

Farm Service Agency
Contingency Plan for Agency Shutdown and Startup
FY 2019

Purpose

This document establishes a plan of action to execute an orderly shutdown of the Farm Service Agency's (FSA) operations following a budget appropriation lapse. This plan will be enacted through a notification to all employees from FSA's Associate Administrator for Operations at the direction of the FSA Administrator.

Scope

- The functions and activities described in this plan are to be executed in accordance with all applicable statutes, regulations, policies, and delegations of authority.
- The Constitution, statutory provisions, court opinions, and Department of Justice opinions provide the legal framework for how shutdowns have occurred in recent decades. Additionally, the Office of Management and Budget (OMB) provides guidance in OMB Circular A-11, Section 124. In recent years, the Department of Justice Office of Legal Counsel provided a legal opinion that identifies the types of activities that can take place during a shutdown (outlined in attached "Summary of Employment" tables).
- An orderly shutdown of agency operations is expected to take place as efficiently as possible to ensure streamlined use of resources and accuracy of shutdown procedures.
- This plan instructs FSA employees to monitor the status of the government shutdown and agency operations via the OPM website (www.opm.gov) and news sources.

High-Level Summary

This contingency plan is developed in accordance with OMB Circular A-11, Section 124 and presents a management framework and establishes operational procedures to sustain essential activities during a lapse in appropriations within FSA.

The Elements of the Plan:

1. Identification of significant agency activities that will continue.
2. Identification of employee totals to perform the significant activities.
3. Alternate means of communication, including email, and electronic.
4. Leadership and support services for the continued management

Introduction

A budget appropriation lapse can occur each fiscal year-end and at the expiration of a continuing resolution. In recognition that it takes time to shut down in an orderly manner, certain activities are allowed to continue past the appropriations lapse as identified within this report.

Accepted practice and previous guidance instruct agencies to take steps to protect both life and property and determine excepted functions and the excepted personnel needed to carry out those functions as a part of an orderly shutdown. As with any procedural planning, some actions and assumptions may be specific to a furlough occurring at the beginning of a fiscal year (FY) with specific differences applicable at other times of the year. Specific differences may include the level of coverage/coordination required if shut down occurs during a FY as opposed to beginning of a FY in which FSA may maintain funding depending on availability.

Assumptions

The following directions are provided to assist offices in implementing an orderly shutdown:

Under this plan certain Agency activities will continue, such as those needed to protect property or are funded outside of annual appropriations and are therefore exempted from shutdown procedures, such as (Per Department of Justice's Legal Counsel's issued opinion, Agencies may take action necessary for orderly termination of agency's functions and protection of life/property but funds may not be disbursed):

1. Emergency and Natural Disaster Response (e.g., floods).
2. Protection of buildings and other property and investments owned by the United States when the suspension of such activities would cause a threat to government property.
3. All contracts in support of cyber security and infrastructure operations to support key positions and essential personnel.
4. Excepted positions and support of excepted personnel as needed for shutdown procedures (see attachment).
5. Emergency and Defense Preparedness including food procurement.

This plan also addresses in the attached table those employees who are necessary to lead and direct the continuation of activities identified as excepted from shutdown procedures.

This plan assumes that all funding for exempted operations beginning on the first day of an appropriations hiatus would come from the following source:

- Remaining discretionary prior year unobligated balances (carryover), within authorized apportionment, unless the debt ceiling is reached.

We have identified the estimated employment by category in the attached table.

We estimate that it will take approximately 5 days to complete orderly shutdown procedures. Depending on the circumstances and timing of the shutdown, Master timekeepers must work full-time to ensure all time & attendance issues are resolved. Lessons learned during the 2014 lapse in funding are specific to pre-planning such as establishing a toll free Hot line and Website link which employees can access for update/instructions, issue instructions for all field offices receiving loan payments to cancel delivery requests at the USPS on the first day of shutdown and provide detailed T&A guidelines.

Procedures

The following plan addresses procedures for activities not excluded from shutdown procedures:

Prior to Day 1, the following actions will be completed:

The Administrator, the Executive Leadership Committee, and applicable Directors will identify those functions that need to be performed that are solely associated with an orderly shutdown of normal activities. Such functions may include but are not limited to:

- Hold conference calls with State offices to review shutdown procedures. State offices should hold conference calls with field staff to review shutdown procedures. (DAFO)
- Identify all forthcoming third party scheduled events in which FSA attendance is required to protect government interests (i.e. bankruptcy hearings, foreclosure sales, etc.) and establish exceptions for required employees. (All)
- Identify measures to secure records, personal property, real property, and facilities that will be maintained and protected until appropriate disposition is accomplished. (MSD, All)
- Identify what information technology (IT) systems support is needed to maintain essential services and IT infrastructure. (IT)
- Coordinate with FSA/Information Technology Staff (ITS) and National Information Technology Center (NITC) on essential infrastructure requirements. (IT)
- Coordinate with program offices regarding exceptions based on mission criticality and or special funding outside the affected appropriations. (FPAC-BC Acquisition Management Division (AMD), IT)
- Provide instructions to program offices, COR, contract employees and service providers in regard to shutdown instructions. (FPAC-BC AMD)
- Ensure essential documents are checked in and/or filed. (All)
- Validate and distribute contact lists to excepted personnel. (Office of the Administrator, (OA))
- Ensure outstanding invoices are processed. (AMD)
- Complete nightly processes – mainframe and web batch processes. (IT)
- Draft communication strategy for communicating with Agency employees. (HRD)
- Draft communication strategy for making contacts outside the Agency that are necessary to communicate our status. (OA, FPAC-BC External Affairs Division)
- Identify all potential meetings, hearings and other previously arranged Agency business that may need to be cancelled. (All)

- Identify all significant activities and ensure that employees have been identified consistently and fairly in compliance with applicable personnel regulations. (FPAC-BC HRD)
- Obtain/update personal contact information for all employees (MIR3, a mass notification electronic system, is available to contact employees in the event of a shutdown. This system is maintained by the FPAC-BC Homeland Security Division). (FPAC-BC HSD)
- Identify employees whose presence at work will be required to perform functions associated with the orderly cessation of program activities. (OA, Dep's)
- Identify all employees in international travel status. (All)
- Contact any employee in travel status and direct to return to duty station. (All)
- Identify what instructions and procedures Human Resources Division will provide to employees for the shutdown period including ethics guidance on issues such as outside employment and Stock Act filings. (FPAC-BC HRD)
- Identify appropriate Department contacts for communications purposes and orderly shutdown of the agency. (OA, FPAC-BC HRD)
- Initiate bargaining over furlough impacts and implementations. (FPAC-BC HRD)
- Inform employees that any scheduled or in-status leave occurring during the shutdown must be canceled. (FPAC-BC HRD)
- Delay any employee transfer of station. (FPAC-BC HRD)
- The FSA Shutdown Plan instructed employees to monitor the status of the government shutdown and agency operations via the Office of Personnel Management (OPM) website (www.opm.gov) and news sources. (FPAC-BC HRD)

First half of Day 1 (First work day funds are not available):

All employees will be directed to report to their supervisors to receive assignments of duties or other pertinent information for an orderly shutdown. For those employees teleworking, "report" may be done by telephone. Communication between supervisors and employees will not be conducted using social media. In addition, employees must perform the following activities before departure:

- Secure all Personally Identifiable Information (PII), confidential, sensitive data in your work area and clear your open, accessible work space as appropriate.
- Ensure your supervisor has your current personal contact information.
- Ensure you have your e-authorization password.
- Complete any organization specific shutdown activities as directed by your supervisor.
- Discuss cancellation of any scheduled meetings with your supervisor.
- For the ease of resuming work, document the status of assignments and projects so they can be resumed, transferred, or otherwise appropriately handled when the funding situation is determined.
- Remove or secure all valuable personal belongings. You will not be allowed to return to the building during the furlough to collect them.
- Dispose of/remove all perishable food items that belong to you.

- Remove your food items from the refrigerator and clean/remove dirty dishes.
- Ensure all small appliances are turned off and unplugged.
- Secure all government equipment, especially portable electronic devices.
- Ensure your trash can is clear of any perishable items and is placed in location for removal as applicable.
- Lock your office door, if applicable, at departure.
- Make sure that you have recorded and validated your time in WebTA for the entire current pay period at <https://wta.nfc.usda.gov/usda/>.
- Set your out of office notification (both email and phone greeting) with a pre-approved scripted message as instructed.
- Shut down your desk top or laptop computer completely (not just a restart, but actually shut it down) and turn off your monitor(s).
- Please be advised, in the event that a lapse in appropriation occurs, furloughed employees are authorized by the Department of Transportation to use their transit benefits to travel to and from work on the first day of the lapse of appropriation for the purposes of conducting an orderly shutdown. After the lapse of appropriation, the transit benefit may only be used by employees who are excepted from the furlough.
- Employees cannot use personal phones and personal private email accounts to conduct government business.
- Do not use your government purchase, fleet or travel card if you are on furlough.
- Turn off your government issued cell phones (deliver to the supervisor), blackberry and/or laptops as use is prohibited for the duration of the furlough period by non-excepted employees.

Managers and supervisors will coordinate the following activities intended to terminate Agency's operations. Social media will not be used for communication between supervisors and employees.

- Communicate shutdown instructions and procedures to all employees.
- Distribute furlough notices at headquarters and all field units to all employees who have not been determined to be necessary for the Agency's termination activities.
- Ensure all employees to be released complete timesheet entry and submit to approving official.
- Certify all time and attendance records before physical or electronic departure.
- Ensure all records; personal property and real property are secured.
- Cancel all meetings, hearings and previously arranged loan closings.
- Validate existing communication strategy and employee contact information for future communication need.
- Place a hold on all mail deliveries to State and County Offices.

There will be daily communications by the Administrator's Office on the status of the shutdown procedures with the Department contacts previously identified.

The Director of Human Resource Management will be responsible for:

- Providing instructions and procedures to managers and supervisors for all employees during the shutdown period. This will include provisions for call back of employees in the event it is determined they are needed to complete shutdown procedures and/or if needed for preparation for an emergency event or emergency response work.
- Providing specific instructions for employees to complete final time and attendance report.
- Ensuring individual furlough notices will be prepared, reviewed and approved.
- Ensuring all employees timesheets are processed by the National Finance Center.
- Delaying hiring of new employees.

The Director of Acquisition Management will be responsible for:

- Coordinating with all contracting officers and contracting officer representatives to notify all contractors and vendors that work is suspended, amended, or continued as determined.

Second half of Day 1:

Managers and supervisors will coordinate the following activities intended to terminate Agency's operations:

- Document the status of cases and projects so that they can be resumed, transferred, or otherwise appropriately handled when the agency's ultimate funding situation is determined.
- Prepare files for permanent storage, transfer to related agencies, or other disposition.
- Coordinate shutdown activities with ITS and NITC.
- Post "Sorry" page on the FSA Internet and Intranet, as scripted and approved by FPAC-BC EAD.
- Shutoff access to web applications.
- Verify completion of prior day transmission, mainframe, and web processes.
- Continue to re-plan contract work.
- Contracting Officers and contracting officer technical representatives will continue to contact all impacted contractors and vendors to let them know work is suspended.

Day 2 - Day 4:

Only employees who were previously identified as required to perform functions necessary for orderly shutdown of program activities will report for work as needed.

Employees leading, directing and performing work identified as excepted from shutdown procedures on page 4, will continue to work.

Employees will be directed to perform only those activities as enumerated earlier.

As each shutdown function is completed, the Line Officer must notify the Line Officer at the next

highest level or, at headquarters, the respective Deputy Administrator, through channels, of completion and identify those employees who were responsible for the task.

Each employee whose shutdown function is completed will be furloughed immediately and formally notified by their supervisor or appropriate Line Officer if the supervisor is not available.

There will be daily communications by the Administrator's Office on the status of the shutdown procedures with the Department contacts previously identified.

- Continue coordination of shutdown activities with ITS and NITC.
- Backup databases.
- Shutdown scheduled jobs – web & mainframe.
- Shutdown data replication jobs to STL & FTC Web farms.
- Complete re-planning of contract work.

Day 5:

Employees leading, directing and performing work identified as excepted will continue to address administrative and shutdown residual duties.

Employees completing shutdown functions, continue tasks as outlined under Day 2 for each succeeding day until the Administrator determines the shutdown is complete.

There will be daily communications by the Administrator's Office on the status of the shutdown procedures with the Department contacts previously identified.

Day 6 – Day 20:

Employees leading, directing and performing work identified as excepted will continue to address administrative and shutdown residual duties.

Employees performing those functions will generally continue to be governed by the normal pay, leave, and other civil service rules.

There will be daily communications by the Administrator's Office on the status of the furlough with the Department contacts previously identified.

Farm Service Agency
Start Up Operations
Plan

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Purpose

This document establishes a plan of action to execute an orderly start-up of FSA operations following the approval of fiscal year funding following a government shutdown. This plan will be enacted through a notification to all employees from the Farm Service Agency (FSA) Associate Administrator for Operations at the direction of the Administrator, FSA.

Scope

The functions and activities described herein are to be executed in accordance with all applicable statutes, regulations, policies, and delegations of authority.

High-Level Summary

- The FSA Shutdown Plan instructed employees to monitor the status of the government shutdown and agency operations via the Office of Personnel Management (OPM) website (www.opm.gov) and news sources.
- Unless it is a regularly scheduled non-duty day or an employee is on approved leave or leave without pay under the Family and Medical Leave Act (FMLA), employees are expected to return to work the next work day following the President signing a bill funding the agency. Any delay in reporting for duty requires a request for leave that must be approved by the supervisor.
- An orderly start-up of agency operations is expected to take place as expeditiously as possible, so that service to customers can resume quickly.

Initial Communications Timeline

FSA has prepared for an agency start-up following an approval of FY 2018 funding. In order to keep the agency informed during this start-up process the following communications will occur (note: Day 1 is the first full day of operations upon restoration of funding):

- Following approval of FY 2018 funding: Federal employees receive notification either from the OPM website or the news media that they should report for work on the next work day. FSA will initiate calling tree to notify employees also.
- Following approval of FY 2018 funding: *The Deputy Administrator for Management, on behalf of Senior FSA Leadership, will conduct a Labor-Management Teleconference to provide advance notice to union leadership from locals, regarding the operational status of the agency.*
- Day 1: 8:30 am EST – Meeting of the Executive Leadership Council (ELC) to initiate the Start-Up of FSA Operations Plan

- Day 1: 1:00 – 3:00 pm EST – ELC, State Executive Directors’ and Staff Teleconference – Administrator will review the start-up plan with senior agency leaders and provide any guidance from the Department. Associate Administrator, Deputy Administrator for Management, FPAC-BC Chief Financial Officer, and FPAC-BC Chief Information Officer will review the start-up plan, focusing on specific guidance for human resources, contracting, budget and finance, information technology (IT), payments, programs, and provide any guidance from the Department.
- Day 2: 9:00 am EST – Meeting of the ELC to continue implementation of the Start-Up of FSA Operations Plan_
- Day 2: 1:00 pm EST – State Executive Directors’ Teleconference - Administrator and senior managers will review the start-up plan, focusing on specific guidance for payments and budgets, and provide any guidance from the Department.
- Day 3: 1:00 pm EST – State Executive Directors’ Teleconference –Administrator will check status of operations start-up, gather information on major issues and needs related to start-up and post-shutdown activities, and provide any additional guidance.
- Other Communications:
 - Letter to partners from the Administrator (nationally) and State Executive Directors (state-wide) (see Template in Appendix B). Use egov system.
 - Press releases for local media.

General Start-Up Procedures

All employees are responsible for taking necessary actions to restore the agency to a fully operational status. Key items to address include, but are not limited to:

- Turn off the out-of-office message for your Outlook email.
- Reset your voice mail message.
- Remove all signage indicating the office was closed because of the funding lapse.
- Restart computers and other IT devices according to guidance outlined in the Information Technology section of this plan.
- Resume use of transit benefits, if available where you work.
- Resume use of government-issued mobile devices, including cell and smart phones, tablets, and/or laptops for approved purposes.
- Resume use of government purchase, fleet and travel cards for appropriate government use.

Information Technology

The FPAC-BC Chief Information Officer (CIO) is responsible for ensuring that Information Technology (IT) Systems are available and operating with a high level of confidence to perform agency business operations across the enterprises. Upon restoration of funding for the agency:

- FPAC-BC CIO will restore all FSA production IT systems, business tools, and websites to their last known state in order to conduct official FSA business.
- FPAC-BC CIO will coordinate with USDA-OCIO-ITS and NITC to ensure all interdependent and enterprise IT systems are online and available.
- Employees should retrieve all IT equipment (laptops, Blackberry, iPhone, iPads, etc.) from their secured location in order to conduct official FSA business.
- Employees will restart their computers and other IT devices to ensure all memory, temporary files, and caches are cleaned, giving the computer a fresh start.
- Reset any expired passwords, and ensure that any associated equipment (e.g., smart phone, notebooks, iPad) is also updated.
- Employees should connect computers and laptops to the IT network to ensure all systems are updated with the appropriate security patches and system updates. As a result of IT systems being offline for several days this process may take up several hours to complete. Do not turn off computers while the updates are in progress.
- FPAC-BC CIO will work with USDA-OCIO-ITS to ensure technical issues submitted to the IT helpdesk are addressed completely and in a timely manner.
- FPAC-BC CIO will provide ongoing monitoring to ensure availability and proper functionality of IT systems throughout the start-up and recovery process.
- FPAC-BC CIO will provide Business Application help desk support for FSA IT systems that support official business. All other user technical issues should be submitted to the appropriate Tier 1 ITS Help Desk. Tier 1 IT helpdesk contact information is provided below:
 1. FSA National Help Desk Number:
 - *1-800-255-2434*
 2. OCIO-CTS Tier I - Help Desk
 - *1-877-873-0783*

Human Resources

The FPAC-BC Director, Human Resources Management Division is responsible for ensuring that all Human Resources (HR) services and guidance is provided to FSA employees, including HR Specialists in order to return to operations after a government shutdown due to a lapse in

appropriations. The following attachments includes Human Resources Guidance (Appendix C), Frequently Asked Questions (FAQs) (Appendix D), and Case File Note (Appendix E). In addition, the Start-Up Customer Service Team referred to previously is available to provide additional assistance.

- Return to Duty After Shutdown
 - Generally, employees are expected to return to work the next business day or scheduled work day following the approval of a budget or a continuing resolution.
 - If an employee received unemployment compensation and is paid retroactively for time during furlough the employee will be required to repay the unemployment compensation. For further guidance please visit <https://www.nfc.usda.gov/>
- Time and Attendance
 - Timekeepers must follow up with supervisors and employees to determine if corrected timesheets need to be prepared for pay periods affected by the furlough.
- Guidance for HR Staffing Specialist and Assistants
 - Proceed to process outstanding personnel actions.
 - Review expiration dates of certificates of eligible applicants and document the case file with the “Note to Case File” provided in Appendix E of this document.
 - If a vacancy announcement closed during the furlough, please work quickly to rate, rank, and notify applicants of their eligibility.
 - Issue certificates of eligible applicants to the hiring managers, when appropriate.
 - For case files that were affected by the furlough, please be sure to add the “Note to Case File” document, Appendix E for future auditing purpose.
- Performance Management
 - If the government shutdown occurs in conjunction with the beginning of the fiscal year, the Department has agreed to provide USDA Agencies an extension on rating performance as well as for issuing new performance plans. Once the extension dates are received from the Department, all FSA employees and supervisors will be notified.

Travel

The FPAC-BC CFO is responsible for providing coordinated guidance to authorized agency travelers on issues that may have arisen because of the shutdown and furlough.

- Travelers should complete any outstanding travel vouchers immediately after FSA has confirmed the operational status of all associated IT systems.

- The FPAC-BC CFO is working with the Department's Office of the Chief Financial Officer to determine policy regarding timely payment of travel card balances since FSA employees did not have access to the travel system during the government shutdown. Once the Department makes its determination, the FPAC-BC CFO will communicate the Department's policy and guidance via DAFO conference call.

Contracts, Agreements, and Asset Management

The FPAC-BC Director, Acquisition Management Division is responsible for managing the resumption of functions related to acquisitions and procurements; contracts and agreements. The expectation is that these activities will resume within two (2) working days following agency start-up.

- Contracts and Agreements Guidance:
 - Contracts and Agreements under FSA authority, and requiring FSA support, oversight, assistance, will resume as determined by the appropriate Contracting Officer and Agreements signatory officials.
 - Contracting Officers will issue resume work orders (modifications) for those contracts that were suspended/stopped during the furlough.
 - Interagency and other agreements will resume under the existing terms of the agreement.

The FPAC-BC Director, Management Services Division is responsible for managing the resumption of functions related to asset management (i.e., real and personal property). The expectation is that these activities will resume within two (2) working days following agency start-up.

- Asset Management Guidance:
 - Personal property (vehicles, survey equipment, copiers, etc.) owned or leased by FSA will be made safe, ready, and available for use by authorized Federal and non-Federal personnel. The use of vehicles by non-Federal partners or other agency personnel may resume according to the terms of existing agreements.
 - Real property (buildings/office space) owned or leased by FSA will be made safe and available for use by authorized Federal and non-Federal personnel, and reopened to the public as appropriate.

Financial Management

The FPAC-BC Chief Financial Officer (CFO) is responsible for ensuring that funding for agency operations is made available in a timely manner, and for ensuring that agency financial operations are properly resumed. If the government shutdown is in conjunction with the change of fiscal year, these actions will include year-end close-out and completion of the financial audit.

- Financial System Accessibility:
 - The FMMI system is managed by the Department's Office of the Chief Financial Officer. It is anticipated that FMMI will be made available to all USDA agencies within the first business day after operations resume. The interface between FMMI and agency IT systems will be evaluated to ensure that it is functioning properly.
- Posting Obligations:
 - If the government shutdown is in conjunction with the change of fiscal year, valid and signed obligations that were not entered into FMMI prior to the close of operations on September 30th cannot be entered directly by FSA personnel. FPAC-BC CFO will coordinate with NFC to have these obligations posted in FMMI.
 - The Office of Budget and Finance will issue instructions within 48 hours after operations resume on how and by whom prior-year obligation information will be collected for entry by NFC.
 - Year-end guidelines for adjustments in period 13 are still valid and should be followed if needed.
- Financial Audit (applicable only if the government shutdown is in conjunction with the change of fiscal year):
 - FPAC-BC CFO will work with the Auditors and the Office of Inspector General, which oversees the Departmental Financial Statement Audits, to assess how to bring the financial audit to closure.
 - Any outstanding audit samples should be completed and returned to Quality Assurance as soon as possible, following previously established procedures.
 - Once final plans have been developed, FPAC-BC CFO will communicate those plans via staff meetings or DAFO Conference call.
- Program funding:
 - The Budget Director will review the terms and conditions of the OMB-approved apportionment and load authority into the appropriate systems (most CCC and FSA program are managed through FSA systems, not FMMI).
 - Mandatory funding will be made available based on terms and conditions of the appropriations language and OMB's automatic apportionment, as applicable.

Farm Bill Programs

A Government shutdown puts a number of program activities on hold. To ensure a consistent and orderly return to program operations:

- The FPAC-BC CIO, FPAC-BC CFO, and Deputy Administrator for Farm Programs and Farm Loan Programs will coordinate regarding the resumption of agency program systems to ensure that they are interfacing and functioning properly. States will be notified as soon as testing is complete and the systems are available for use.
- Field offices will be notified by FPAC-BC Information Solutions Division when program activities may resume in systems.
- States should provide guidance to county offices on prioritizing back log activities such as processing farm loan and commodity loan applications and repayments delayed because of the shutdown. Additional program guidance will be made available.