at a dramatically reduced level. The level of support would vary based on the specific needs, which cannot be easily predicted. OIG would also continue monitoring incoming complaints to the USDA OIG Hotline for any allegations involving immediate loss of life and property. Finally, OIG would manage and continue orderly shutdown and residual operations in support of the ongoing law enforcement and Hotline activities.</p>	
Brief summary of significant agency activities that will cease during a lapse:	
<p>During a lapse in appropriations, OIG would significantly reduce its law enforcement-related activities, while suspending all audit and analytics and innovation-related activities, as well as all mission support activities except for those supporting ongoing law enforcement and Hotline activities, as set forth above.</p>	

Shutdown Plan in the Absence of Appropriations

The Office of Inspector General's (OIG) mission is to promote economy, efficiency, effectiveness, and integrity in the delivery of United States Department of Agriculture (USDA) programs. OIG auditors, investigators, and other staff work toward three mission goals:

1. Strengthen USDA's ability to protect public health and safety and to secure agricultural and Department resources.
2. Strengthen USDA's ability to deliver program assistance with integrity and effectiveness.
3. Strengthen USDA's ability to achieve results-oriented performance.

Based on its mission, OIG has identified only activities needed to manage and continue orderly shutdown, continue residual operations, and ensure safety and security against loss of life as those activities that would continue during any Government shutdown.

This document describes how these functions would be implemented during a shutdown, as well as the procedures to be used to inform excepted/exempted employees and implement a shutdown due to a lapse of appropriations.

Implementation of Shutdown

I. Identifying Employees' Excepted/Exempted Status

A. Excepted/Exempted Employees (Excepted/Exempted from Shutdown) – The following employees will be the initial OIG employees working during the shutdown.¹ The employees are:

1. The Inspector General (IG), a Presidential Appointee, is exempted from a shutdown. This person will be assisted by the following staff on a limited basis:
 - Executive Assistant
2. The Assistant Inspector General for Management is responsible for managing the shutdown and residual continuing operations. This person will be assisted by the following Office of Management staff:
 - The Human Resources Management Division (HRMD) Director, one Operations Branch Chief, one HR Specialist (Info Sys) for WebTA support, one Employee Benefits Specialist for FEHB and FEGLI Programs, and one HRMD Human Resources (HR) Payroll Specialist.
 - The Financial Management Division (FMD) Director/Chief Financial Officer (CFO), the Accounting Branch Chief and the Acting Budget Branch Chief.

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- The Information Technology Division (ITD) Branch Chief for Client Services Branch (or designee) and one ITD Information Technology Specialist.
 - The Operations Support Division (OSD) Branch Chief for Safety and Security.
3. An appropriate number of personnel in the Office of Investigations who are required to work in an ad hoc capacity because of their involvement in specific law enforcement activities that occur during the period of the shutdown. For planning purposes, we anticipate the following 38 individuals.
- The Special Agent-in-Charge, Investigations Liaison and Hotline Division, and four Hotline Analysts, who are responsible for monitoring incoming complaints to the USDA Hotline for any allegations involving immediate loss of life and property.
 - There could be as many as 32 additional agents if they are engaged in judicial proceedings as directed by a court, which include activities such as serving arrest and search warrants or testifying in court proceedings such as before a grand jury or in a trial. These employees would work only for the duration of the specific activity in which they are involved.
 - One Whistleblower Protection Coordinator who coordinates this function for the entire U.S. Department of Agriculture.

B. Non-Excepted/Exempted Employees (Furloughed Personnel)²

1. IG's Staff (including Office of Counsel, Office of Compliance and Integrity, and Office of Equal Opportunity, Diversity, and Inclusion) – All personnel except the Inspector General as identified in I.A.1., above.
2. Office of Audit – All personnel.
3. Office of Investigations – All personnel except those mentioned above.
4. Office of Management – All personnel except those mentioned above.
5. Office of Analytics and Innovation – All personnel.

II. Shutdown Procedures

- A. Identification of Excepted/Exempted Employees – Each Assistant Inspector General/staff office Director will provide HRMD, the day prior to the potential shutdown, a list of excepted/exempted employees along with an explanation for

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the exception/exemption.

- B. Initial notification that a shutdown appears likely will be given via one-on-one discussion, email, fax, and/or telephone, to all employees and contractors, including those in travel or training status, on the day prior to the potential shutdown. OIG will have all employees on travel return to their duty stations on the day prior to the shutdown.³ All offices within OIG will provide confirmation to HRMD by close of business the day before the potential shutdown that employees have been notified of their status during the shutdown period.
- C. Official notification and implementation will take place on the business day after the shutdown. Non-excepted/non-exempted employees will receive a letter that will explain their rights and responsibilities during the shutdown and will only be allowed to work that day on shutdown activities. All employees that have an approved telework agreement in place (ad hoc or recurring) may elect to sign their letter and complete their WebTA timesheet remotely. Employees on approved remote work agreements should also remotely sign their letter and complete their WebTA timesheet. All other employees will be asked to report to their official duty station or alternative work location.
- D. Employees on extended or approved leave during the time of the shutdown will be notified of the change in their leave status, returned to duty, and placed in a nonpaid furlough status. All approved paid leave will be returned to the employee's leave account.
- E. Per USDA guidance, excepted employees listed in I.A. will report to their supervisors at their regular start time on the day after the shutdown to receive assignment of duties to complete. For those employees on telework or remote work, "reporting" may be done virtually.
- F. Each OIG manager is responsible for ensuring that each of his/her direct reports is aware of the shutdown and has been given the notice letter appropriate to the employee's status under the shutdown. HRMD is responsible for preparing the notice letter and providing it to the OIG managers and supervisors the business day after the shutdown.
- G. Contracting Officers in the Office of Management will notify contractors of the shutdown.
- H. All official OIG or USDA records, personal property, real property, and facilities within OIG's control and custody will be maintained and protected until appropriate disposition is accomplished.
- I. When it is determined that an excepted/exempted employee is no longer needed to perform excepted/exempted activities, the employee will be notified and placed in a

nonpaid furlough status.

J. Certain employees, whose functions may prove to be excepted, will be placed in an “on call as needed” status while furloughed. “On call as needed” shall mean they may be contacted to return to duty to support the excepted functions and activities of OIG as needed. If requested to return to duty, the supervisor or manager will notify employees by contacting them using a personal phone number/email. These employees must return any contact by their supervisor or manager within 2 hours and, if requested, be available to return to duty as soon as possible. If they are requested to return to duty, their furlough notice will be corrected to reflect the dates during which they are not in a furlough status.

K. Employees will be required to monitor the status of the government shutdown and agency operations via the Office of Personnel Management (OPM) website (www.opm.gov), the USDA Office of Operations website (www.dm.usda.gov/beprepared), news sources, the OIG website (<https://usdaoig.oversight.gov/>), and the OIG Emergency Number, at (877) 644-8732.

L. Information Technology Operations

ITD will monitor the accounts for all non-excepted/non-exempted personnel who enter furlough status to ensure the accounts are not used improperly. Throughout any shutdown period, ITD will also manage the user access for any individuals who enter or exit excepted/exempted status (e.g., Criminal Investigators who are temporarily needed to perform excepted law enforcement activities).