



CONTINGENCY PLAN/ABSENCE OF APPROPRIATION PLAN

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Contents

Scope.....	1
Farm Production and Conservation (FPAC):	
General Shutdown Procedures.....	3
Agency Specific Guidance for Shutdown:	
Natural Resources Conservation Service.....	19
Risk Management Agency.....	21
Business Center.....	21
Farm Service Agency.....	22
Trade and Foreign Agricultural Affairs (TFAA):	
Foreign Agricultural Service.....	24
The U.S. Codex Office.....	42
Rural Development	43
Food, Nutrition and Consumer Services:	
Food and Nutrition Service.....	55
Natural Resources and Environment:	
Forest Service.....	61
Food Safety:	
Food Safety and Inspection Service.....	75
Research Education and Economics:	
General Shutdown Procedures.....	96
Agency Specific Guidance for Shutdown:	
Agricultural Research Service	100
Economic Research Service.....	102
National Agricultural Statistics Service.....	104
National Institute of Food and Agriculture	106
Office of the Chief Scientist	108
General Start-Up Procedures	109
Agency Specific Guidance for Start-Up	
Agricultural Research Service	112
Economic Research Service.....	115
National Agricultural Statistics Service.....	116
National Institute of Food and Agriculture	118
Office of the Chief Scientist	120

Marketing and Regulatory Programs:

Animal and Plant Health Inspection Service	123
Agricultural Marketing Service	136

Departmental Staff Offices:

Office of the Secretary	144
Office Partnership and Public Engagement	146
Departmental Administration.....	147
Office of Communications.....	153
Office of the Chief Economist	155
The Office of Hearings and Appeals	157
Office of Budget and Program Analysis	163
Office of the Chief Financial Officer	164
Office of Civil Rights.....	176
Office of Inspector General	178
Office of the General Counsel	182
Office of Ethics.....	187

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.

Farm Production and Conservation (FPAC)

Farm Service Agency (FSA)
Natural Resources Conservation Service (NRCS)
Risk Management Agency (RMA)
FPAC Business Center (FPAC BC)

Purpose and Plan Execution

This Contingency Plan for Operations (Plan) is a plan of action to execute an orderly shutdown of certain Farm Production and Conservation (FPAC) Mission Area operations in the event of a funding lapse. This Plan also provides for certain operations to continue. This Plan will be implemented after direction from the U.S. Department of Agriculture (USDA).

The FPAC Mission Area including the Farm Service Agency (FSA), Natural Resources Conservation Service (NRCS), Risk Management Agency (RMA), and the FPAC Business Center (FPAC BC) will begin implementation of this Plan on the morning of the first working day following the lapse of appropriations. All FPAC personnel will be advised to report to their assigned duty stations to prepare for the orderly cessation of operations no longer funded.

Shutdown activities unique to FSA, NRCS, RMA, and FPAC BC are the responsibility of the respective agency heads consistent with this Plan and are reported to the FPAC BC's Deputy Chief Operating Officer for Business Services who serves as the Mission Area's Plan Coordinator.

The FPAC BC provides a broad range of mission support services and other functions to FSA, NRCS, RMA, and the FPAC BC itself. Any shutdown activities will be coordinated with those agencies.

FPAC Activities During a Lapse in Appropriations

FPAC activities during a lapse in appropriations are designated in one of four categories which indicate his/her responsibilities during shutdown:

1. Exempt Activities

Employees that are fully funded during a lapse in appropriations are exempt employees. Examples of these funds include mandatory funding and advanced collections of reimbursements. These employees continue working during lapse in discretionary program funding. In addition, employees who are performing functions related to the protection of life or property are "exempted." NRCS classifies Emergency Watershed Program employees working on disaster response and construction and employees working on active construction contracts under the Watershed Protection and Flood Prevention Program (whose job includes aspects that could have a life and property-related job function) as "exempted."

2. Partially Exempt Activities

Employees that are funded by multiple funding sources may be partially exempt to the extent their salaries are paid with non-appropriated funding. These employees continue working on exempt activities then revert to excepted, excepted on call, or furlough status.

3. Excepted and Excepted On-Call Activities

Employees who are regularly performing functions related to the protection of life or property or those with funding that remains available during the lapse in appropriations where the suspension of the related activity would prevent or significantly damage the execution of the terms of the statutory authorization or appropriation even if those activities are not full time (the employee reverts to furlough status when the activities are complete). This category should represent the minimum number of employees required to implement approved excepted work. Generally, supervisors call on these employees to perform excepted activities on an as-needed basis then revert to furlough status.

4. Furloughed Employees

All other employees will be placed on furlough. Furloughed employees are responsible for monitoring OPM and OMB websites regarding when to report to duty.

See the list that follows of FPAC programs and positions that are exempt, partially exempt, excepted, and excepted on call.

General Provisions

This Plan is a framework to sustain essential activities during a lapse in appropriations.

1. FSA, NRCS, RMA, and FPAC BC agency heads have identified potential exempt, partially exempt, excepted, and except on-call activities and communicated that information through their respective Chiefs of Staff (or designee) to the Plan coordinator. See the list of positions.
2. Updated phone trees for employee contact information during shutdown should be verified and maintained in preparation of a lapse of funds. Agency Chiefs of Staff (or designee) should maintain call trees at all times including at least one week before a shutdown.
3. Key FPAC leadership including Chief Operating Officer, Administrators, Chief, Deputy Chief Operating Officers, Associate Administrators, Associate Chief, Agency-level Chiefs of Staff, Deputy Administrators, Deputy Chiefs, Division and Center Directors, RMA Regional Directors, State conservationists and State Executive Directors, and exempted, partially exempted, excepted and excepted on-call employees are authorized to use Government-issued cell phones, laptops, and other devices for authorized Plan purposes. All other employees must leave government-issued cell phones, laptops, and other devices in a secure location at their duty station.

4. All employees will be notified of their status (exempt, partially exempt, excepted or excepted on call, or furlough) prior to a lapse of funds. Notifications may occur through FPAC Human Resources Division (HRD) as they update the status of all employees.
5. All employees are responsible for reporting to his/her supervisor on the first work day of a shutdown to confirm their completion of the shutdown checklist distributed by FPAC HRD. All employees must ensure their space is clean and free of perishable foods and trash, equipment is powered down, windows closed, and documents and equipment secured. In limited circumstances and with prior approval of their supervisor, employees whose physical space is secure and who are on approved telework may confirm completion of the shutdown checklist with their supervisor by telephone. The majority of the cases it is expected that employees whose telework day falls on the first day of the shutdown will report to the office to complete shutdown procedures.
6. Orderly shutdown is expected to take place as expeditiously as possible pursuant to this Plan and Department guidance.
7. Chiefs of Staff (or designee) for FSA, NRCS, RMA, and FPAC BC are responsible for confirming that all furloughed employees have completed shutdown activities by 2pm on the first day of a shutdown. The Chiefs of Staff report shutdown confirmation to the FPAC DCOO-BS as Plan Coordinator. Any reporting will be consistent with any requirements established by the Department.
8. Furloughed employees will monitor the status of the Government shutdown and agency operations via USDA's Be Prepared website (<https://www.dm.usda.gov/beprepared>), the Office of Personnel Management website (www.opm.gov), and OMB website (<http://www.whitehouse.gov/omb>).
 - a. On the first business day following enactment of appropriations, either through a full-year appropriation or Continuing Resolution (CR), employees are required to return to work. Notification to return to work may be given only through a status update on the USDA Be Prepared, OPM, or OMB website or through local media. Employees should not expect written notification or notification by phone.
 - b. Employees who are unavailable to report to work on the first business day due to scheduled or unscheduled annual leave, illness, or other reason, must notify their supervisor within 24 hours following enactment of appropriations.

Communications Timeline

The FPAC Mission Area has prepared a Plan for continued operations, where appropriate, and an approved shutdown of activities in the event of a lapse in appropriations. These timelines apply across the FPAC mission area; however, these timelines are subject to change based on Departmental guidance and expectations that may arise at the time of the shutdown. Agency specific timelines, instructions, and additional information that follows.

Prior to the shutdown

- 1) **One week prior to possible shutdown.** FSA, NRCS, RMA, and FPAC BC senior leadership and chiefs of staff (or designee) identify employees proposed for exempt, partially exempt, excepted and excepted on-call status with written justification. Each Chief of Staff will relay the names of employees and category to the Plan Coordinator who leads execution of shutdown planning for the mission area to obtain approval and confirmation through the FPAC Under Secretary.
 - a) **All proposed exempt and partially exempt employees are to be identified by the following information** which is needed to ensure notification as applicable by supervisors and/or FPAC HRD:
 - i) Position/Title/Location, Name of Record, Work Email Address, Supervisor, Supervisor Email Address, Building Access Needs at NHQ, Whether Activity is fully or partially exempt and related justification; and
 - ii) Employees should be identified in compliance with applicable human resource regulations and notified of their exempt or partially exempt status only after the list has been approved by the FPAC Under Secretary's Office.
 - b) **All proposed excepted or excepted on-call employees** are to be identified by the following information which is needed to ensure notification as applicable by supervisors and/or FPAC HRD:
 - i) Position/Title/Location, Name of Record, Work Email Address, Supervisor, Supervisor Email Address, Building Access Needs at NHQ, Activity Level during Days 1-30 (for excepted and excepted on call) and if they will be engaged in protection of life or property, those activities with funding that remains available during the lapse in appropriations where the suspension of the related activity would prevent or significantly damage the execution of the terms of the statutory authorization or appropriation or whose presence will be required to perform functions associated with the orderly cessation of agency activities; and
 - ii) Employees should be identified in compliance with applicable human resource regulations and notified of their excepted status only after the list has been approved by the FPAC Under Secretary's Office.
 - c) **In instances where a policy decision is made to allow certain employees not engaged in work that protects life or property, those activities with funding that remains available during the lapse in appropriations where the suspension of the related activity would prevent or significantly damage the execution of the terms of the statutory authorization or appropriation or whose presence is not otherwise required to continue work through a shutdown, a special Anti-Deficiency Act (ADA) Exception is needed.** ADA exceptions must be approved by the Office of Budget and Program Analysis (OBPA), and the Office of General Counsel (OGC) and the FPAC COO or Plan administrator must be notified for implementation purposes. ADA Exceptions do not "automatically renew" and must be reapproved in writing for each shutdown incidence.

- d) **FPAC BC HRD will review its internal shutdown procedures and associated guidance, notifications,** and other relevant information to ensure appropriateness for specific circumstances for upcoming possible furlough (i.e. timing within payroll cycle for time and attendance, leave guidance, etc.).
- 2) Two to three working days prior to possible shutdown:
- a) **When the list of exempt, partial exempt, excepted, and excepted on call employees is confirmed by the Under Secretary's Office, FPAC employees are notified of their appropriate status and subsequent expectations during shutdown.** Notifications should be completed by supervisors but may also occur through FPAC Human Resources Division (HRD) as they update the status of all employees.
 - b) **As appropriate, a teleconference should be held with FPAC agency leadership and Business Center personnel to provide advance notice to the agency Labor-Management Forum and union leadership regarding their role in preparing bargaining unit employees should a shutdown occur.** Personnel included, but not limited, to this teleconference should include the following: FPAC Chief of Staff, FPAC BC Chief of Staff, Chief Human Capital Officer; Branch Chief, Workforce Operations, and Section Chief, Employee and Labor Relations Services
 - c) **Agencies may conduct shutdown preparation meetings with appropriate levels of management and employees.** The would include NHQ meetings as well as meeting with and/or within regions, districts, and/or States as is appropriate within the respective FPAC agency.
- 3) When approved by the Department: Notification from or on behalf of each FPAC agency head to employees advising them to make preparations for possible shutdown. The letter will include reminders regarding cancelling planned travel and meetings, completing timesheets, and providing shutdown checklists that will need to be completed as soon as possible upon arriving at work on the first day of shutdown. This activity should not exceed four hours.
- 4) One business day prior to possible shutdown: FPAC agencies may hold leadership teleconferences and meetings where the appropriate senior leadership will review final preparations and responsibilities/expectations in the event of a shutdown. Agencies can also continue to hold meetings to communicate information received and approved for distribution from the Department, OPM, OMB, and other relevant sources.
- 5) When provided by the Department: Letter (email) from the Assistant Secretary for Administration, advising employees to make preparations for a shutdown.

During the Shutdown

- 1) Day 1 – First work day of the shutdown after lapse in appropriation: Furlough notice and relevant guidance and attachments sent to all furlough employees (i.e., employees not deemed exempt, partial exempt, excepted, or excepted on call) via email by or on behalf of

each FPAC agency head. At the direction of the Under Secretary, each agency head will notify employees to begin shutdown procedures.

- a) Furlough employees will complete shutdown activities defined on checklists as soon as possible upon arrival at work. When completed, they will be placed on furlough. Exempt, partially exempt, excepted, and excepted on-call employees will be notified by their supervisors of their responsibility to remain for duty, as appropriate, until dismissed.
 - b) Supervisors must complete the supervisor shutdown checklist and report status (email or phone) to their supervisor within four hours of initiating shutdown activities.
 - c) Supervisors notify the FPAC HRD via email of any employees who did not receive furlough notification due to long term leave, travel outside of the country, or any other reason which prevented receipt.
 - d) Chiefs of Staff (or designee) verify the completion of shutdown activities within their agencies and report status appropriately to the Plan Coordinator who relays shutdown of the mission area to the Under Secretary's Office.
- 2) Day 2 - Day 4: Only employees who were previously identified as required to perform functions necessary for orderly shutdown of administrative or program activities will report for work as needed. Employees performing work identified as exempt, partially exempt, excepted or excepted on call continue to work.
- a) As each shutdown function is completed, the excepted employee must notify completion up the chain of command to the appropriate FPAC leadership.
 - b) Each employee whose shutdown function is completed will be furloughed immediately and formally notified by their supervisor or appropriate FPAC leadership if the supervisor is not available or furloughed.
- 3) Day 5 and beyond: Employees performing exempt, partial exempt, excepted, and excepted on-call work will continue operations, as appropriate. As applicable, employees completing shutdown functions continue tasks for each succeeding day until the FPAC agency head determines the shutdown is complete. There will be periodic communications between the agencies and the Under Secretary's Office on the status of the shutdown.

Prohibited Activities During Shutdown

Unless determined to be exempt, partial exempt, excepted or excepted on call, the following are generally prohibited activities for all furloughed employees:

- 1) Completion of any activities that are mission related.
- 2) Awarding of contracts and/or small purchases.
- 3) Hiring of personnel or extending the appointment of personnel whose appointments have expired if doing so would result in unauthorized obligation of funds.

- 4) Travel of persons and/or transportation of things. Persons in travel status on the first day of shutdown must return to their duty stations as soon as possible.
- 5) Attending or scheduling meetings, conferences, workshops, and seminars.
- 6) New or continued employment of experts and consultants - such actions will incur a financial obligation which is prohibited during shutdown.
- 7) Attending or scheduling training classes and/or other training activities.
- 8) Use of equipment and utilities not related to excepted activities where their use creates liabilities for the government beyond those existing on the date of the funding lapse.
- 9) Use of a government-owned mobile device by furloughed employees is prohibited.
- 10) The use of vehicles by Agency furloughed personnel or non-federal partners.
- 11) Volunteering for functions related to official duties.
- 12) Smartphone usage – Do not respond to any e-mails unless authorized.
- 13) Laptop usage – Do not use the laptop until authorized.
- 14) Office Phone messages – Do not check your office land line phone or your office cell phone for messages until authorized.
- 15) Any work, of any kind, unless instructed directly from your supervisor as part of a recall or back to work activity.
- 16) Furloughed employees are prohibited from performing official duties and will not be compensated for any unauthorized work. Failure to follow these instructions may result in disciplinary action.

FPAC Mission Area Shutdown Committee

A Shutdown Committee will guide the transition from full operational status to shut down. The Committee is responsible for overseeing the implementation of the Plan; monitoring and responding to exempt, partial exempt, excepted, and excepted on call activities continuing under a shutdown; providing related policy and procedural direction; ensuring coordination and consistency across functional areas. The FPAC Shutdown Committee includes:

- FPAC Chief of Staff to the Under Secretary, Chair
- Deputy COO - Business Services, Plan Coordinator and Vice Chair
- Deputy COO - Enterprise Services
- Associate Chief, NRCS
- Associate Administrator, FSA
- Associate Administrator, RMA
- Chief Human Capital Officer
- Budget Officer
- Chief Financial Officer (CFO)
- Assistant Chief Information Officer (CIO)
- Director, External Affairs Division
- Director, Management Services Division
- Director, Acquisitions Division
- Director, Grants and Agreements Division
- Director, Homeland Security Division

Days 1-5 of a possible shutdown: FPAC Agency Heads and Senior Leadership as identified, and the Shutdown Committee will be designated as excepted or excepted on-call, if not already

designated as exempt by Agency needs, and will report to work. Executive Assistants to Agency Heads and other FPAC senior leadership, as applicable and approved, will be designated as excepted on-call. Excepted employees may be identified for selected days or all days of shutdown.

- Employees whose work is critical to the protection of life or property or performing those activities with funding that remains available during the lapse in appropriations where the suspension of the related activity would prevent or significantly damage the execution of the terms of the statutory authorization or appropriation will also be excepted, and they may not necessarily participate in shutdown activities.
- Other employees identified and approved as excepted will also be identified, however they may not necessarily participate in shutdown activities.

After day 5 of a possible shutdown: Only the following employees may be designated as excepted due to the responsibility of the shutdown committee as determined by the Under Secretary:

- Agency Heads and Select Agency Senior Leadership
- Agency Chiefs of Staff
- Chief Financial Officer
- Budget Director
- Chief Acquisitions Officer
- Chief Human Capital Officer
- Assistant CIO
- Executive Assistant to the Deputy COO - Business Services
- Employees whose work is for the protection of life or property
- Employees whose work is for those activities with funding that remain s available during the lapse in appropriations where the suspension of the related activity would prevent or significantly damage the execution of the terms of the statutory authorization or appropriation
- Other employees identified and approved as excepted due to policy determination

All other employees on the Committee or Team will be designated as excepted on-call and will be in furlough status unless called in to report. The COO and DCOO-BS will monitor the need for support during the shutdown and will make recommendations to the Under Secretary. With approval, they will instruct employees to report for duty on a full-time or part-time basis, or place them in furlough status, as needed.

Mission Support: Roles and Responsibilities

Information Technology

The FPAC Assistant Chief Information Officer (ACIO) is responsible for ensuring an orderly shutdown of Information Technology (IT) Systems, as well as making sure excepted IT systems are available and operating with a high level of confidence:

- All government equipment (computers, laptops, iPhones, iPads, etc.) must be secured and may not be used during the shutdown except by those in exempt, excepted and excepted on-call. Senior leadership (including the Administrators, Chief, Associate Chiefs, Associate Administrators, Chiefs of Staff, Deputy Chiefs, Deputy Administrators, Regional Conservationists, State Executive Directors, Division Directors, and State Conservationists) should retain a mobile device.
- All employees, including senior leadership placed in furlough status, may not to remotely access government networks or applications or use government equipment.
- Only excepted IT Systems, as identified by agency business leaders, and approved by the Associate Chief or Associate Administrator, with concurrence of the Under Secretary, will be available and operational.
- All non-excepted websites will be off-line and users will be redirected to a common splash page stating that the information may be up-to-date. If the website is public facing, it should also state the Agency may not be able to respond to inquiries until appropriations are enacted.
- Employees should reset network and other system specific passwords to ensure expiration does not occur during shutdown.
- The FPAC ACIO will provide ongoing monitoring to ensure availability and proper functionality of excepted systems during shutdown.
- The FPAC ACIO will identify the minimum information technology support required to maintain excepted IT services, systems and infrastructure.
- All IT systems that are excepted during shutdown will be minimally maintained (operations & maintenance) with no development, modernization and enhancement occurring.

FPAC Excepted IT Systems

The identification of IT excepted systems is dependent on an assessment of needs to support any activities identified as excepted by the FPAC Under Secretary, Chief, Administrator, COO or DCOO-BS. If an activity or program is determined to be excepted, the associated applications and systems necessary to support those activities will be identified and categorized as excepted.

The approval of any special ADA exceptions, while in the midst of shutdown, will result in a need for the FPAC Assistant CIO to complete a new assessment and determination of systems needed to support activities that fall under a special ADA exception, and approved through the DCOO-BS.

Human Resources

In the event of a lapse in appropriations and government shutdown, all FPAC supervisors must, in conformance with Departmental directives:

- Ensure notice is provided to all non-excepted employees that they are subject to being placed in furlough status.
- Ensure advance notice to all collective bargaining units is provided, as appropriate, concerning shutdown and furlough related topics. Initiate impact and implementation bargaining as appropriate.
- Cancel annual and sick leave during shutdown for all employees excepted, including leave already approved/commenced.

- Provide employees on a non-duty day for the first day of shutdown with activities they are required to complete as part of an orderly shutdown.
- Make prior arrangements with employees on telework, alternate work schedules, or leave without pay under Family and Medical Leave Act (FMLA), to complete shutdown activities.
- Inform individuals on detail to FPAC agencies from non-Federal organizations (IPA assignments or contribution agreements) that they are subject to shutdown in the same manner as permanent employees.
- Inform all FPAC employees on detail to Federal or non-Federal organizations that they are subject to furlough in the same manner.
- Inform temporary employees and students that they must be furloughed in the same manner as permanent employees.
- Inform Earth Team volunteers (NRCS) that volunteering is not an excepted activity.
- Inform employees who are in temporary housing awaiting permanent relocation that they cannot remain in those quarters.

Travel

- Prior to shutdown, all vouchers from previous travel must be submitted and approved to help ensure payment prior to systems being shut down. If travel is taken close to a possible shutdown, payment may not be made until after the shutdown.
- During an extended shutdown event, government issued credit card companies will use a forbearance clause and will work with the government and employees on payments once returned to normal business operations. FPAC Employees whose government issued credits cards are in good standing will not move to delinquent status; however, if an employee was in delinquent status prior to the shutdown, then the account will continue in delinquent status until payment is made.
- Generally, all FPAC employees in travel status or on detail in another location must return to official duty stations as soon as possible once notified to begin shutdown activities.
- Employee change of duty station actions may be delayed, depending upon the individual circumstances.

FPAC Contracts, Grants, Agreements and Asset Management

Contracts, Grants and Agreements

- One week prior to a possible shutdown, FPAC agency State and NHQ leadership must work with appropriate Contracting Officers and Contracting Officer Representatives in the FPAC Business Center to identify all contracts that are excepted and must remain in full effect to ensure the safety of life and/or property or to support those activities with funding that remains available during the lapse in appropriations where the suspension of the related activity would prevent or significantly damage the execution of the terms of the statutory authorization or appropriation . Once OMB guidance is given, contracting officers will notify those contractors who will continue to perform excepted work.
- Work under any FPAC agency authority and requiring that agency's support, oversight, assistance, etc. will cease during shutdown, unless determined to be an excepted activity by the FPAC agency heads in conjunction with the FPAC DCOO-BS.
- For previously obligated and awarded contracts, grants, and agreements where it is not critical that an FPAC agency provide oversight, supervision, support, or other assistance to

the contractor's or grantee's continued performance during the lapse of operations, those contractors or grantees may continue.

- Contractors and grantees may not continue to work if they use FPAC agency space, government-issued devices, or any asset owned or leased by an FPAC agency, unless the use of these assets are necessary to perform excepted activities.
- Identify any federal procurement actions (e.g., solicitations, bid openings) that may expire during a shutdown, and take appropriate action to extend, delay, or cancel those actions.
- See Appendix C for additional excepted contracts guidance.

Subject to adjustment due to any updated Departmental Guidance that will be distributed by the FPAC Mission Area Chief Contracting Officer (MASCO):

Excepted contracts

States and NHQ will identify Federal contracts (governed by the Federal Acquisition Regulation) that must remain in full effect to ensure the safety of life and/or property (i.e., excepted contracts).

- All appropriate senior leaders must identify the contracts that are excepted and must continue.
- The Department of Justice and OMB have defined such contracts to be those for which the suspension of the function would imminently threaten the safety of human life or the protection of property.) To be excepted, the following two conditions must exist:
 - A reasonable and articulable connection between the obligation (i.e., a contract or grant) and the safety of life or the protection of property, **AND**
 - Some reasonable likelihood either the safety of life or the protection of property would be compromised in some significant degree by failure to carry out the function in question – and the threat to life or property can be reasonably said to be near at hand and demanding immediate response.
- Contracting Officers will notify contractors/vendors who have excepted contracts that their contracts will continue.
- Include in the notification the name and contact information for the Contracting Officer that will serve as the point of contact on the excepted contract during shutdown.
- States will notify NHQ of excepted contracts that will remain in effect. This notification will be sent to the Acquisitions Division Director (ADAD), MASCO, and the Chief of Staff to the Associate Chief for Operations. No specific format is required, but the following information should be included:
 - Contract number.
 - Contractor contact information.
 - Location of work to be performed.
 - Brief description of project.

Note: This notification cannot be issued to contractors until FPAC-BC, Farm Service Agency, Natural Resources Conservation Service, and Risk Management Agency receives notification from OMB.

Non-excepted contracts (i.e., where there is no threat to life or property)

Upon the notification of the Government shutdown, Contracting Officers will:

- Issue notifications to suspend/stop work for non-excepted contracts where:

- Performance would incur costs to the Agency.
 - Access to agency office locations would be prohibited.
 - Supervision, oversight, or support by the Agency is required.
 - Continuation would be a waste of taxpayer money (i.e., janitorial services).
- Notification to contractors will be in accordance with Federal Acquisition Regulation Subpart 42.13.
- Contracting Officers notify the ADAD and MASCO via e-mail that all stop work/suspension notices have been issued as required.

Note: The Integrated Acquisition System (IAS) will not be operational for non-excepted contracts and all actions for non-excepted contracts will be required to be completed manually. Upon return to work, all IAS actions for non-excepted contracts will then be entered into the system.

Other Acquisitions Guidance

Routine, on-going operational and administrative activities relating to contract or grant administration (including payment processing) cannot continue when there is a shutdown. Employees who perform activities associated with contract or agreement/grant administration (including oversight, inspection, payment, or accounting) should generally not continue work during shutdown, unless performing functions related to an excepted contract.

Extension or Cancellation of Procurement Actions

Contracting Officers will identify any Federal procurement actions that may expire during shutdown.

- Contracting officers, in conjunction with State Leadership, must make a determination on contracts with options that may need to be exercised before the shutdown occurs.
- Contracting officers must review and identify impacts of shutdown on any solicitations, bid openings, etc., that will expire, or that are scheduled to be conducted during the potential shutdown period.
- Contracting officers will take the necessary actions to cancel, extend, or delay any of the above actions.

Contractors Performing Work On-Site at Agency Offices/Locations:

Communicate possible suspension of work to contractor program managers for personnel working on-site at agency locations.

- Contracting Officers will notify appropriate Contractors' program managers of the potential to suspend/stop work on non-excepted contracts in the event of shutdown.
- Contracted staff should take appropriate actions on the last day of funding in anticipation of a potential shutdown.
- If/when a shutdown occurs, and upon the Contracting Officer's issuance of the suspension/stop work notice, the Contractors' program/project managers will notify their respective contracted employees.

Examples for Grants and Agreements (including Farm Bill program funded)

- For previously-awarded and obligated grants and agreements (including Farm Bill program funding):
 - These instruments remain in effect.

- Partners/landowners/recipients should be notified they can continue the work of these agreements/grants to the extent that they can do so without any technical or other assistance from agencies.
 - The notification should also indicate that until agency employees return and all operations are fully functional, payments will be delayed; therefore, any actions they take will be at their risk as no certifications, reimbursements, etc., will be conducted or processed.
- For previously awarded/obligated agreements with local sponsor organizations, who in turn solicit and enter into contracts for conservation work and the support and assistance by agencies is not critical:
 - Parties to this type of agreement and action could proceed to solicit and award contracts at their own risk, as no technical assistance or administrative actions (e.g., reimbursement) from the agencies can be conducted during shutdown. Only at the time that all Government functions are once again operational would agencies be able to provide assistance and process payments.

Depending upon the length of the shutdown, agencies may need to issue supplemental guidance around excepted contracts, grants and agreements.

Management Service

Real Property

- All real property owned or leased by an FPAC agency will not be available for use through the furlough unless utilized by an excepted or exempted employee or unless covered by the partner reimbursable agreement exception below. All expenses for fuel, utilities, supplies, etc., must be kept to the minimum required to perform excepted work.
- In locations where an FPAC agency shares space with non-Federal partners and the FPAC agency bears the costs for the space, partners will be prohibited from entering and using the office during the shutdown. Partners will not be able to use/access any FPAC agency equipment, files, and other property unless stated otherwise from the Plan Administrator.
- If the partner's space is segregated and separate from USDA space and they are paying all costs through a reimbursable agreement with NRCS, FSA, or RD, their operations may continue; however, they will still be prohibited from accessing and using Federal files, computers, other equipment, etc. All FPAC agency equipment, files, property and any segregated and/or separate space will be secured and locked for the duration of the shutdown unless stated otherwise from the Plan Administrator.
- In leased space, notify lessor about lapse in funding and reduce support services such as janitorial service (unless there are excepted employees in the building). Be sure trash is removed before lapse begins.
- Leases will not be terminated in the event of shutdown; however, actions must be taken to secure real and personal property and conserve energy.
- Actions should be taken to keep utility costs to a minimum during shutdown period.
- Utilities, such as heating, should be maintained at a minimum to prevent property damage (such as frozen pipes).
- Advise employees and lessor to secure the premises and power down systems (such as HVAC) and lighting as per a Federal holiday. Computers and other electronic items should be locked in a secure area.

Non-fully Serviced Leases

- Measures should be taken to ensure janitorial services are available in offices that janitorial services are not provided in accordance with the lease agreement.
- Contact utility services to prevent if possible, the suspension of utility services during the lapse of appropriation.

Personal Property

- All personal property (vehicles, survey equipment, copiers, etc.) owned or leased by an FPAC agency will not be available for use through shutdown unless utilized by an excepted employee while performing excepted activities. All expenses for utilities, supplies, etc., must be kept to the minimum required to perform excepted work and to conserve energy.
- Partners are prohibited from access to or use of FPAC agency equipment, files and other property. All FPAC agency equipment, files, space and property (including segregated and separate space) will be secured and locked for the duration of the shutdown.
- The use of vehicles by non-federal partners or other non-excepted personnel is prohibited.
- Fleet cards will only be available for excepted activities during shutdown.
- Employees using FPAC agency owned or leased vehicles must ensure they maintain the logs, as well as all receipts during their excepted work period.
 - All expenses should be kept to the minimum required to perform excepted services.
 - Fleet vehicles should be parked, and equipment secured at the designated garage(s) or authorized location(s) to prevent theft/damage, unless required for excepted functions.
- All supervisors must identify measures to secure records, personal property, real property, and facilities that will be maintained and protected during shutdown.

Financial Management and Budget

Budget and Financial Management will work in conjunction to centrally manage the spending chain process for excepted activities where obligations and payments need to occur. The Financial Management Modernization Initiative (FMMI) System will be available to support exempt and excepted activities as needed by agency programs.

Time and Attendance

As directed, all FPAC employees should complete their timesheet for the pay period in which the shutdown is occurring, timekeepers must verify those timesheets, and managers/supervisors will be given further information from the Human Resources Division.

As directed, all FPAC employees must submit their timesheet for the pay period in which the shutdown is occurring, timekeepers must verify those timesheets, and managers/supervisors must certify the timesheets. Timekeepers will then send timesheets to NFC for processing.

Employees who are in excepted and excepted on call status and work during shutdown will be provided guidance from the Human Resources Division on how to record their hours during the shutdown, as guidance may change due to the National Finance Center's system and support.

Post Furlough Activities

All employees are responsible for following guidance on OPM's and OMB's website related to status. Employees will be required to return to work as directed by OPM and/or OMB when an appropriation is enacted, either by a full-year appropriation or a CR.

FPAC Exempt, Partial Exempt, Excepted and Excepted On-Call Positions

FPAC Mission Area's Agencies Activities Identified to Operate During Shutdown as 1 February 2019								
Agency	Program or Activity	Postions (by functions)	Total Workforce	Exempt	Partially Exempt	Excepted	Excepted -on call	Furloughed
FSA	Leadership/Oversight	Administrator	18,296				18,296	0
		Associate Administrator					1	
		Chief of Staff, FSA					1	
		Farm Programs - Program Directors					3,164	
		Farm Loan Program - Program Directors						
		Field Operations: Deputy, SEDs						
		County Employees					7,732	
		County Committee Members					7,400	
NRCS	Leadership/Oversight	Chief, NRCS	9,330	9,330				0
		Chief of Staff, NRCS						
		Acting Associate Chief, NRCS						
		Chief of Staff, Assoc Chief NRCS						
	Management & Strategy	Deputy Director						
		Management Analysts						
	State and Field Activity	Regional Conservationists						
	Soil Science and Resource Assessment	Deputy Chief						
	Conservation Program	Deputy Chief						
	Emergency Watershed Protection	Director						
		Conservationists						
		Assitant State Conservationists						
		Engineers						
	Water & Climate Center							
	Dam Safety and Rehabilitation							
	National Plant Materials Program	Director						
	Plant Material Center Personnel	Plant Material Specialists						
RMA	Leadership/Oversight	Administrator	375	155				220
		Chief of Staff, RMA		1				
		Deputy Administrator, Compliance		1				
		Deputy Administrator, Insurance Services		1				
		Deputy Administrator, Product & Delivery		1				
		Product Management		64				
		Insurance Services		37				
		Acturial & Product Design		49				
FBC	Leadership/Oversight	Chief Operating Officer	1,450	1450				0
		Chief of Staff, COO						
		Deputy Chief Operating Officer , BS						
		Chief of Staff, DCOO BS						
		Deputy Chief Operating Officer , ES						
		Acting Director, Civil Rights						
		Executive Assistants (leadership)						
	Administrative Business Initiatives	Natural Resources Specialists						
		Program Analysts						
	Information Technology	Assistant Chief Information Officer (ACIO)						
	Technical Support	Chief of Staff, CIO						
	Cyber Management	Chief Sercurity Officer						
		IT Specialists						
	Budget	Budget Director						
		Budget Analysts						
	Finance	Chief Financial Officer						
	General Ledge Integrity	Chief, Policy, Accounting, & Reporting						
	Billing & Collection	Chief, Financial Operations						
	Paymet Operations	Financial Specialists						
	Reporting	Fiscal Technicians						
	Systems	Fiscal Specialists						
		Accountants						
	Contract Management	Mission Area Contract Officer						
		Contract Specialists						
	Real Property	Director, Management Services Division						
	Property management	Property Management Specialists						
	Facilities management	Purchasing Agency						
	Directives management	Program and Management Analysts						
		Mail Assistants						
	Human Resources	Chief Human Capital Officer (CHCO)						
	Policy	Deputy, CHCO						
	Employment	Human Resources Specialists						
	Employee and Labor Relations							
	Benefits							
	External Affairs	Acting Director, External Affairs						
	Distribution Center	Director, Communications						
	Communications/Web management	Public Affairs Specialists						
	Grants and Agreements	Director, Grants and Agreements						
	Quality Assurance	Grant Management Specialists						
	Homeland Security	Director, Homeland Security						
	Personnel Security	Personnel Security Specialists						
	Physical Security	Physical Security Specialists						
	Emergency Management	Emergency Management Specialists						
	Economic and Policy Analysis	Director, Economic and Policy Analyst						
		Economists						
		Agricultural Marketing Specialists						
		Management Analysts						
	Environmental Activities	Acting, Director Environmental Activities						
	Preservation Officer	Program Analysts						
	Program Performance management	Director, Performance, Acct, and Risk						
	Accountability/Risk	Management Analysts						
	Appeals and Litigation - Program	Director, Appeals and Litigation						
		Program Analyst (Sanction Lead)						
	Customer Experience	Acting Director, Customer Experience						

Agency Specific Guidance for Shutdown

Natural Resources Conservation Service

Conservation Programs

During a shutdown, NRCS will deliver programs with mandatory funding and those with adequate carryover to support operations. For discretionary funding, NRCS will prioritize keeping field level operations available for its customers. NRCS will implement a continuous monitoring process to ensure the status of funds are known on a daily basis and assess funding needed to keep field level offices and those that provide direct support to field offices operating. In the event that funding is no longer available for discretionary programs NRCS will:

- Notify applicable customers of discretionary program services that will not be available during shutdown.
- Complete program activities that can be finished prior to the shutdown, such as processing payments for completed work, or completing planning or design where a TSP or other contractor will be conducting the work without NRCS oversight.
- Cancel near-term appointments with customers, if applicable.
- Submitting payments for processing before close of business on the last day for which a program is funded (that is, by close of business the day before a possible shutdown).

Emergency Watershed Protection Program

- Activities associated with exigencies under the Emergency Watershed Protection Program (EWPP) are excepted because they perform functions necessary for emergencies involving the safety of human life or the protection of property. This includes carrying out Damage Survey Assessments after an event to determine if a potential project is eligible for EWPP assistance and is classified as an exigency and access to DamWatch (dam monitoring tool) and possibly other systems.
- At any given time, NRCS may have a number of EWPP exigency projects being implemented across the nation. During shutdown, these projects will continue to be serviced by designated excepted and/or excepted on-call or episodic employees. If a state has one or more EWPP exigency projects, a limited number of other personnel may be needed to direct, coordinate, and support these excepted and/or excepted on-call or episodic employees and their activities in the field.
- One week prior to a possible shutdown, the agency will identify the number of excepted and/or excepted on-call or episodic employees needed to perform critical work associated with EWPP exigencies. The list will be maintained by the Deputy Chief for Management and Strategy. A communications protocol will be implemented to support these excepted activities from field to state POC, to NHQ, and vice versa. Once an EWPP exigency project

is completed, and if there are no further EWPP excepted activities for the employee(s) working on that project, the employee(s) will be placed in furlough status.

- Natural events that result in the need for EWPP assistance are dynamic and may occur after shutdown has begun. When warranted, additional employees may be called back to duty in excepted and/or excepted on-call or episodic status to carry out EWPP Damage Survey Assessments and to implement eligible EWPP exigency projects.

Plant Materials Centers

Certain Plant Materials Centers (PMC) activities are considered excepted because they are required to protect federal property (i.e. - facilities and the germplasm). PMC excepted activities include:

- Checking PMC facilities, especially critical systems such as seed coolers, which store mission-critical germplasm for conservation activities.
- Addressing critical, unexpected facility maintenance needed to protect federal property.
- Maintaining potted plant materials in greenhouses or outdoor production areas by hand watering or checking that automated systems are operating properly.
- Maintaining seed, plant breeder and foundation production areas. Irrigation activities, chemical treatments, or weed control should be performed only if absolutely required to maintain the purity or viability of the seed or plant production.
- Harvesting breeder and foundation seed fields required to preserve the purity of the germplasm so that unharvested seed does not contaminate existing seed production fields.

The employees required to perform excepted activities will typically be one person per PMC. Time requirements will vary depending on the activities and volume at each location. Additional employees will be designated as excepted and/or excepted on-call or episodic if needed. Excepted and/or excepted on-call or episodic employees will be in furlough status when not performing excepted activities.

Some excepted activities at PMCs vary seasonally due to the seasonal nature of seed and plant production, requiring different amounts of staff and time to complete. One week prior to a possible shutdown, the agency will identify the number of excepted and/or excepted on-call or episodic employees needed to perform work. the list will be maintained by the Deputy Chief for Management and Strategy. The number of employees and time required to perform excepted activities will be kept to a minimum.

- A communications protocol will be implemented between PMCs and National Headquarters (i.e. - the National Program Leader—Plant Materials) to support excepted activities at the PMCs.

Risk Management Agency

RMA is partially funded through mandatory funding that falls under the exception criteria during a lapse in appropriations. As a result, RMA will continue essential operations utilizing the \$7 million in funding targeted to support Program and Financial Integrity as well as statutory obligations such as prompt implementation of the Agricultural Improvement Act of 2018. RMA will implement a continuous monitoring process to ensure the status of funds are known on a daily basis.

RMA will fund a partial staff presence of approximately 155 exempted employees for an estimated 6-8 hours per day. These exempted employees are essential to ensure the following functions:

1. Continued escrow funding;
2. Accurate processing of AIP financial operations;
3. Continued program payments and offering of insurance policies including Dairy Revenue, Livestock Risk Protection, and Livestock Gross Margin;
4. Maintaining the Federal crop insurance price support function and needed updates to business systems to ensure appropriate payments and insurance offers are made;
5. Approval of 2019 crop year written agreements;
6. Compliance activities such as reviewing Office of Inspector General Hotline complaints, Approved Insurance Provider Performance Reviews and general oversight of Approved Insurance Providers through the Standard Reinsurance Agreement;
7. Review of Large Claims, and
8. Continued implementation of the Agricultural Improvement Act of 2018.

If RMA exhausts non-discretionary funding, the agency will commence agency-wide shutdown with minimal on call staffing. At that time, RMA will not maintain any routine daily activities and will not maintain any staff to pay contractual obligations or perform regulatory functions.

Business Center

Generally, FPAC BC will operate to fully support Agency exempt and excepted programs and activities. The Shutdown is led by the Deputy Chief Operating Officer for Business Services and the outlined Division Directors across the Agency. These employees will be excepted from the lapse of appropriation to ensure a proper shutdown. The necessary number of employees will be dependent on the USDA policy.

For the February 2019 shutdown, the FPAC BC will fully support operations for FSA and NRCS and partial operations for RMA. Accordingly, the FPAC BC will return all employees on an exempt status. Currently, the FPAC BC is at 80% of authorized staffing and will require all employees to ensure full service to the mission area. Mandatory funds are available for the FPAC BC to pay employees and have them work in exempt status. The Agency will monitor operating and use of available mandatory funding and adjust, as necessary, on a pay period basis.

Farm Service Agency

FSA employees will deliver exempt programs and activities that are funded with mandatory dollars and/or carryover funding. FSA will deliver discretionarily-funded programs and activities that are necessary for the protection of property or 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. FSA will prioritize keeping field level operations available for its customers.

Permissible activities include:

- Market Facilitation Program
- Market Assistance Loans
- Provision of new Direct and Guaranteed Farm Operating Loans
- Servicing Direct and Guaranteed Farm Operating Loans
- Emergency Loans
- Farm Storage Facility Loans
- Service existing Conservation Reserve Program contracts
- Sugar Price Support Loans
- Dairy Margin Protection Program
- Continued implementation of the Agricultural Improvement Act of 2018
- Agricultural Risk Coverage
- Price Loss Coverage
- Agricultural Risk Coverage Pilot
- Livestock Forage Disaster
- Emergency Assistance Livestock, Honey Bees, and Farm-raised Fish Program
- Livestock Indemnity Program
- Noninsured Crop Disaster Assistance Program
- Tree Assistance Program
- 2017 Wildfires and Hurricanes Indemnity Program
- Emergency Conservation program
- Emergency Forest Rehabilitation Program
- Dairy Indemnity Payment Program

Non-permissible activities include:

- New Conservation Reserve Program sign-up
- Agricultural Credit Insurance Fund:
 - Provision of new Direct and Guaranteed Farm Ownership Loans, Indian Land Acquisitions Loans, Highly Fractionated Indian Land Loans, Boil Weevil Eradication Loans, and Guaranteed Conservation Loans
- Biomass Crop Assistance Program
- Grassroots Source Water Protection Program
- State Mediation Grants

- Reforestation Pilot Program
- Geographically Disadvantaged Farmers and Ranchers
- Feedstock Flexibility
- National Organic Certification Cost-Share Program

Trade and Foreign Agricultural Affairs (TFAA)

Foreign Agricultural Service (FAS)
The U.S. Codex Office (USCO)

Purpose and Plan Execution

This Contingency Plan is a plan of action to execute an orderly shutdown of certain Trade and Foreign Agricultural Affairs (TFAA) Mission Area operations in the event of a funding lapse. This plan also provides for certain operations to continue. This plan will be implemented after direction from the U.S. Department of Agriculture (USDA).

The TFAA Mission Area including the Foreign Agricultural Service (FAS) and the U.S. Codex Office (USCO) will begin implementation of this plan on the morning of the first working day following the lapse of appropriations. All TFAA personnel will be advised to report to their assigned duty stations to prepare for the orderly cessation of operations no longer funded.

Shutdown activities unique to FAS and USCO are the responsibility of the respective agency heads consistent with this plan and are reported to the TFAA Chief of Staff who serves as the Mission Area's Plan Coordinator.

Foreign Agricultural Service Shutdown Procedures

A government shutdown is caused by an absence of appropriation. In recognition that it takes time to shutdown in an orderly manner, certain activities are allowed to continue past the appropriations lapse. 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. In the absence of further guidance FAS intends to follow this instruction in making its contingency preparations.

The following assumptions are provided to assist offices in implementing an orderly shutdown. The word "excepted" is used below to refer to activities that would not be affected by the lapse in annual appropriation.

1. All Washington staff are to report to work on the first business day of the shutdown. Tasks would include the identification of activities remaining to be addressed and communicating those things to those in the office designated as excepted personnel. These include:
 - a. Activities that are financed from available funding sources (see 5 and 6 below);
 - b. Travelers who may be en-route home who need to be accounted for;
 - c. Foreign travelers that need to be administratively supported;
 - d. Outstanding time and attendance/payroll functions;
 - e. Activities relating to shutdown, e.g. notification of contractors;
 - f. Verifying property inventories are in hand; and
 - g. Securing and storing records, files or work in progress.

2. FAS will determine who among FAS Foreign Service personnel posted overseas, are to be excepted personnel at a U.S. Embassy, Consulate, or other U.S. facility. FAS, in consultation with OFSO, determines those individuals excepted from furlough on post. Instructions for all LES and FSNs will be issued by FAS/OSFO based on local labor laws.
3. Employees should plan travel to return to home immediately following a lapse in funding.
4. Network communications by excepted personnel are exempt from non-use rule. Email and access to network files and applications will remain available so that necessary actions can be completed. Non-excepted personnel may not use government equipment or access network files during the shutdown period.
5. Activities funded through reimbursable agreements with entities other than the Commodity Credit Corporation are not considered excepted and would not continue during a lapse in annual appropriation. Staff funded by USAID (Participating Agency Service Agreements (PASA) and other Schedule B (excepted service) are generally not excepted. Exceptions may be made in cases where staff are assigned overseas and therefore, fall under the Chief of Mission or where staff are assigned to an office within USAID where functions are considered essential. In those cases, FAS will work with the funding office to make that determination prior to the shutdown date. However, as a condition, administrative support and supervision, if required, funding must be available and in place for the work to continue. If administrative support or supervision is needed and no funds are available, the Schedule B employees may not continue to work during the shutdown regardless of funding source.
6. Personnel to carry out mandatory, multi-year, no-year, or carryover funded programs may be excepted if the following test is satisfied: the suspension of the [work of the employee] would prevent or significantly damage the execution of the terms of the statutory authorization or appropriation. In other words, would “the terms of the statutory provision ... be significantly damaged in the absence of immediate performance of the unfunded, related activity,” i.e., salaries and expenses.
7. Personnel to support activities excepted from the shutdown would remain on duty; other non-excepted personnel would be released following further guidance on shutdown furloughs from Human Resources or Office of Personnel Management.
8. Announcements relating to shutdown including return to work notifications would be available from Office of Personnel Management, web sites, and other media/news outlets.
9. Official telephone communications by excepted personnel are allowable. Non-excepted personnel are not to use government phones, PDAs, or computers while in shutdown furlough status. Any “on-call” or “re-called” employees are to be contacted via personal phones or email addresses during this time.

10. Contracts in support of excepted activities may continue. If the contract requires administrative support or supervision, that administrative support or supervision must be excepted and available during the period of shutdown, otherwise work cannot continue.
11. Personnel would be excepted on an intermittent basis to make timely payments to contractors, grantees, and other entities. These activities would be limited to making payments on multi-year, no-year, or previously obligated amounts.

Logistical preparations that each office should be working on in advance of shutdown:

1. Contact lists for all office staff which would include alternative means for getting in touch with employees after they have been released. Lists would also include those employees posted overseas.
2. List of contracts, agreements, and/or grants and the systems needed to oversee them, with a focus on any upcoming events in the instrument's life cycle that will be occurring on or around this time period, (e.g., renewals, exercising option years, closures, monitoring /review processes, etc.).
3. Inventory of property including information technology (IT) equipment, other specialized equipment that is FAS-owned and the listing and location of all electronically held inventories.
4. Identification of excepted functions in your office necessary in an orderly shutdown process, relating to activities such as travel, financial certification, or other functions requiring an action.
5. Updating a list of individuals with knowledge and skills pertinent to a government shutdown with understanding of how to access and use required systems, including those with the authority to take certain actions (e.g. approvals, certifications, etc.).
6. Contact lists of grantees, contractors, cooperators and others that may need to be contacted if the period of shutdown becomes extended.
7. List of those on travel status. This list would eventually become a list of those who still may be on travel that need to be assisted in returning home.
8. Back-ups or alternate personnel to support excepted functions should be identified in case of illness of first line excepted staff.

Shutdown Procedures:

1. Prior to the Shutdown:
 - a. The Administrator will issue a memorandum to employees and/or forward a Department memorandum, if available, reporting the status of funding. If a

shutdown occurs, any remaining annually appropriated funded travelers will be instructed to return to their duty station.

2. First half of Day 1 (First day in the absence of appropriation):

- a. All employees are directed to report to their supervisors to receive assignments of duties or other pertinent information for an orderly shutdown. For those employees teleworking, “reporting-in” may be done by telephone.
- b. Based on guidance from OMB and or the Department and/or OBPA, the Administrator will instruct managers to implement cessation of activities based on this plan as revised or updated per further guidance.
- c. Managers and supervisors will coordinate the following activities intended to terminate Agency’s operations:
 - i. Communicate shutdown instructions and procedures to all employees.
 - ii. Contact any employees on leave and communicate that their leave is cancelled.
 - iii. Any employee unexpectedly in travel status (for example, due to flight cancellation) will be contacted and assisted in returning to their duty station as soon as possible.
 - iv. Ensure all employees to be released complete timesheet entry and submit to approving official.
 - v. Ensure all records; personal property and real property are secured.
 - vi. Cancel all meetings, hearings, and previously arranged business.
 - vii. Validate existing communication strategy and employee contact information for future communication need.
 - viii. Distribute guidance and notices at headquarters to all employees who have not been excepted from the shutdown process. Notices should be provided to all overseas posts as well informing posts about headquarters activities and methods for contacting excepted employees.
- d. The Office of the Chief Operating Officer will contact external service providers to ensure continuance of communication, network and human resource services.

3. Subsequent Workdays of Shutdown [Days 2-5]:

- a. Only excepted employees so notified will report to work.
- b. Employees will engage in approved activities only.
- c. Depending on the length of the shutdown, and remaining required activities, the number of excepted personnel may be modified. Affected employees would be placed on immediate furlough.
- d. There will be daily communications by FAS on the status of the close down procedures with the Department contacts previously identified.

Specific Program Activities - Excepted Functions:

Office of the Administrator (OA)

- a. Excepted Functions:
 - Required to carry out agency decision-making during shutdown are the Administrator who has full delegated authority, the Associate Administrator and General Sales Manager who has specific statutory delegations and oversight relating to GSM 102 and mandatory programs, the Associate Administrator who has oversight over critical international trade negotiations, the Chief Operating Officer who has oversight responsibility for coordinating shutdown procedures, and the Chief of Staff who coordinates with TFAA, OGC, and program areas on excepted functions.
 - Security Office: The agency requires instant access to internal, Departmental, and Government-wide information and contacts to respond to any and all security and national security clearance issues that may arise during a temporary shutdown. Additionally, the agency requires immediate response to coordinate emergency and continuity of operation services during a shutdown event.
 - During the course of a shutdown, adjustments in excepted activities for USDA agencies or other U.S. Government agencies may occur. Examples include updated guidance from OMB, USDA, or State Department. When these adjustments affect FAS activities, FAS excepted employees may engage in these activities unless a specific prohibition exists.
- b. Excepted Personnel = 6
 - Administrator
 - Associate Administrator and General Sales Manager
 - Chief Operating Officer
 - Associate Administrator
 - Chief of Staff
 - Emergency Preparedness Coordinator
- c. On Call Personnel = 1
 - Security Officer
- d. Activities Funded by Resources Other Than FAS Salaries and Expenses Appropriated:
 - NONE

Office of Agreements and Scientific Affairs (OASA)

- a. Excepted Functions:
 - Excepted functions for core activities are preparation for and participation in critical international trade negotiations that cannot be postponed or cancelled. Excepted functions would also include critical actions following the negotiating sessions. These negotiations would include multilateral negotiations that cannot be covered effectively by post, formal WTO dispute proceedings, bilateral negotiations with other governments, or other trade-related engagements with foreign governments. Determinations on “critical international negotiations” will

be made in consultation with the U.S. Trade Representative and/or the Department of State.

- Excepted functions include program area activities that are required to support the administration of excepted mandatory, multi-year, no-year, or carryover funded programs.
 - On-call, excepted personnel are permitted to review and complete action on reimbursement requests and invoices under Federal financial assistance agreements and contracts. These actions are limited to agreements or contracts that were funded with previously obligated funds or multiyear or no-year funds.
 - During the course of a shutdown, adjustments in excepted activities for USDA agencies or other U.S. Government agencies may occur. Examples include updated guidance from OMB, USDA, or State Department. When these adjustments affect FAS activities, FAS excepted employees may engage in these activities unless a specific prohibition exists.
- b. Excepted Personnel = 1
- Representative within the Office of the Deputy Administrator
- c. On Call Personnel = 5
- OASA management or staff to support traveling teams or critical international negotiations.
 - OASA management or staff with grants management or contract officer representative duties.
- d. Activities Funded by Resources Other Than FAS Salaries and Expenses Appropriated:
- NONE

Office of Capacity Building and Development (OCBD)

- a. Excepted Functions:
- Excepted functions are minimal oversight of Food Aid, Cochran and Borlaug Fellows at US Universities and other non-USG training providers, and some reimbursable agreements. The following presumes no new applications, agreements, amendments or allocations under any of OCBD's food aid, exchanges, or capacity building programs and the absolute minimum requirements to preserve U.S. government assets and to maintain the integrity of existing programs.
 - Excepted function is monitoring and reporting to Department of State any infractions or violations by J-1 visa holders. In the event that FAS is notified by U.S.-based Cochran and/or Borlaug training providers that any OCBD-sponsored international participant has violated the terms of the J-1 visa, the excepted personnel must officially notify Department of State via the SEVIS J-1 visa system. This function cannot be delegated.

- Excepted functions include program area activities that are required to support the administration of excepted mandatory, multi-year, no-year, or carryover funded programs.
 - On-call, excepted personnel are permitted to review and complete action on reimbursement requests and invoices under Federal financial assistance agreements and contracts. These actions are limited to agreements or contracts that were funded with previously obligated funds or multiyear or no-year funds.
 - During the course of a shutdown, adjustments in excepted activities for USDA agencies or other U.S. Government agencies may occur. Examples include updated guidance from OMB, USDA, or State Department. When these adjustments affect FAS activities, FAS excepted employees may engage in these activities unless a specific prohibition exists.
- b. Excepted Personnel = 0
- c. On Call Personnel = 4
- Representative within the Office of the Deputy Administrator
 - Grants Management Officer
 - SEVIS Responsible Officer
 - Grants management staff and contract officer representatives
- d. Activities Funded by Resources Other Than FAS Salaries and Expenses Appropriated:
- OCBBD administers several programs and activities covered by the Foreign Assistance Act, multi-year and no-year reimbursable agreements. Consequently, some activities carried out by non-USG implementers are exempt and may continue but with a minimum oversight by USDA.

Office of the Chief Operating Officer (OCOO)

- a. Excepted Functions:
- Oversight and managerial controls are required to coordinate multiple services provided by the staff offices of the OCOO.
 - The grants office provides direct administrative oversight and excepted, immediate resolution to frequently arising issues related to the stewardship and protection of USG property involved with assistance transactions. Most FAS assistance transactions continue during periods of furlough, since they are funded with reimbursable, multi-year, and no year funds. The necessary protection of government property includes millions of dollars' worth of funded equipment and supplies, as well as disbursed funds.
 - Cooperative agreements active in an area overseas with excepted functions are to continue during a shutdown furlough period where it is necessary to fully protect life and USG property/resources.
 - Communication during the shutdown is an excepted function in an international organization with staff members still at overseas posts. Coordination is needed to keep specific FAS applications operational and network services including e-mail up and running. These services include email, smartphones, support for excepted employees, and Citrix and VPN. Critical systems consist of PSD, GSM, UES, IPATTS, OASIS, IMART, GAIN, and ESR.

- Excepted functions include program area activities that are required to support the administration of excepted mandatory, multi-year, no-year, or carryover funded programs.
- Budget and Financial Management Division: Budget Certification and administrative control requirements continue for two-year and non-appropriated funding. The following are excepted functions for the division:
 - a. Coordinate with OCFO and OGC on permissibility of transactions and services
 - b. Ensure funds available for incurring commitments, obligations or expenditures in the financial system,
 - c. Provide proper accounting codes for use by personnel in program areas, overseas activities,
 - d. Create FMFI elements needed for multiyear year funds and reimbursable/cooperative agreements (applicable only if FMFI is operational)
 - e. Provide reports on spending and funds availability to program areas and management, (applicable only if FMFI is operational)
 - f. Provide information to management, OBPA, OCFO, OSEC/USEC and OMB if requested
 - g. Serve as system liaison to WebTA for accounting codes, (applicable only if WebTA and FMFI are operational)
 - h. Serve as system liaisons for Concur, IAS, ezFedGrants and assist program areas with accounting, vouchers, payments on obligations that occur prior to shutdown, reconciliation issues, (applicable only if FMFI is operational)
 - i. Provide pipeline analyses, reconciliations, service to reimbursable customers' agreements/cooperatives, (applicable only if FMFI is operational)
 - j. Assist in preparing billing analyses and provide accounting service provider agreement information, (applicable only if FMFI is operational)
 - k. Coordinate collection and preparation of checks received from refunds/returns and send to NFC for processing, (applicable only if FMFI is operational)
 - l. All other activities necessary for administration of the funds oversight for reimbursable/cooperative agreements.
- Representatives in International Travel Services Travel protect passports and provide international travel services to exempted and excepted USDA employees.
- On-call, excepted personnel are permitted to review and complete action on reimbursement requests and invoices under Federal financial assistance agreements and contracts. These actions are limited to agreements or contracts that were funded with previously obligated funds or multiyear or no-year funds.
- During the course of a shutdown, adjustments in excepted activities for USDA agencies or other U.S. Government agencies may occur. Examples include updated guidance from OMB, USDA, or State Department. When these

adjustments affect FAS activities, FAS excepted employees may engage in these activities unless a specific prohibition exists.

- b. Excepted personnel = 11
 - Chief Information Officer
 - Associate Chief Operating Officer
 - Communication/Information Systems
 - Communication/Information Systems
 - Communication/Information Systems
 - Communication/Information Systems
 - Travel
 - Travel
 - Chief Financial Officer
 - Budget Analyst
 - Accountant
- c. On Call Personnel = 6
 - Budget Analyst
 - Budget Analyst
 - Budget Analyst
 - Grants Officer
 - Communication/Information Systems
 - Communication/Information Systems
- d. Activities Funded by Resources Other Than FAS Salaries and Expenses Appropriated:
 - Cochran Fellowship and Borlaug Fellows - Funded by no year funds for program activities, administration of program is funded from annual appropriation only
 - McGovern-Dole - Funded by no year funds for program activities/agreements, administration of program is funded from appropriation of yearly amount
 - Capacity Building - Funded by multiple year and single year funds from USAID, State and other federal and non-federal entities (FAS needs to bill and collect revenues to match up with expenditures)

Office of Country and Regional Affairs (OCRA)

- a. Excepted Functions:
 - Excepted functions in OCRA include preparation for and participation in critical international negotiations or other engagements with foreign governments on trade or foreign policy issues. Excepted functions would also include critical actions following the negotiations or engagements.
 - Excepted functions include program area activities that are required to support the administration of excepted mandatory, multi-year, no-year, or carryover funded programs.
 - During the course of a shutdown, adjustments in excepted activities for USDA agencies or other U.S. Government agencies may occur. Examples include updated guidance from OMB, USDA, or State Department. When these

adjustments affect FAS activities, FAS excepted employees may engage in these activities unless a specific prohibition exists.

- Excepted Personnel = 1
 - Deputy Administrator
- On Call Personnel =3
 - OCRA management or staff to conduct excepted functions
- Activities Funded by Resources Other Than FAS Salaries and Expenses Appropriated:
 - NONE

Office of Foreign Service Operations (OFSO) and Overseas Operations

a. Excepted Functions:

- Headquarters: Support overseas Foreign Service personnel officially assigned to U.S. Embassies or U.S. consulates. Staff must be available to communicate and respond to daily issues and crises that may arise from activities in these posts, as well as continue to perform administrative activities such as reporting, time and attendance and various types of necessary travel, e.g., medical evacuation. Additionally, to ensure proper ongoing management of these operations, OFSO must monitor budgets and expenditures for single-year and multiyear funds and advocate and ensure International Cooperative Administrative Support Services (ICASS) policy and regulations are followed. Medical services, medical evacuations, emergency actions, or any action deemed necessary for the safety of life or property by the COM or FAS excepted personnel at post may continue during a shutdown period.
- Overseas: Supervise Locally Employed Staff and address critical issues and crises. Support critical trade negotiations and support Embassy in government-to-government discussions that implement the President's foreign policy or address trade issues. Protect life, property, and health. Protection of assets includes assisting exporters with shipments held at port. Overseas Foreign Service Officers (FSOs) must not spend or obligate current year funds that have lapsed. Public-facing events or announcements should be postponed unless they are related to a critical or emergency situation. Involvement of FSOs in marketing or promotion events are not permitted.
- Excepted personnel are permitted to support the administration of excepted mandatory, multi-year, no-year, or carryover funded programs.
- Excepted personnel are permitted to review and complete action on reimbursement requests and invoices under Federal financial assistance agreements and contracts. These actions are limited to agreements or contracts that were funded with previously obligated funds or multiyear or no-year funds.
- During the course of a shutdown, adjustments in excepted activities for USDA agencies or other U.S. Government agencies may occur. Examples include updated guidance from OMB, USDA, or State Department. When these adjustments affect FAS activities, FAS excepted employees may engage in these activities unless a specific prohibition exists.

b. Excepted Personnel = 128

- Deputy Administrator
 - Assistant Deputy Administrator
 - Assistant Deputy Administrator
 - Director, Planning and Global Resources (Overseas Operations: Operational and Cross Department Coordination and Preparation to Restart Operations)
 - Deputy Director, Planning and Global Resources (Overseas Operations)
 - Senior Analyst, Planning and Global Resources (Overseas Operations: Overseas Payroll and ICASS),
 - Director, International Services Division, (Medevac Evacuations)
 - Deputy Director, International Services Division
 - 120 Foreign Service Officers stationed overseas (FAS will consider Chief of Mission guidance in making final determination)
- c. On Call Personnel = 0
- d. Activities Funded by Resources Other Than FAS Salaries and Expenses Appropriated:
- 332 Locally Employed Staff who are funded with multiyear funds (as required by local law) (FAS will consider Chief of Mission guidance in making final determination)
 - FAS has two-year funding available to cover overseas operations, which includes critical rents, travel, Medevacs, and salaries and expenses of Locally Employed Staff.

Office of Global Analysis (OGA)

- a. Excepted Functions:
- Excepted functions in OGA include support for critical international negotiations or other engagements with foreign governments on trade-related issues.
 - Excepted functions include program area activities that are required to support the administration of excepted mandatory, multi-year, no-year, or carryover funded programs.
 - On-call, excepted personnel are permitted to review and complete action on reimbursement requests and invoices under Federal financial assistance agreements and contracts. These actions are limited to agreements or contracts that were funded with previously obligated funds or multiyear or no-year funds.
 - During the course of a shutdown, adjustments in excepted activities for USDA agencies or other U.S. Government agencies may occur. Examples include updated guidance from OMB, USDA, or State Department. When these adjustments affect FAS activities, FAS excepted employees may engage in these activities unless a specific prohibition exists.
- b. Excepted Personnel = 0
- c. On Call Personnel = 3
- Representative of Office of Deputy Administrator
 - Staff to support analyses for trade negotiations or with contract officer representative duties

- d. Activities Funded by Resources Other Than FAS Salaries and Expenses
Appropriated:
- NONE

Office of Trade Programs (OTP)

- a. Excepted Functions:
- FAS may implement the following programs during a lapse in current year appropriations: Market Access Program, Foreign Market Development Program, GSM-102 Program, and the Agricultural Trade Promotion Program. FAS will generally implement these programs when apportionments of CCC program funds have been executed and when the suspension of program activity would prevent the completion of mandatory requirements under a statute (i.e., Farm Bill).
 - Regardless of the status of apportionments and risks of meeting mandatory requirements, minimal monitoring activities for the GSM-102 Program would continue during a lapse in funding. These activities would be limited to the absolute minimum requirements to preserve U.S. government assets and to maintain the integrity of existing payment guarantees (issued with the full faith and credit of the U.S. Government), as well as to protect the underlying commercial export of U.S. agricultural commodities.
 - Processing of information submitted through the Export Sales Reporting system is needed to preserve critical trade and economic information and to support international trade negotiations and engagements with foreign governments.
 - During the course of a shutdown, adjustments in excepted activities for USDA agencies or other U.S. Government agencies may occur. Examples include updated guidance from OMB, USDA, or State Department. When these adjustments affect FAS activities, FAS excepted employees may engage in these activities unless a specific prohibition exists.
- b. Excepted Personnel = 3
- Representatives of Office of Deputy Administrator (1)
 - Representative of management and staff to protect government property with respect to the GSM-102 credit programs (1)
 - Representative of management and staff to process Export Sales Reporting (1)
- c. On Call Personnel = 60
- Representatives of Office of Deputy Administrator (44)
 - Management and staff to administer credit guarantee programs (244)
 - Management and staff to administer MAP, FMD, and ATP (30)
 - Management and staff to process Export Sales Reporting (2)
- d. Activities Funded by Resources Other Than FAS Salaries and Expenses
Appropriated:
- Authorizing legislation for all export credit guarantee activity: Section 202 of the Agricultural Trade Act of 1978, as amended (7 U.S.C. 5622). GSM-102 is a mandated program. Program funding source: Permanent and indefinite authority (non-appropriated)
 - Authorizing legislation for the Market Access Program and Foreign Market Development Program is Section 203 of the Agricultural Trade Act of 1978, as

amended (7 U.S.C. 5623). These programs are mandated within the statute. Program funding source is CCC funding.

- The Agricultural Trade Promotion Program is authorized under the CCC Charter Act and funded with CCC funds.

ADDITIONAL EXCEPTIONS:

Excepted personnel listed above should maintain critical activities within FAS. If other critical needs arise, FAS must seek written approval from USDA to carry out the activities.

Start-Up of FAS Operations Plan

Purpose

This document establishes a plan of action to execute an orderly start-up of Foreign Agricultural Service (FAS) operations following enacted appropriation.

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 FAS Shutdown Plan and furlough notices to each employee instruct employees to monitor the status of the government shutdown and agency operations via the Office of Personnel Management (OPM) website (www.opm.gov), USDA website (www.usda.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

FAS has prepared for an agency start-up following an enacted appropriation for the fiscal year. 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 the enacted appropriation: Federal employees receive notification either from the OPM website or the news media that they should report for work on the next work day
- Day 1: 9:00 am EST – Administrator will meet with Associate Administrators and OCOO to receive updates and to prepare for Management Council meeting.
- Day 1: 10:00 am EST -- OCOO will issue time-sensitive information on time sheets or other operational items to all employees and the unions (as required by collective bargaining agreements).

- Day 1: 1:00 pm EST – Meeting of the FAS Management Council to review the Start-Up of FAS Operations Plan and to identify priorities.
- Day 2: 10:30 am EST – Agency COO and Associate COOs will hold teleconference with FAS's servicing agencies for Human Resource Management, to review the start-up plan, focusing on specific guidance for human resources, and provide any guidance from the Department.
- Day 2: 1:00 pm EST – Administrator may call a FAS Management Council Meeting to continue implementation of the Start-Up of Operations Plan.
- Day 3: 1:00 pm EST – Administrator may call a FAS Management Council Meeting to continue implementation of the Start-Up of Operations Plan.
- Other Communications:
 - Letter to partners and stakeholders from the Administrator.
 - Additional teleconferences as needed with state leaders.

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.
- Resume use of government-issued mobile devices, including cell and smart phones, tablets, and/or laptops for approved purposes.
- Resume use of government purchase and travel cards for appropriate government use.

Customer Service for Start-Up of FAS Operations

The re-start of FAS operations will be accompanied by many employee, customer, and partner questions and concerns. It is important for FAS to provide timely and consistent information that is in keeping with statute, regulation, and policy, and that this information is accessible throughout FAS.

Guidance for the Start-Up of FAS Operations

The FAS Executive Leadership Council (ELC) will guide the agency's transition from shutdown to full operational status. The ELC will be responsible for overseeing the implementation of the start-up plan; providing related policy and procedural direction; ensuring coordination and consistency across functional areas (human resources, financial management, information technology, property and procurement, programmatic, etc.); troubleshooting system and unique

challenges; and monitoring progress related to restoring full operational status and in addressing employee, partner, and customer concerns.

The ELC may meet on a daily basis to assess progress and issues. As issues are resolved and progress continues, meetings may be less frequent. The ELC also will assess lessons learned from the shutdown and start-up and apply those to normal operations where applicable, and to plans prepared in the event of a future shutdown/start-up. The ELC will resume its normal weekly meeting schedule to review new and ongoing work proposals for recommended action by the Administrator, when the Administrator has determined operations are back to normal and any major issues/challenges related to the shutdown have been resolved.

The Administrator chairs the FAS Executive Leadership Council. The Co-Chair is the Associate Administrator. The complete membership of the Committee is as follows:

- Deputy Administrator, Office of Agreements and Scientific Affairs
- Deputy Administrator, Office of Capacity Building and Development
- Deputy Administrator, Office of Country and Regional Affairs
- Deputy Administrator, Office of Foreign Service Operations
- Deputy Administrator, Office of Global Analysis
- Deputy Administrator, Office of Trade Programs
- Chief Operating Officer

Information Technology

The FAS 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:

- FAS CIO will restore all FAS production IT systems, business tools, and websites to their last known state in order to conduct official FAS business.
- FAS CIO will coordinate with the Department IT Service Providers, USDA-OCIO-WCTS and NITC, to ensure all interdependent and enterprise IT systems are online and available.
- Employees should retrieve all IT equipment (laptops, iPhone, iPads, etc.) from their secured location in order to conduct official FAS 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 to 4 hours to complete. Do not turn off computers while the updates are in progress.
- FAS CIO will work with USDA-OCIO-WCTS to ensure technical issues submitted to the IT helpdesk are addressed completely and in a timely manner.

- FAS CIO will provide ongoing monitoring to ensure availability and proper functionality of IT systems throughout the start-up and recovery process.
- The Tier 1 WCTS Help Desk will provide Business Application help desk support for all FAS IT systems that support official business and all other user technical issues. Tier 1 IT helpdesk contact information is provided below:
WCTS Help Desk Number: 202-720-6763

Human Resources

The Director, Human Resources Management Division is responsible for ensuring that all Human Resources (HR) services and guidance is provided to FAS 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 a corrected timesheet 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 shutdown is at the beginning of a fiscal year, then FAS will secure approval from The Department to provide an extension on rating performance

for the prior fiscal year as well as issuing new performance plans for current fiscal year. Once the extension dates are received from the Department, all FAS employees and supervisors will be notified.

- Training and Development
 - Determine vendor status and policies for rescheduling and/or refunds, both for government (OPM) and private sector vendors.
 - Reschedule events in progress, including:
 - Internal contracted training sessions
 - 360-degree feedback sessions
 - FAS career guides development sessions
- Review the status of Agency services with the FAS/Management Services Division to determine issues to be resolved and/or communicated to Agency personnel.
- Review the status of Agency services with the FAS/Acquisitions Management Division to determine issues to be resolved and/or communicated to Agency personnel.

Travel

The Chief Operating Officer and the FAS Chief Financial Officer are 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 FAS has confirmed the operational status of all associated IT systems.
- The FAS CFO is working with the Department's Office of the Chief Financial Officer to determine policy regarding timely payment of travel card balances since FAS employees did not have access to the travel system during the government shutdown. Once the Department makes its determination, the FAS CFO will communicate the Department's policy and guidance via Conference call

Contracts, Grants, Agreements, and Asset Management

The Chief Acquisition Officers (CAO) of our servicing agencies (primarily Director, Acquisition Division, FPAC) are responsible for managing the resumption of functions related to acquisitions and procurements; contracts, grants, and agreements; and 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.

- Contracts, Grants and Agreements Guidance:
 - Contracts, Grants and Agreements under FAS authority, and requiring FAS support, oversight, assistance, will resume as determined by the appropriate Contracting Officer and Grants/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.

- Asset Management Guidance:
 - Personal property (vehicles, survey equipment, copiers, etc.) owned or leased by FAS will be made safe, ready, and available for use by authorized Federal and non-Federal personnel.
 - Real property (buildings/office space) owned or leased by FAS 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 FAS 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, including close-out of the fiscal year and completion of the financial audit.

- **Financial Management Modernization Initiative (FMMI) 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.
 - Questions about FMMI access should be directed to the Financial Policy, Training and Systems Division at FAS.fmmi@wdc.usda.gov for resolution.
- Posting Prior fiscal year Obligations:
 - Valid and signed obligations for that were not entered into FMMI prior to the close of operations on September 30 cannot be entered directly by FAS personnel. FAS CFO will coordinate with NFC to have these obligations posted in FMMI.
 - The FAS CFO 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:
 - FAS CFO is working with 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, FAS CFO will communicate those plans by an FM communication as well as making it a topic for an FM conference call.
- Discretionary funding:
 - New discretionary funding made available will be loaded into FMMI, reflecting the terms and conditions of the appropriations language and automatic apportionment by the Office of Management and Budget (OMB) as necessary.

- Carryover authority – Allowance holders are **NOT** to obligate carryover funding. Unobligated balances will be swept to the unallocated level in FMFI and made available for use during the shutdown period. The funds will be used for agency priorities as determined by the Administrator, including:
 - Unobligated balances to be used for obligation during the shutdown period (see Posting Prior Year Obligations above).
 - Unobligated balances designated for previously approved specific purposes.
- Mandatory funding (Farm Bill programs):
 - The Budget Director will review the terms and conditions of the current OMB-approved apportionment and load authority into FMFI.
 - Mandatory funding will be made available based on terms and conditions of the appropriations language and OMB’s automatic apportionment, as applicable.
- Current fiscal year Allocations:
 - Approved Allocations, will be provided within five (5) days of resumption of full operations.
 - Allowance holders will need to work with their budget analyst to align resources as needed to ensure that critical obligations, including payroll, can be processed timely.

The U.S. Codex Office (USCO) Shutdown Plan

Shutdown Communication

USCO activities will be suspended during a shutdown. USCO activities during a shutdown will be limited to the following agency excepted duties.

Supervisors/Employees: Furlough communication will be provided to all USCO employees via an all employee email. Excepted employees will receive information from the Under Secretary’s office.

USCO Director is to notify applicable stakeholders of the status of the shutdown on the first day of the shutdown in accordance with office and USDA guidance.

Excepted Functions:

- Excepted functions for core activities are preparation for and participation in critical international negotiations that cannot be postponed or cancelled. Excepted functions would also include critical actions following the negotiating sessions. Examples include regular and extraordinary sessions of the Codex Alimentarius Commission and/or subsidiary bodies and previously scheduled and funded multilateral engagements with foreign governments related to Codex issues.
- Excepted functions include program area activities that are required to support the administration of excepted mandatory, multi-year, no-year, or carryover funded programs.

Exempt Position

- U.S. Manager for Codex Alimentarius

Rural Development (RD)

Rural Housing Service (RHS)
Rural Business Cooperative Service (RBS)
Rural Utilities Service (RUS)

MAJOR PROVISIONS OF MISSION AREA PLAN

- When the likelihood of a shutdown is imminent, Rural Development (RD) will discuss the Plan for Operations and the Start-up Plan with the appropriate Labor Unions.
- If RD is informed that there will be an absence of appropriations authority, RD will, within two business days, inform all agency employees of their work status and assignments during the absence of appropriations. Employees will then be advised of their work status and assignments, and an orderly shutdown of non-excepted mission area operations will be impacted within four hours. It is understood that there may be a need for more than four hours to orderly shutdown facilities and some activities for programs.
- The Under Secretary will instruct field supervisors setting standards for office staffing to provide for an orderly shutdown of non-excepted mission area operations and the continuation of excepted activities. Personnel not needed to continue excepted activities or to assist with closing down non-excepted operations will be released within the first four business hours of an absence of appropriations. State Directors and their respective staff will be considered excepted to service existing Direct and Guaranteed Loans. Typically, RD employees deemed excepted will be in Washington, DC and St. Louis, MO. These employees will conduct excepted activities to preserve government property and provide financial services supporting RD and Farm Loan Program (FLP) loan customers.
- The Office of the Secretary is expected to provide approved language for consistent “out of office” signage, outgoing voice mail and email messages, and other public notification by headquarters and field offices that non-excepted functions have ceased. In the absence of such approved language, the Under Secretary will provide appropriate messages as part of the orderly shutdown activities.
- The orderly shutdown of non-excepted activities includes taking measures to secure files and data systems, securing RD and customer funds, making necessary contacts with contractors, customers, and partners outside the mission area, and canceling meetings, hearings, loan closings, and other previously arranged RD business not necessary for continued operations. All loan closings and related disbursement activities that have not been scheduled and recorded in the accounting systems prior to the lapse in appropriation must be rescheduled after return to normal operations. In circumstances during the shutdown, the Under Secretary may increase exception function staffing by adding employees with required skillset to review and process

construction loan and grant disbursements, if such disbursements not processed will compromise the protection of RD's interest and security of its properties and facilities.

- No new loans or grants will be made during the shutdown period except for emergency purposes and to protect the Government's interest. All pending loan servicing actions, including guaranteed loss claims, must be documented and secured to allow for timely processing. To reduce the negative impact on the guaranteed programs, guaranteed loan servicing will be continuing, including processing loss claims as necessary. In circumstances during the shutdown, the Under Secretary may increase exception function staffing by adding employees with the required skillset to review and process Guaranteed Loss Claim, as not reviewing and processing Guaranteed Loss Claims could compromise RD ability to continue those guaranteed programs.
- State Directors operating as noncentralized for Single Family Housing (SFH) foreclosure and Real-Estate Owned activities will review all pending actions to ensure these properties are secured. A status of pending actions, such as foreclosure sales and property preservation needs, will be reported to the National Financial and Accounting Operations Center (NFAOC) staff as part of orderly shutdown activities. All pending foreclosure sales from noncentralized states must be reviewed to ensure excepted staff will be available as needed to support these actions.
- All pending Conditional Commitments related to guaranteed loans must be reviewed and if possible, provide issuance of the Loan Note Guarantee. In circumstances during the shutdown, the Under Secretary may increase exception function staffing by adding employees with the required skillset to review and process Conditional Commitments and Loan Note Guarantees, as not reviewing or processing such Commitments and Guarantees could compromise the protection of RD's interest and security in the properties and facilities.
- Notice will be provided to all Multi-Family Project Managers that rental assistance will continue if funding is available during the shutdown. This will be communicated through the MFIS portal.
- Supervisors will identify any other tasks necessary to continue excepted operations and for the orderly shutdown of non-excepted activities. Supervisors will also identify those employees needed to administer the excepted operations as necessary for the orderly shut- down of non-excepted operations. These plans are to be reviewed by the Administrators, Chief Operating Officer, Chief Financial Officer, Chief Enterprise Officer, NFAOC Director, Deputy Chief Financial Officer, Chief Information Officer, Procurement Director, and regional State Directors for their respective areas of jurisdiction, within specified timeframes. Upon timely completion of their review, the plans will be submitted to the Under Secretary for review and approval. The plan will be forwarded to the Office of the Secretary and all its appropriate jurisdictions, for final approval.
- All employees in travel status for non-excepted activities will be directed to return to their duty stations by midnight on the day of notification of the lapse in appropriations.

If unforeseen circumstances prevent travelers from returning as required, the Agency will ensure travelers return to their duty station by the most expedient and cost-effective mode of transportation.

- Once final determinations, necessary notices, and bargaining with appropriate employee unions regarding the impact and implementation of the shutdown are completed, employees performing non-excepted functions will be notified and placed on furlough or other personnel action taken as appropriate for the circumstances. All employees placed on furlough will be informed by the Office of the Secretary or the Under Secretary to avoid voluntary work and to refrain from using mobile or information technology equipment.
- The Under Secretary will review the sufficiency of excepted function staffing on a needed basis, releasing staff no longer needed or adding staff with such additional skills required to address unforeseen circumstances. The Under Secretary will notify the Deputy Assistant Secretary for Administration and the Office of Budget and Program Analysis (OBPA) of any changes to the approved plan.
- Travel and training for RD operations will be suspended during the period of shutdown. All travel and training scheduled within 30 calendar days following the first day of the shutdown, will be canceled. If the shutdown extends beyond 30 calendar days, the Under Secretary may increase excepted function staffing by adding employees with required skillset to review and cancel training and travel scheduled beyond the 30th calendar day. All purchase card holders must be advised that all future orders are not allowed as part of the excepted activities.
- After shutdown operations are completed, RD state and area office employees located throughout the United States will be furloughed.

EXCEPTED ACTIVITIES

RD has no program activities that would continue in the absence of an appropriation. However, there are certain limited activities that are viewed as “excepted” for the purpose of preserving the Government’s property. This property includes RD and FLP loans portfolio, which exceeds \$243 billion and serves as collateral for loans, and borrowers’ funds paid to RD in escrow for real estate taxes and property insurance.

If the excepted activities to preserve Government property are not permitted during the absence of appropriations, borrower remittances could be lost in our payment lock box bank processes, and Personally Identifiable Information (PII) could be jeopardized. In addition, data could be lost because of overlays or overloads, and if processed back-to-back, multiple batch updates of the LoanServ system could result in an inability to recover the financial system. Furthermore, protective advances for properties in foreclosure could not be made to protect the Government’s interest in the properties.

Included among these excepted activities are:

- Processing nightly updates for each RD financial system — Automated Multi-Family Accounting System (AMAS), Commercial Loan Servicing System (CLSS), LoanServ, Guaranteed Loan System (GLS), Program Funds Control System (PFCS), and Program Loan Accounting System (PLAS) — to include daily cash remittances and disbursements. Remittances represent funds returned to the Federal Government and will not be delayed. This effort will include:
 - Balancing and reconciling all RD loans, as well as those Farm Service Agency (FSA) loans on the two financial systems (GLS and PLAS) that are shared between RD and FSA.
 - Ensuring that front-end applications, such as Management Agent Interactive Network Connection (MINC), Multi-Family Housing Information System (MFIS) including Pay.Gov, RD Utility Program Customer Initiated Payments, Lender Interactive Network Connection (LINC) including Application Authority Security Management (AASM), Guaranteed Annual Fees (GAF), Mortgage Account Information (MAI), and GLS remain available for borrower/lender cash remittances. Disbursements represent actual cash outlaid of government funds. Disbursing funds from time to time may be needed for the purpose to protect and preserve RD assets (e.g., placing protective bids at foreclosure sales to ensure that RD's loan collateral is not lost and paying for critical repairs necessary to preserve such property).
 - Distributing billing statements and mail as necessary to ensure proper notice to borrowers is provided regarding principal and interest payments due. This includes insuring that all collections received in any form (electronic or paper) are submitted into the appropriate accounting system for initial application, including payments of escrowed funds. This does not include discrepancy processing of any collections that require manual intervention due to specialized servicing requirements.
- Ensuring that RD performs its fiduciary responsibilities in accounting for and processing customers' funds, such as loan escrow accounts, in an accurate and timely manner. This will help RD avoid creating unnecessary hardships for our customers and litigation risks for RD by processing escrowed funds to pay insurance and tax payments on time, thus reducing the probability of insurance policy cancellations and tax penalties being assessed. Fiduciary responsibilities also include:
 - Reconciling and submitting for initial processing of all collection activity. This includes electronic and paper collections for amortized payments and payoff activity.
 - Ensuring that Multi-Family Housing Rental Assistance and Voucher payments on existing contracts are made as part of collections and tenant certifications activity processed via MINC.

- Existing RD loans and guarantees will be reviewed as necessary to protect Rural Development interest in the properties. Construction loans and grants will be reviewed periodically during the shutdown to perform the actions necessary, such as advancing funds for construction draws. Closed guaranteed loans will be reviewed periodically during the shutdown to determine if the Loan Note Guarantee can be issued and to review Guaranteed Loss Claims as necessary.
- Ensuring disbursements only occur as necessary to protect Rural Developments interest in the properties. Necessary disbursements include those related to Construction Loan and Grants, Rental Assistance and MFH Voucher Payments, and Guaranteed Loss Claims. Necessary disbursements do not include those related to non-construction loan and grant activity. If existing Rental Assistance obligations are no longer available additional servicing options, may be provided to MFH projects in leu of Rental Assistance payments as appropriate.
- Manually reviewing all accounting system updates to ensure no new obligation activity that is not an excepted activity occurs and taking action to reverse any actions as necessary.
- Foreclosure sales scheduled through the NFAOC and non-centralized States will continue as planned. The subsequent recording of any deeds will occur when the shutdown ends.
- Ensuring that service contracts supporting excepted activities remain in place and are available to excepted staff during furlough. Prepare clear documentation on which contracts will remain available and any special provisions that must be observed during furlough. Although contracts will remain open, only invoices for services necessary to support the excepted activities will be approved for payment.
- In certain circumstances during the shutdown, the Under Secretary may increase excepted function staffing to add employees to perform the following:
 - Review construction loans and grants to determine if additional disbursements are necessary;
 - Review outstanding conditional commitments on outstanding guaranteed loans to determine if the loan note guarantee can be issued;
 - Review and process Guaranteed Loss Claims;
 - Perform actions necessary to support foreclosure sales;
 - Update interest rates to issue correct billing statements and disbursements, as aforementioned;
 - Balance available monthly financial activity such as general ledger, trial balances, internal financial statements, and fiscal year-end (FYE) activities as applicable; and
 - Processing of direct and guaranteed loan servicing actions if appropriate; and
 - Conduct Calendar Year End and End of Year activities as necessary.

IMPACT OF PROGRAM SHUTDOWNS

Rural Development's mission is to serve as a catalyst for economic and community development activities in rural areas through loans and grants to individuals, families, businesses, and communities.

On a short-term basis, RD would have limited operations, which would only encompass excepted activities, described in Section II, Excepted Activities. The short-term impact would extend beyond preserving the Government's property. RD's loan portfolio exceeds \$243 billion with over 1.5 million loans, making the agency one of the largest "banks" in the country. The unavailability of servicing actions not deemed excepted could have a negative impact on the financial stability of customers and mortgage lenders' financial operations. For example, borrowers would not be able to secure much-needed loans, make loan payments, or reamortize loans.

There would also be a short-term tangible impact on the overall economy as employees and contractors will not receive compensation. Additionally, there would be intangible effects such as a demoralized workforce.

Albeit the impacts on these programs are described as short-term, the corrections required once operations resume will be coordinated and carefully executed to minimize further impact on RD's portfolio.

The shutdown of RD loan and grant making activities for a prolonged period of more than two weeks would have an adverse impact on the rural economy. Should RD not be allowed to continue loan and grant making operations for an extended period, the long-term impact would be substantially more serious, as described below:

- No additional loans/grants would be available during the period except for emergency purposes and to protect the Government's interest. System generated disbursements for previously obligated Rental Assistance (RA), and Vouchers funds will continue.
- No loans or assistance for essential community facilities would be made, delaying the financing of health care, emergency response, and other essential services to rural communities. A long-term shutdown would place RD seriously behind its mission of improving quality of life and economic opportunity in rural areas with limited income. The current community facility loan program is one of the very few sources of financing for essential community facilities in rural areas.
- No loans or grants would be made or issued for modernizing rural America's utilities infrastructure. Borrowers or grantees would not be able to improve service or pay off short-term bridge loans. Invoices for construction contracts would be reviewed periodically during the shutdown to perform actions necessary, such as advancing funds to pay these invoices.
- Only limited disbursements of loans funds will be provided on existing obligations. Existing RD loans and guarantees will be reviewed as necessary to protect Rural

Development's interest in the properties. Construction loans and grants will be reviewed periodically during the shutdown to perform the actions necessary, such as advancing funds for construction draws. Closed guaranteed loans will be reviewed periodically during the shutdown to determine if the Loan Note Guarantee can be issued.

- Single Family Housing guaranteed lenders may close loans only if they are in possession of a valid Conditional Commitment issued by Rural Development. Loans may not be closed unless a Conditional Commitment has been issued by the agency. Following a loan closing, a lender may request issuance of the Loan Note Guarantee following standard procedures; however, the request may not be reviewed for issuance until after the shutdown is over. The lender assumes the risk for the loan until the Loan Note Guaranteed request can be reviewed by Rural Development and a determination made to issue the Loan Note Guarantee.

PROGRAMS OPERATING UNDER CONTINUING AUTHORITY

Rural Development has several programs that contain broad authorizations under no-year appropriations for the Secretary to utilize funds for necessary servicing actions, to make and insure loans and to make grants until the appropriated funds are expended.

Programs administered under no-year appropriations include the following:

- Rural Community Development Initiative Grants
- Community Facilities Direct Loans
- Community Facilities Guaranteed Loans
- Community Facilities Grants
- Community Facilities Economic Impact Initiative Grants
- Community Facilities Tribal College and University Grants
- Section 533 Housing Preservation Grants
- Section 542 Rural Housing Voucher Program
- Section 514 and Section 516 Farm Labor Housing Loan and Grant Program
- SFH 523 Mutual and Self-Help Housing Grants
- SFH 504 Very Low-Income Repair Grants
- SFH 509 Construction Defects
- Value Added Producer Grant Program
- Business and Industry Guaranteed Loan Program
- Rural Community Development Grants (RCDG)
- Rural Economic Development Loans and Grants (REDLG)
- Rural Microenterprise Assistance Program (RMAP)
- Biorefinery Guaranteed Loans
- Rural Energy for America Program (REAP)
- Water and Waste Disposal Loan and Grant Program
- Section 306C Water and Waste Disposal Grants
- Section 306D Water and Waste Disposal Grants for Alaskan Villages
- Wastewater Revolving Fund Grants

- Solid Waste Management Grants
- Household Water Well Grants
- High Energy Cost Grants
- Distance Learning, Telemedicine and Broadband Loans and Grants

Programs under annual appropriation that may continue to expend funds include:

- Section 521 Rental Assistance Program

No new obligation activity under these programs will occur in the absence of appropriations except to the extent that servicing actions may be required to preserve the property of Rural Development, as identified in Section II, Excepted Activities. Disbursement of funds and the issuance of loan note guarantees will only occur as necessary to protect Rural Development's interest in the properties.

Detailed List of Activities during a Shutdown

The following plan addresses procedures for shutdown activities.

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

The Under Secretary, Administrators, Chief Operating Officer, and Chief Financial Officer will identify those functions that need to be performed that are solely associated with an orderly interruption of normal activities. Such functions may include but are not limited to:

- Identifying measures to secure records, personal property, real property, and facilities that will be maintained and protected until appropriate disposition is accomplished.
- Drafting communication strategy for communicating with Agency employees.
- Drafting communication strategy for making contacts outside the Agency that is necessary to communicate our status.
- Identify all potential meetings, hearings and other previously arranged Agency business that may need to be cancelled.
- Identify all essential employees and ensure that employees have been identified consistently and fairly in compliance with applicable personnel regulations.
- Identify employees whose presence at work will be required to perform functions associated with the orderly cessation of program activities. This includes employee name, title and function the employee will perform. Include backup coverage employees as "ad-hoc essential". Identify what Chief Information Officer systems support is needed to maintain essential financial services and information technology infrastructure (see Section II, Excepted Activities for list of automated systems), including contractor support. Identify what instructions and procedures Human Resources Management will provide to employees for the shutdown period. Provide pertinent documents to excepted and non-excepted employees prior to Day 1 to allow for more timely preparation.
- Identify appropriate Department contacts for communications purposes and orderly shutdown of the agency.

- Identify and contact employees in travel status and direct to return to duty station by the last day of available appropriation
- Initiate bargaining over furlough related topics.
- Identify physical facilities support services (security, access, custodial support, etc.) with relevant agencies, such as GSA.
- Identify any work initiated shortly before shutdown, such as SFH loan closings, which will likely be impacted during furlough and may require the need for additional resources.

First half of Day 1 (First business day appropriations 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 on telework status, their “report” may be done by telephone.

The Under Secretary, Administrators, State Directors, and subordinate managers and supervisors will coordinate the following activities intended to suspend Agency operations:

- Communicate shutdown instructions and procedures to all employees.
- Distribute furlough notices to all employees at headquarters and field units who have been determined non-essential for the Agency’s discontinuation activities
- Contact any employees on leave and communicate that their leave is cancelled.
- Contact any employees in travel status and direct them to return to duty station.
- Ensure that all employees who are to be released complete timesheet entries and submit them to the approving official.
- Delay any employee transfer of station.
- Ensure all records, personal property, and real property are secured.
- Cancel all meetings, hearings and previously arranged Rural Development business.
- Validate existing communication strategy and employee contact information for future communications.

There will be daily communications by the Under Secretary on the status of the shutdown procedures with the Department contacts previously identified.

The Director of Human Resources 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 calling back employees in the event it is determined they are needed to complete shutdown procedures.
- Providing specific instructions for employees to complete final time and attendance reports.
- Providing workers compensation eligibility information to employees.
- 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 the Procurement Management Division will be responsible for:

- Coordinating with all contracting officers (COs) and contracting officer technical representatives (COTRs) to notify all contractors and vendors that work is suspended.
- Coordinating with all COs and COTRs to notify applicable contractors and vendors that work is to continue, in the cases where excepted work requires the continued support of contractors' assistance. Preparing and sharing clear documentation on which contracts will remain available and any special provisions that must be observed during furlough. Ensuring that active contracts during furlough will not lapse during the potential furlough timeframe. This is especially important for NFAOC Investment and Disbursement Contracts as they support activities for the preservation of property.

The Chief Financial Officer will be responsible for ensuring that emergency Agency activities continue related to cash management, escrow, claims processing, and pay-off activities at the NFAOC.

Second half of Day 1:

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

- Document the status of cases and projects so that they can be resumed, transferred, or otherwise appropriately handled when Rural Development's lapse of appropriations is resolved. Develop mechanisms to track work accumulated and actions taken during the furlough as a basis for restarting upon return.
- Communicate the appropriate status of RD operations with external customers.
- Prepare files for permanent storage, transfer to related agencies, or other disposition, when applicable.
- Complete identification of employees whose presence at work will be required to perform functions associated with the orderly cessation of program activities. Share this information within all excepted employees. This includes:
 - Name of each employee required to continue shutdown operations;
 - Title and location of each employee identified; and
 - The function that each identified employee is to perform.
- Finalize and submit list of employees to the Office of the Under Secretary no later than the end of Day 2.
- Contact contractors and vendors, by COs and COTRs, to identify whether work is suspended or to be continued.
- Provide Contract names for URLA.

Day 2:

Only employees leading, directing, and performing work identified as "excepted" from shutdown procedures will continue to work. These employees will be directed to perform only those activities as enumerated above. As each shutdown function is completed, managers and

supervisors must notify the manager or supervisor at the next highest level or, at headquarters, the respective program Administrator or Chief Operations Officer 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 manager if the supervisor is not available.

There will be daily communications by the Under Secretary on the status of the shutdown procedures with the Department contacts previously identified.

The Director of the NFAOC will complete identification of NFAOC employees whose presence at work will be required to perform functions associated with the orderly cessation of program activities. The Director of the NFAOC will ensure designated NFAOC employees' ability to reenter the facility.

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

- Ensure all records; personal property and real property are secured.
- Validate existing communication strategy and employee contact information for future communication needs.

Excepted managers and senior officials will hold a daily meeting starting on Day 2 to address changes in plan or any other unforeseen circumstance.

Day 3 and through the second week of shutdown:

Only employees who were previously identified as required to perform functions necessary for orderly shutdown of program activities and those employees previously identified as required to perform functions that are excepted from the shutdown will report for work.

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

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

There will be daily communications by the Under Secretary on the status of the shutdown procedures with the Department contacts previously identified.

Third week and thereafter:

Only employees who were previously identified as required to perform functions necessary for orderly shutdown of program activities and those employees previously identified as required to perform functions that are excepted from the shutdown will report for work.

There will be communications by the Acting Assistant to Secretary for Rural Development at least weekly on the status of the shutdown procedures with the Department contacts previously identified.

RHS SFH has an open contract administered by the SFH Guaranteed Loan Division. The contractor is with Deloitte & Touche, LLC. This contract would not be affected by a temporary shutdown because the work is ongoing and current activity is already funded. Should the shutdown extend more than 3 weeks; the contractor will be notified to put any further activities on hold because of USDA's inability to monitor contract activities.

RD has open contracts administered by the Chief Information Officer and the SFH Direct Loan Division. The contractors are responsible for the implementation of the Uniform Residential Loan Application (URLA) requirements. If these requirements are not implemented as directed, the SFH direct loan program will not be allowed to continue, thus impacting the ability of the program to continue. Staff will be deemed excepted to continue working on these contracts as necessary.

Food, Nutrition and Consumer Services (FNCS)

Food and Nutrition Service (FNS)

Preparations for Shutdown as a Result of a Lapse in Appropriations

The Chief Operating Officer, in conjunction with the Chief Financial Officer and the Budget Director, has responsibility for monitoring the status of the appropriations process and advising the Administrator with regard to need to begin preparations for a potential lapse in appropriations. Not later than five days prior to the close of any appropriations period, the Chief Operating Officer will consult with the Administrator and assess the likelihood of a lapse. If the risk is judged to be significant, the Administrator will gather key Agency leadership to begin preparations.

FNS Operations during a Lapse in Appropriations

The FNS Contingency Plan outlines the Agency's operations in the event of a lapse in the annual appropriations which fund most, but not all, of FNS's programs. These activities include:

- continuation of programs which have been determined by OMB and USDA to be excepted;
- continuation of exempt activities funded through direct appropriations or other funding sources not dependent on the annual appropriations process;
- orderly shutdown of all other Federal activities and the transition to furlough status of all personnel who are neither exempt nor excepted; and
- status of State partner activities in FNS programs.

Excepted Programs: This plan reflects the continuation of the essential Federal activities and funding to maintain the core programs of the nutrition safety net, including the Supplemental Nutrition Assistance Program (SNAP), the Child Nutrition (CN) programs, and the Special Supplemental Nutrition Program for Women, Infants and Children (WIC). Additionally, other mandatory activities under the Food and Nutrition Act of 2008, including but not limited to Food Distribution on Indian Reservations and nutrition assistance block grants, will continue as will Commodity ordering and procurement activities in support of mandatory excepted programs will continue in conjunction with the Agriculture Marketing Service (AMS) to the extent permitted by multi-year and directly appropriated funds. FNS' disaster response activities under the Food and Nutrition Act of 2008 and the Stafford Act. These activities will continue to the extent that funds, as described above, are available to support those programs. Please see *Excepted Personnel Required for the Continuation of Excepted Programs and Activities* below for a discussion of the Federal staff associated with these programs and activities.

Exempt Activities: Funding for exempt activities is received independent of the annual appropriations process and, as such, is not subject to lapse. FNS currently receives a series of appropriations for activities within the Child Nutrition programs and for the Senior Farmers Market program directly from authorizing statute without need of annual appropriation action. These programs and activities will continue during a lapse in annual appropriations. Please see

Exempt Personnel Funded by Direct Appropriation below for a discussion of the Federal staff associated with these programs and activities.

Orderly Shutdown: All other direct Federal activities not associated with Excepted or Exempt programs and activities will cease during a lapse in annual appropriation. FNS will execute an orderly shutdown in a manner consistent with OMB, OPM and USDA guidance. Please see *Personnel for Orderly Shutdown* below for a discussion of the Federal staff associated with this activity.

Partner Activities in FNS Programs: FNS' partners (State agencies and other grantees) may continue operations during a lapse in appropriations utilizing legally available Federal resources previously provided to them or their own resources. For excepted or exempt programs and activities, funding and Federal support will continue. This may be on a limited or restricted basis. For other FNS program and activities all Federal support will cease for the duration of the lapse.

Excepted Personnel Required for the Continuation of Excepted Programs and Activities

USDA and OMB have jointly determined that there is Congressional intent that core programs of the nutrition safety net, including the Supplemental Nutrition Assistance Program (SNAP), the Child Nutrition (CN) programs and the Special Supplemental Nutrition Program for Women, Infants and Children (WIC) shall continue operations during a lapse in appropriations. Budget authority including: multi-year carry over funds; contingency reserves; and quarterly apportionment of funds by OMB under the continuing resolutions due to standard obligational patterns and the special mandatory payments provision have been apportioned by OMB to support program operations during the period of the lapse. To fulfill this Congressional intent, it is a necessary implication that a limited number of FNS employees be excepted from furlough to support program operations. These activities include, but are not limited to, program policy, operations, and financial management. In addition, in order to meet the requirements of the National Nutrition Monitoring and Related Research Act of 1990; and Agricultural Act of 2014, FNS will designate excepted staff working on the development of the Dietary Guidelines for Americans.

The number and mix of staff required to support these activities varies depending upon the point in the fiscal year in which the lapse occurs, any appropriation activity (including continuing resolutions) which preceded the lapse; the duration of the lapse and other programmatic considerations (e.g. disaster response). The following tables present two primary potential lapse scenarios and the staff required to support the continuation of excepted programs and activities in those circumstances.

During any lapse in appropriation FNS works to keep excepted staff to the minimum necessary to support program continuation. However, it is important to note that the operational environments of FNS programs are very dynamic. It is not possible to completely anticipate the number of staff and mix of skills required to respond to every challenge which may arise in the course of a lapse. FNS will use the USDA recommended recall process to bring furloughed staff back to duty to accomplish critical tasks on an as needed basis. Once that task is completed, recalled staff will return to furlough status. Further, excepted staff listed below in Tables 1 and 2 whose services are determined to be unnecessary for a specific lapse may be moved to furlough status at the discretion of the Administrator.

Table 1: Excepted Staffing Required to Support Program Continuation during a Short (up to three day) Lapse in Appropriations

Organization	Excepted Staffing
Administrator's Office	Administrator Chief of Staff to the Administrator Senior Associate Administrator for Policy
Office of the Chief Operating Officer	Associate Administrator and Chief Operating Officer
SNAP	Associate Administrator for SNAP Director, SNAP Program Development Division Director, SNAP Retailer Policy and Management Director, Program Administration and Accountability Division
Child Nutrition	Deputy Administrator for CN Programs Director, Policy and Program Development Division
Supplemental Nutrition and Safety (SNAS)	Deputy Administrator for SNAS Director, Supplemental Food Nutrition Program Division (SFNP) Director, Food Distribution Division (FDD)
Office of Financial Management	Chief Financial Officer Director, Budget Division Chief, Program Budget Branch Accountant, ASAP/AMA Certification Accountant, ASAP/AMA Certification Accountant, FRB/AMA Reconciliation
Office of Management	Director, Human Resources Division Director, Contracts Management Division Director, Operations and Facilities Division
Office of Information Technology	Chief Information Officer Director, Portfolio Management Division Director, Technology Division Director, Information Security Division Chief, Network Engineering Operations Branch Chief, Customer Service Branch
Office of Policy Support	Deputy Administrator for Policy Support Director, Communications Division
Regional Operations and Support	Associate Administrator for ROS Director, Office Emergency Management
Northeast Regional Office	Regional Administrator
Mid-Atlantic Regional Office	Regional Administrator
Southeast Regional Office	Regional Administrator

Organization	Excepted Staffing
Mid-West Regional Office	Regional Administrator
Mountain Plains Regional Office	Regional Administrator
Southwest Regional Office	Regional Administrator
Western Regional Office	Regional Administrator
Center for Nutrition Policy and Promotion	Deputy Director Designated Federal Officer

Table 2: Excepted Staffing Required to Support Program Continuation during a Longer Lapse in Appropriations and at Fiscal Year Start Up or Fiscal Year Quarter Change

Organization	Excepted Staffing
Administrator's Office	Administrator Chief of Staff to the Administrator Senior Associate Administrator for Policy
Office of the Chief Operating Officer	Associate Administrator and Chief Operating Officer Deputy Chief Operating Officer
SNAP	Associate Administrator for SNAP Director, SNAP Program Development Division Director, SNAP Retailer Policy and Management Division 5 additional excepted positions as needed
Child Nutrition	Deputy Administrator for CN Programs Director, Policy and Program Development Division
Supplemental Nutrition and Safety (SNAS)	Deputy Administrator for SNAS Director, Supplemental Foods Program Division (SFPD) Director, Food Distribution Division (FDD) Chief, Funding Branch, WIC 4 additional excepted positions as needed
Office of Financial Management	Chief Financial Officer Director, Budget Division Chief, Program Budget Branch Budget Analyst Budget Analyst Director, Accounting Division Accountant, ASAP/AMA Certification Accountant, ASAP/AMA Certification Accountant, FRB/AMA Reconciliation Systems Accountant, FMMI Program Systems Accountant, FMMI Administrative

Organization	Excepted Staffing
Office of Management	Director, Human Resources Division Director, Contracts Management Division Director, Operations and Facilities Division 3 additional excepted staff as needed (PAR processor, master timekeeper, contracts specialist)
Office of Information Technology	Chief Information Officer Director, Portfolio Management Division Director, Technology Division Director, Information Security Division Chief, Network Engineering Operations Branch Chief, Customer Service Branch 2 additional excepted positions as needed (telecom, network, and program management)
Office of Policy Support	Deputy Administrator for Policy Support Director, Communications Division
Regional Operations and Support	Associate Administrator for ROS Director, Office Emergency Management
Northeast Regional Office	Regional Administrator Regional GMAS Director Regional SNAP or SNP Director Grants Management Specialist or Accountant (2)
Mid-Atlantic Regional Office	Regional Administrator Regional GMAS Director Regional SNAP or SNP Director Grants Management Specialist or Accountant (2)
SERO	Regional Administrator Regional GMAS Director Regional SNAP or SNP Director Grants Management Specialist or Accountant (2)
MWRO	Regional Administrator Regional GMAS Director Regional SNAP or SNP Director Grants Management Specialist or Accountant (2)
MPRO	Regional Administrator Regional GMAS Director Regional SNAP or SNP Director Grants Management Specialist or Accountant (2)
SWRO	Regional Administrator Regional GMAS Director Regional SNAP or SNP Director Grants Management Specialist or Accountant (2)
WRO	Regional Administrator Regional GMAS Director Regional SNAP or SNP Director Grants Management Specialist or Accountant (2)
Center for Nutrition Policy and Promotion	Deputy Director Designated Federal Officer 4 additional excepted positions as needed

Exempt Personnel Funded by Direct Appropriation

FNS staff funded by direct appropriation or other funding sources not subject to annual appropriations will be regarded as exempt and continue in duty status during a lapse in appropriations. As a part of the preparations for any potential lapse, the Office of Financial Management will identify all staff currently in exempt status and provide that information to the Administrator, the Director of Human Resources, and the Senior Leadership team. Exempt staff will be notified of their status and its implications prior to any lapse in appropriations.

Personnel for Orderly Shutdown

FNS will execute an orderly shutdown in a manner consistent with OMB, OPM and USDA guidance. Direct Federal activities not associated with excepted or exempt programs and activities will cease during a lapse in annual appropriation. All FNS employees will report for duty on the first regular business day following a lapse. Employees who are neither excepted nor exempt will engage in an orderly shutdown based on guidance provided by the Director of Human Resources. It is expected that basic orderly shutdown activities will be completed as expeditiously as possible after which staff will transition to furlough status.

A small subset of staff will be identified for their required roles in shutdown activities beyond the basic activities required of all staff. They will continue in duty status only as long as is required to complete the tasks for which they were identified after which they will transition to furlough status. As a part of the preparations for any lapse in appropriations the Director of Human Resources will, in consultation with Senior Leadership, compile a list of personnel with orderly shutdown responsibilities beyond the basic requirements for the approval of the Administrator. Staff designated as having responsibilities beyond orderly shutdown will be notified of their status and its implications prior to any lapse in appropriations.

Natural Resources and Environment (NRE)

Forest Service

Categories of Agency Activities

Agency activities during shutdown are identified in the below OMB categories.

- Category I: Compensation financed by a resource other than annual appropriations¹
- Category III: Necessary to perform activities necessarily implied by law²
- Category V: Necessary to protect life and property³

The Agency does not have any employees in these OMB Categories: Category II: necessary to perform activities expressly authorized by law, or Category IV: necessary to the discharge of the President's constitutional duties and powers.

Employees in Category I: compensation financed by a resource other than annual appropriations

These employees are financed from other available funds (the lapse in appropriations that occurs under a government shutdown only affects current-year discretionary appropriations). Initially *all* Agency employees would be in Category I, until funding for their specific activity is utilized/exhausted. If there is no funding available for their specific activity, or they are funded through annual appropriations, they would be furloughed. If funding for specific activities is available, employees who are either doing this work already or have it in their regular description of duties would continue to work. Other employees cannot be shifted to do work with the funds designated for specific activities. After funding for specific activities are exhausted, employees working on those specific activities would either transition to Category III or V, as appropriate, or be furloughed. See below for more information on funding for Category I and moving employees between Categories. Activities in Category I include:

1. Job Corps funding, as it is transferred from the Department of Labor and provided on a program year basis.
2. Permanent appropriations or trust fund accounts funded by collections and for which the agency already has received budget authority. Employees scheduled to work on activities that are funded out of permanent appropriations and/or trust fund accounts may continue to work on those activities. These accounts include, but are not limited to, Recreation Fees, Knutson-Vandenburg funds (KV/K2), Timber Salvage Sales, Reforestation activities and Nurseries. Consider the following points:
 - The work is already scheduled to be funded out of a "Perm or Trust" fund account

¹ This was previously employees in Category II – Activities not included in Category I and III; financed from available funds, where applicable (*exempt*)

² This was previously employees in Category I – Law Enforcement and Health and Safety (*excepted*)

³ This was previously employees in Category III – Protect Life and Property (*excepted*)

- There is adequate budget authority at the unit level to fund the employee(s)' salary
3. Cost recovery funds, non-appropriated dollars, for the processing and monitoring of several high priority critical infrastructure land use authorizations.
 4. Prior year balances will be used to (1) continue the management and maintenance of National Forest System lands for their sustained safety and use, including prescribed fire on a case-by-case basis and (2) to prepare for and manage wildland fires, including travel to and participation in necessary training.

Employees in these Categories: Category III: necessary to perform activities necessarily implied by law, and Category V: necessary to protect life and property

- These employees will normally work some or all of their normal tour of duty during a furlough. This usually includes emergency employees such as law enforcement as well as other employees designated as mission critical for the continuation of operations.
 - For example, a law enforcement officer is expected to work during their entire normal tour of duty to protect the land and people during a shutdown.
 - During a furlough, the time worked is coded as TC-74, with descriptor code 01. Time that is not worked is recorded with TC-74 only.
- **On-call employees in these categories are** placed in on-call status and are expected to work only when called by their supervisor to respond to specific emergency situations if they arise.
 - For example, a Human Resources Management (HRM) employee would not be expected to come in to work 8 hours each day during a furlough. However, if the employee is called back to work by their supervisor to process a workers' compensation claim by an injured law enforcement officer, then the HRM employee would be paid for the actual hours worked to process the OWCP claim.
 - During a furlough, the time worked is coded as TC-74, with descriptor code 01. Time that is not worked is recorded with TC-74 only.

Employees in these two Categories include:

- Fire Suppression including fire fighters and all necessary equipment costs and business support personnel to protect life and property; (Also see the below section on Fire and Aviation Management).
- Law Enforcement personnel and all necessary equipment costs to protect life and property.
- Emergency and Natural Disasters Response or Preparation (e.g., floods and avalanche safety via the avalanche prediction center).
- Protection of Federal lands and health and safety of the public via ski area administration.
- Protection of Federal lands, buildings, waterways, equipment and other property including pack and saddle stock and investments owned by the United States when the suspension of such activities would cause an imminent threat to human life and property. This includes nurseries, insectaries, tree seed labs and seed extractors, and the minimum level of staffing to administer permits and contracts needed for protection of National Forest System lands.
- All contracts in support of cyber security and infrastructure operations to support key

- positions and essential personnel.
- Protection of Research studies where lack of continuation measurements or maintenance would destroy or endanger validity of research findings. Includes, for example, green houses, and growth chambers.
- Collection and Payment activities for previous legal obligations. This includes one person at the financial center to process bill and payment transactions resulting from previous legal actions such as judgments and settlements.
- Emergency and Defense Preparedness.
- Response to hurricane season affected areas where a national emergency has been declared.

Forest Service line officers will provide direct support to these activities. A limited number of administrative, communications, information technology, budget, finance, and acquisition management employees may assist.

Human resources staff will address employee concerns such as pay and unemployment compensation. Additionally, staff may be brought out of furlough status as needed for emergency preparation or response; activities may vary depending on the season in which a government shutdown occurs. After a furlough and depending on whether Congress approves funding to retroactively pay Federal employees for the shutdown, HRM will provide guidance how to code timesheets for hours worked and for hours on-call during the furlough.

Adjustments between the Categories of Activities

The USDA Forest Service has identified a critical need for flexibility to modulate positions based on available and applicable non-appropriated funds. The business case for making this change includes 1) the need for sustainability of critical functions, and 2) high risk resulting from the nature of health and safety work. Without pay, employees may become unwilling to engage in hazardous work without compensation and distracted as personal financial obligations continue to grow.

Adjustments may be made to continue health, safety and protection of critical assets through paying employees when carryover funding is available. The adjustments will be made in the following manner:

At the onset of a lapse in appropriations, the USDA Forest Service will apply prior year funds, consisting of multiple Budget Line Items, to pay all 28,875 employees from unobligated prior year balances. Employees, including those providing business support functions during the furlough will be directly funded by the appropriate Budget Line Item.

On a daily basis, the Agency will assess and evaluate the approach based on duration of lapse of appropriated funding, safety and the situation on the ground.

Close Down Plan

The Agency estimates that it will take the agency five days to complete orderly close down procedures. Prior to Day 1, the following actions will be completed:

The Chief, Deputy Chiefs, Regional Foresters, Station and Area Directors and applicable Directors listed below will identify those functions that need to be performed that are solely associated with an orderly interruption of normal activities. Such functions may include but are not limited to:

- Identify measures to secure records, personal property, real property, and facilities that will be maintained and protected until appropriate disposition is accomplished.
- Draft communication strategy for communicating with Agency employees.
- Draft communication strategy for making contacts outside the Agency that is necessary to communicate our status.
- Identify all potential meetings, hearings and other previously arranged Agency business that may need to be cancelled.
- Identify all employees who will be performing activities as described above. This list will include employee name, title and function that the employee will perform.
- Identify what Chief Information Officer systems support is needed to maintain essential services and information technology infrastructure.
- Ensure Working Capital Fund (WCF) Nursery & Seed Extractory Facilities (and staff) have operation continuity plans in place due to the nature of their business and the potential harm to their stock.
- Coordinate with various financial staffs, such as the Working Capital Fund must be put in place to ensure proper communications are ready.
- Identify all employees in International travel status.
- Identify what instructions and procedures Human Resources Management will provide to employees for the period of the close down.
- Identify appropriate Department contacts for communications purposes and orderly close down of the agency.
- Initiate union bargaining over furlough related topics.
- Identify programs that “may” continue operating if funds are available (unobligated balances of all no-year or multi-year appropriations and new funds in mandatory appropriations), and plan for an orderly shutdown of such programs if such funds are exhausted during the period of the close down. The existence of carryover or mandatory funding does not imply that employees “will” continue to work. This decision will be made on a case by case basis.
- Develop and issue field guidance for orderly shutdown of Forest Service activities.
- Coordinate shutdown activities with other Federal land management agencies through Department contacts.
- Identify all employees scheduled for training and provide instruction.
- Review and identify necessary actions outlined in Enclosure A – Guidance for: Fire and Aviation Management, Recreation, Timber Sale Contracts, Special-use and Grazing Permits, and Infrastructure Land Use Authorizations.

Tasks to perform first on Day 1 (first 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 or in travel status, “report” may be done by telephone.

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

- Communicate close down 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.
- Contact any employees on leave and communicate that their leave is cancelled.
- Contact any employee in travel status and direct them to return to their duty station, unless they are performing activities described above while in travel status.
- Ensure all employees complete timesheet entries and submit to approving official.
- Delay any employee transfer of station.
- Ensure all records; personal property and real property are secured.
- Cancel all meetings, hearings and previously arranged Forest Service business.
- Validate existing communication strategy and employee contact information for future communication need.

The Director of Human Resource Management will be responsible to:

Provide instructions and procedures to managers and supervisors for all employees during the close down period. This will include provisions for call back of employees in the event it is determined they are needed to complete close down procedures.

- Provide specific instructions for employees to complete a final time and attendance report.
- Ensure individual furlough notices will be prepared, reviewed and approved.
- Ensure all employees timesheets are processed by the National Finance Center.
- Delay hiring of new employees.

The Director of Acquisition Management will be responsible to:

- Identify all contracts necessary to support ongoing activities.
- Identify contracts that do not need to be administratively suspended due to applicable conditions (for example, full funding obligated, fixed price, no government facility requirements, and supply/software maintenance contracts.)
- Coordinate with all contracting officers and contracting officer technical representatives to notify all contractors and vendors that work is suspended unless contracts are in support of ongoing activities.

The Chief Information Officer (CIO) will be responsible to:

- Identify IT and land mobile radio (LMR) support is needed to maintain essential IT and radio communication services and infrastructure.
- Ensure that all contracts in support of cyber security and infrastructure operations are funded and will continue to operate and support essential functions across the Agency.
- Coordinate with the Forest Service Resource Information Managers (RIM) regarding essential IT systems and applications and maintain a consolidated list for the Agency.
- Coordinate with USDA Office of the Chief Information Officer to ensure essential systems and infrastructure, provided as a service by the Department, are available.
- Continue to serve as the USDA Executive Agent for radio frequency and spectrum management; ensure appropriate staff are available to execute this role for the Department.
- Provide employees with information pertaining to the availability of applications and servers, and how to request assistance through the Customer Help Desk.
- Answer questions and providing clarifying guidance on how to secure government furnished equipment and the appropriate use of government technology (i.e., laptops, cell phones, and tablets) during a shutdown.
- Coordinate with the Office of Communications to ensure the appropriate text banner and information are displayed on externally facing Forest Service web sites.

Tasks for Day 1- Managers and supervisors will coordinate the following:

- Document the status of cases and projects so that they can be resumed, transferred, or otherwise appropriately handled when the Forest Service's ultimate funding situation is determined.
- Prepare files for permanent storage, transfer to related agencies, or other disposition.
- Complete identification of employees whose presence at work will be required to perform functions associated with the orderly cessation of program activities. This includes:
 - Name of each employee required to continue shutdown operations,
 - Title of each employee identified, and
 - The termination function that each identified employee is to perform.
- A finalized listing of employees identified whose presence at work is required will be submitted through the Regional Forester, Station Director, Area Director or Washington Office Deputy Chiefs to Deputy Chief for Business Operations no later than the end of Day 2.
- Contracting Officers and contracting officer technical representatives will continue to contact all contractors and vendors to let them know work is suspended.

Tasks for Day 2

- Employees who were previously identified as required to perform functions necessary for orderly shutdown of program activities will report for work.
- Employees leading, directing and performing work identified above, 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 Chief, through established channels, of completion of such shutdown function, 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 Chief's Office on the status of the close down procedures with the Department contact and the field leadership. Agency leadership will communicate regularly with Office of the Secretary and the Under Secretary for Natural Resources and Environment regarding Forest Service plans and status.

Task for Day 3 and until completion of close down procedures:

- Employees who were previously identified as required to perform functions necessary for orderly shutdown of program activities will report to work.
- Employees leading, directing, and performing work as identified above will continue to work.
- Employees will be directed to perform only those activities as enumerated earlier.
- Employees completing close down functions, continue tasks as outlined under Day 2 for each succeeding day until the Chief determines the shutdown is complete.
- There will be daily communications by the Chief's Office on the status of the close down procedures with the Department contact and the field leadership. Agency leadership will communicate regularly with OSEC and NRE regarding Forest Service plans and status.

Guidance for: Fire and Aviation Management, Recreation, Timber Sale Contracts, Special-use and Grazing Permits, and Infrastructure Land Use Authorizations

The common principle that applies is that no regular work may occur by Federal employees during a lapse in funding or "shutdown". An exception is made for employees to provide for public health and safety, protection of federal assets, and work involved with an orderly shutdown of agency operations and they will continue to work. Further, limited activities will also continue, using available non-appropriated funds and based on a number of considerations.

Fire and Aviation Management (FAM)

In addition to on-duty fire fighters, work by FAM under a shutdown will also include:

- When relevant, aviation inspections scheduled with airtankers, light fixed wing aircraft and helicopter vendors.
- Where relevant, fire hire for the upcoming fire season, adding HRM staff to ensure qualifications are assessed and offers are being made.
- Prescribed burns already underway would continue but there would be limited new prescribed fires (assessed on a case-by-case basis).

- Any critical fire training academies or other trainings to prepare fire responders for the nation's 2019 fire suppression and emergency response needs.
- Support personnel required for fire preparedness and suppression that is commensurate with appropriate activities. This includes, but is not limited to, Business Operations and CFO expertise.

Recreation Management: Principles to guide decisions regarding recreation operations and permit administration & key messages:

- An operation requiring the presence of a Forest Service employee that is required to protect land or property, and that cannot be done through the closure of an area to protect that asset, will continue. Other operations requiring the day-to-day presence of a Forest Service employee, and not required to protect land or property, will be suspended; this includes suspensions of recreation management operations requiring the day-to-day presence of a Forest Service employee.
- Law enforcement will continue to work, and will perform the majority of the asset protection and public safety work. Minimal recreation staffing may continue if needed for those objectives.
- Field units will ensure cross-agency consistency for special use permits that cross jurisdictions, with the lead agency's direction followed.
- Minimal personnel can continue to work for the first 48 hours of the shutdown for Agency Operated campgrounds and other currently occupied sites to ensure orderly shutdown and protection of facilities (see below).
- The source of funds for personnel is a consideration. For example, employees funded through fee retention may be considered for those who would continue to work through the shutdown. Federal Lands Recreation Enhancement Act (FLREA) funds can be used to execute the functions identified under the spending constraints of FLREA. FLREA allows spending in seven categories, all of which are directly related to the sites or services where visitors pay fees. Not all categories should be considered as "essential" to keep recreation sites and facilities open for safe public use.

Recreation Special Use Authorizations:

Generally, these authorizations will not be suspended during the shutdown. There may be exceptions when Forest Service presence is required for monitoring specific activities on a day-to-day basis. Permits may be suspended where public health & safety protection provided by Forest Service personnel is integral to the day-to-day management of the area operated by the concessioner. Such determinations should be carefully made on a case-by-case basis and if it is determined that activities must cease, closure can be implemented through a temporary suspension of the permit. The same principles apply to Ski Areas, Outfitter & Guiding permits and Special Recreation Event permits. These authorizations will not be suspended except when Forest Service employee presence is required for safe operation on a day-to-day basis, in the short term, if permittees can meet permit stipulations without Forest Service employee presence. For special recreation events, if protection of public health and safety such as crowd control or other actions is needed, and the permittee can provide that through private means, then the event can be sustained.

No processing associated with applications for new permits, re-issuance of permits, or modifications of permits beyond actions required to accomplish the above direction will occur.

Interpretive Associations:

As these generally operate within Forest Service offices and visitors centers, they would be shut down. Association activity not dependent on Forest Service facilities or presence may continue.

National Recreation Reservation System (NRRS):

NRRS will remain open.

Volunteers:

All volunteer activities should be discontinued during the shutdown. Volunteers who are housed in Forest Service housing will be allowed to remain there but will not do any project work or be otherwise compensated. See note on campground hosts below.

21st Century Conservation Service Corps, Public Lands Corps, Resource Assistants and Other Partnerships:

Projects which are authorized and already codified through existing participating, challenge cost share and/or cooperative agreements and for which Federal funds have already been obligated may continue if the work is performed in a location other than on Forest lands or in a Forest Service facility and does not require the day-to-day presence or engagement of a Forest Service employee. All projects on public lands and in federal government facilities are discontinued for the duration of the furlough.

Forest Service Operated Campgrounds and Other Developed Recreation Sites that Require Forest Service Maintenance:

They will remain open, as determined necessary by the local line officer, utilizing FLREA funding. This includes keeping recreation sites in safe operating condition, restroom facilities serviced, and identifying or repairing unsafe facility conditions (i.e., campgrounds, boat launches, and picnic areas).

Forest Management - Subject to available funding.

Administrative Considerations

When identifying which activities will be continued during the shutdown, administrative support needs to be considered to ensure operations can be totally implemented. As the tasks and staffing are identified, personnel must have the qualifications and access necessary to continuing operations. An example is if timber sale awards will be continued, appropriate staff that can receive bids with access to mail delivery will be needed. A staff member that completes free-use permits will need access to generating the permits. Support staff should include radio dispatchers, maintenance workers, office business support and Line Officers for the purposes of employee safety, and back up for contract business operations. Consider the appropriate timeframe that will be needed for administrative staff within the first 5 days, 5-10, 10-20, and beyond 20 days.

Timber Sale and Stewardship Contracts

Each Forest Service Supervisor's Office will make an assessment of the timber sale contracts, Stewardship Contracts (IRTC and IRSC), and Stewardship Agreements that are active and their relative complexity and environmental sensitivity. Determinations about whether to suspend operations will be made on a case-by-case basis. If there is a need to suspend contract operations, please inform and coordinate activities with WO-FM. Funds not dependent on annual appropriations should be identified immediately before the furlough or as soon as possible after the furlough begins. If an orderly shutdown is required, it should be done in a manner that protects public health and safety and federal resource assets and meets environmental concerns.

Projects conducted under Good Neighbor Authority agreements may continue.

All active timber sale contracts, Stewardship Contracts (IRTC and IRSC), Stewardship Agreements, and service contracts that are directly connected to timber harvesting may continue as long as contractual obligations from both the Purchaser and Forest Service can be fulfilled. If conditions change during the shutdown, additional activities may be suspended on a case by case basis. If operations cannot be sustained (such as the financial systems not being operational to allow for bills to be processed), a shutdown of operations will also be necessary. AQM Contracting Officers for service contracts (including IRSC), Grants & Agreement specialists for grants and agreements, and Timber Sale Contracting Officers should coordinate their actions to provide a consistent message across each Forest. Consideration should be given to what contractual obligations the Forest Service are unable to fulfill and in consultation with WO-FM to determine if there are alternatives before suspending contract operations.

If *new* timber sale awards are allowed to continue during the shutdown, the bid opening processes and awarding would need sufficient staffing to fully conduct this business. Field-going timber sale administrators, Forest Service Representatives, Contracting Officers, Resource Accounting Specialists and Assistants would be retained as needed. Additional administrative staffing for office support may be needed as well, including USPS mail delivery and processing, as well as bid custodian, Contracting Officer and any needed security staffing.

Reforestation Activities - Tree Planting Contracts

All tree planting contracts as well as site preparation service contracts, funded through Knutson-Vandenberg or Reforestation Trust Fund that have been awarded and have any needed performance bonds in place will be allowed to continue to operate.

Nurseries

Working Capital Fund (WCF) Nursery & Seed Extractory Facilities and staff (positions/work being paid by the WCF) should continue operations. Further, certain positions at other non-WCF facilities, such as the National Seed Lab and the National Forest Genetics Lab, may be considered necessary to protect property/perishable products.

Regional staff, responsible for working with the nurseries should ensure that coordination with the WCF staff at ASC is in place and an understanding of the needs of their nursery.

Permits

The two most common forest products permits are for firewood and special forest products.

Sale of these permits would be suspended with a furlough except for special sales or emergency situations where permits for firewood or special forest products were to be issued to protect public health and safety. Business office staffing would be required to allow for permits to be issued, including staffing for TIM and financial systems. The issuance of Free Use permits under 36 CFR 223.5 would be authorized as per the January 15, 2019 letter. Permits already sold to the public will still be in effect. Third party vendors may continue to sell permits under established agreements. Enforcement of the terms of these permits will only be by agency personnel considered essential (Law Enforcement), unless field units have agreements with local law enforcement agencies.

Lands and Realty Management - Subject to available funding

Employees working on high priority critical infrastructure land use authorizations will continue to work. Such projects include, for example, electric transmission lines, roads, communication sites, and hydropower facilities. Specifically, the field staff permit administrators for the projects listed below should continue to process the permits and be paid using non-appropriated cost recovery project funds in the event of a lapse in appropriated funding.

National Forest System land use authorizations: Special use permits that do not require day-to-day Forest Service employee administration and will continue without interruption. New applications for special uses authorization (outside of those mentioned above) will not be accepted during the shutdown and pending applications will need to be deferred until the shutdown ends.

Grazing Permits - Subject to available funding

On-going grazing: In general, there is no need for daily oversight of those operations. Court mandated periodic oversight/monitoring would need to continue to be able to comply with court direction, but these are unusual, currently there are less than five of these nationwide.

Permitted grazing, but not yet authorized through billing:

Employees who administer grazing permits would not continue to work (other than court-mandated activity as described above) and would be on furlough. New turnouts for grazing would not be authorized to begin during the shutdown.

Wild Horses and Burros (WH&B) - Subject to available funding

WH&B in FS facilities

If there are wild horses or burros in FS possession and care, their health and safety must be maintained, and staff needs to continue to work. This may be rare but could occur on two forests.

WH&B legal considerations

Statutorily, the FS is required to protect wild horses and burros. There may be occasions that protection or law enforcement activities occur. Also, per statute, private landowners may call to have wild horses and burros removed from their lands and a response would be necessary. These are rare situations, but may occur, and someone may have to be available to respond.

NEPA and Land Management Planning

NEPA and Land Management Comment Periods

Line officers have the discretion to extend or establish additional comment periods if comment collection is impacted or information necessary to provide comments, such as documents posted on the web, is not available due to the lapse in funding. If line officers determine that comment periods will not be impacted, they may continue as normal.

Administrative Appeals and Objections

The decision to add or restore time to any appeal or objection filing, review, or disposition is at the discretion of the line officer with Regional Forester Approval. Deadlines that are not impacted by the lapse in funding, may not require restoration of time. The Regional Forester's decision should consider impacts created by closures of offices and public access to agency personnel during the period, potential controversy associated with the project or plan, and any subsequent communication with affected appellants or objectors that occurs during or after the lapse in funding.

Impacts of the Shutdown

In the event of a lapse of appropriated funding, below are selected examples of some of the potential impacts on mission and public services that would occur:

- **Fire Preparedness:** While fire preparedness for the 2020 fire year including the employment and training of the firefighting workforce is currently an activity where staff need to remain on the job, impacts to fire readiness may increase. For example, critical vendors, including those that supply aircraft, engines and ground crews, may be unavailable for suppression activities as a result of an inability to pay invoices. If the lapse in appropriations continues for an extended period of time the agency may be unable to pay firefighters to respond to incidents.
- **State Grants for Forest Management and Wildland Fire Preparedness:** Grants which provide funding for hazardous fuels treatments, assistance to private landowners, insect and disease treatments, other forest management activities on state and private lands and support to state and volunteer fire departments may be delayed. In addition, state and

local fire departments' ability to train firefighters and acquire necessary equipment may be delayed and states and other cooperators will not receive reimbursement for ongoing forest management work on non-federal lands.

- **Secure Rural Schools Funding:** Payments may be delayed and would impact 747 counties in 41 states and the Commonwealth of Puerto Rico for transitional assistance to rural counties affected by declining timber sales, on Federal lands.
- **Law Enforcement and Investigations:** Reimbursements may be delayed for more than 500 state, local and tribal law enforcement partners for safety services they performed on National Forest System lands through cooperative law enforcement agreements. As a result, state/local/tribal patrols and dispatch services for agency Law Enforcement and Investigations officers could be diminished.
- **Timber sales and Work to Improve Forest Conditions:** Timber sales that were active at the time of shutdown continue to be administered until paid units are completed. Limited new timber sales or units, on existing sales, would take place if possible, from available funding. Broader impacts to the program are to timber sale offerings, awards, and preparation work for upcoming scheduled sales. Regulatory reform actions including new categorical exclusions that would streamline environmental analysis for forest management decisions and actions may be delayed.
- **Hazardous Fuels Treatments:** Hazardous fuels treatment to reduce fire risk to communities and landscapes is impacted by a lapse in appropriations. Some of this work could continue with available funding, primarily mechanical fuels treatment. Prescribed fire may take place, but only under limited circumstances given the need for resources that may not be available during the shutdown. If a lapse in funding continues for an extended period of time at least 400,000 acres of prescribed fire treatments will be impacted, making it difficult to recover later in the fiscal year, as there will be fewer "windows" in which conditions are favorable and safe for conducting prescribed fire.
- **Special Use Permits:** Using the FY2019 furlough as a benchmark, if furloughed for the same number of days in FY 2020, the agency would be unable to process roughly 500 recreation special use permits a month (recreation events, outfitter and guides), an estimated \$33 million is lost in revenue to permit holders. For example: (1) environmental review actions on at least three ski area permits may be delayed, preventing ski areas from moving forward with changes to their permits and (2) efforts to address rural broadband access may be delayed at least 45 days, including joint regulatory reform efforts between DOI and USDA related to streamlining permitting process as well as assessing permit fee structure.
- **Recreation Sites:** Revenue loss on recreation fees paid to the Forest Service is estimated at \$216,807⁴, reducing the Forest Service's ability to provide customer service for

⁴ Based on data for the past three years, FS averages about \$3.324 million recreation fee revenue collected in the month of October.

recreation sites. When normal federal operations resume, units would need to address detrimental effects of increased vandalism and waste on an estimated 3,300 recreation sites.

- **Minerals:** Using the FY2019 furlough as a benchmark, if furloughed for the same number of days in FY 2020, completing regulatory reform agenda items, which are designed to streamline policies for locatable minerals and oil and gas leasing, would be delayed. For example, staff work to complete environmental review and approval on five large mining projects—two in Idaho, two in Arizona, and one in Minnesota— would delay at least 45 days.
- **Research:** Statewide forest inventories which are used by land management agencies, forest industry and private landowners to inform decisions and actions, would be delayed. Research support for shared-stewardship work to improve forest conditions has also been impacted including scenario planning for priority fuels treatments and timber market analyses.

Food Safety

Food Safety and Inspection Service (FSIS)

FSIS Excepted Activities under Continuing Operations:

Appropriated Activities

Those direct functions excepted to ensure that the Nation's commercial supply of meat, poultry, and processed egg products is safe as required under the authority of the Federal Meat Inspection Act (FMIA), as amended; the Poultry Products Inspection Act (PPIA), as amended; and the Egg Products Inspection Act (EPIA) as amended. This includes the daily on-site inspection presence, regulatory enforcement and product testing in the laboratories. In addition, in cases where these functions are performed by State employees (under the Federal State Cooperative Act, Talmadge-Aiken), the activities are considered excepted. These activities are excepted as necessary to protect life.

Reimbursable Work for Industry

The agency performs reimbursable work for industry (non-federal partners) as authorized by the Agricultural Marketing Act of 1946; the Federal Meat Inspection Act (FMIA), as amended; the Poultry Products Inspection Act (PPIA), as amended; and the Egg Products Inspection Act (EPIA) as amended. None of these reimbursable activities are funded under an appropriation prior to reimbursement, and, therefore, are not affected. The agency will continue to offer those services to industry and will maintain the appropriate supervisory, administrative and technical support as necessary. Further, because these activities are funded by non-appropriated sources the agency plans to make actual disbursements from these funds during a partial shutdown.

Designation of Excepted Functions for Continuing Operations

Based on OMB Circular No. A-11, two of the five categories of employees excepted from being furloughed apply to FSIS:

- Category 1: Their compensation is financed by a resource other than annual appropriations;
- Category 5: They are necessary to protect life and property.

FSIS positions fall into three groups:

Excepted, on duty. This includes employees retained to *protect life and property*. FSIS was advised that food safety activities fall under OMB Category 5.

Not paid by appropriated funds. This includes positions *whose compensation is financed by a resource other than annual appropriations* and therefore not affected by a furlough. This is synonymous with OMB Category 1.

Non-excepted, on call. This includes all other FSIS employees. The Antideficiency Act prohibits voluntary services and employment of personal services exceeding what has been authorized by law. Therefore, all personnel not designated as excepted will be furloughed.

FSIS has identified its State Meat and Poultry Inspection (MPI), Cooperative Interstate (CIS) and the Talmadge-Aiken (TA) programs as excepted functions. All employees in the Talmadge-Aiken program are State employees who perform field inspection of meat, poultry and processed egg products in Federal plants. All employees in the CIS and MPI programs are State employees who perform field inspection of meat, poultry and processed egg products in State plants. The agency has identified these activities as excepted commensurate with the identical activities performed by Federal employees.

Following is summary information on the excepted functions.

Field inspection of meat, poultry and egg products: The following direct field staff functions will be performed to ensure the safety of human life for the duration of a government shutdown:

1. Inspecting before and after slaughter those birds and animals intended for use as food for humans and supervising the further processing of meat and poultry products.
2. Ensuring that meat, poultry, and egg products are safe and preventing the movement or sale in commerce of any meat or poultry products which are adulterated.
3. Applying foreign governments' inspection requirements and procedures to verify that products exported from the United States are safe (including foreign audits of FSIS regulated establishments).
4. Conducting emergency operations in connection with the voluntary recall of meat or poultry products contaminated with drug or chemical residues, other adulterants, or microbial contamination.
5. Conducting epidemiological investigations based on reports of food-borne health hazards and disease outbreaks.
6. Monitoring allied industries to prevent uninspected or adulterated meat, poultry and egg products from illegally entering channels of commerce.
7. Providing pathological, microbiological, chemical, and other scientific examination of meat, poultry and egg products for disease, infection, contamination, or other types of adulteration.
8. Conducting a microbiological monitoring and surveillance program.

Enforcement/Food Safety Surveillance and Investigations. To ensure that the Nation's commercial supply of meat, poultry, and egg products, is safe, wholesome, and correctly labeled and packaged FSIS employees may be required to conduct emergency and significant incidents and/or other services. Excepted activities may include:

1. Traceback/traceforward foodborne illness outbreak investigations.
2. Initiation of recall or performance of recall effectiveness checks.
3. Response to and recovery associated with natural disasters or intentional contamination.
4. Conducting surveillance that cannot be rescheduled.
5. Conducting state and foreign audits required to ensure meat, poultry, and processed egg products entering our food supply are safe.
6. Surveillance required to support OIG and investigations in accordance with agreements.
7. Deposition or testimony scheduled at the direction of the U.S. Attorney.

8. Representing the Agency at MSPB hearings.

Support of excepted activities. The following functions are excepted because they are necessary to support excepted activities:

- Agency-wide. The agency must ensure adequate senior level management and coordination of the agency's public health responsibilities during a shutdown. Excepted activities include responding to intentional and unintentional food safety events. A small number of individuals will support these activities for the duration of the shutdown, while others will be available on-call if such an event occurs, including recall staff, scientists; recall communication specialists, significant incident specialists.
- Office of Public Health Sciences (OPHS). In addition to those excepted activities identified above, several supporting activities must be excepted; for example, laboratory equipment maintenance and repair, sample handling, maintaining certifications, quality control, maintaining adequate levels of needed supplies, and providing scientific expertise on issues related to life.
- Office of Management (OM)
 - Excepted functions are those necessary to maintain and support personnel performing excepted activities to protect human life, and actions necessary to support Office of Workers' Compensation Programs (OWCP); unemployment compensation claims; actions necessary to respond to death cases; health benefit processing for employees with significant life events; medical screenings for excepted plant employees; and HR systems and data needed to support excepted activities etc.
 - Excepted functions include:
 - The acquisition and management of the inventory of replacement of personnel identified as excepted during shutdown through pre-employment processes, up to but not including entering on duty (EOD), until passage of appropriations, due to anticipated attrition.
 - Engagement with the exclusive representative of the bargaining unit employees, and designated third parties, to administer discipline, grievances, and charges of unfair labor practice, in accordance with statute and the collective bargaining agreement, which remain in effect during a lapse in appropriations.
 - Administration of Health Benefits for employees with significant life events and administration of benefits for employees who are deceased and/or retired, including those in the process of retiring.
 - Procurement actions necessary to support the excepted activities for the duration of the shutdown. These activities will be limited to those actions for which an obligation has already been made (e.g., providing instructions to a vendor to ship inspection supplies to a specific plant) or those "emergencies involving the safety of human life or the protection of property." The Antideficiency Act prohibits federal officials from obligating funds before an appropriations measure has been enacted, so generally no new contracts can be awarded during a shutdown. Staff from

- other FSIS offices will be excepted to ensure that existing contracts funded with previous allocations are paid according to OMB guidance, which includes COs, CORs, and PMs as necessary.
 - Activities related to the protection of Federal property and records. Inventories of Federal property and records must be taken, and arrangements made to transfer their custody to GSA and OPM. OMB Bulletin 80-14 prohibits such transfer custody until 30 days of lapsed funding has transpired.
 - Management of purchase cards and fleet vehicles (only by those excepted employees carrying out excepted functions.) This includes one person with the ability to carry out purchase card activities for other program areas as needed.
 - Coordination for the delivery of supplies needed to carryout excepted activities.
 - Coordination of credentialing stations for excepted employees.
- Office of the Chief Financial Officer (OCFO).
 - Excepted functions are those necessary to maintain and support personnel performing excepted activities to protect human life, and actions necessary to support time and attendance processing and activities necessary to support excepted activities etc.
 - Excepted functions include:
 - Payroll processing for industry reimbursable overtime
 - Issuance of account statements and collection of receipts related to non-appropriated User Fees.
 - Payment to vendors for services rendered prior to the furlough or payments from non-appropriated funds.
 - Management of travel policy for those excepted employees carrying out excepted functions.
 - Management of travel cards (only by those excepted employees carrying out excepted functions).
 - Processing payments for preapproved relocation for excepted personnel.
 - Processing new relocations for employees who complete condition of employment training.
 - Monitoring of financial transactions and disbursements.
 - Providing direct support to excepted employees.
- Office of the Chief Information Officer (OCIO). Excepted functions include continued operation of information systems necessary to support excepted activities, including inspection and enforcement systems, cyber security, maintaining connectivity to the field, maintaining help desk support, among others.
- Office of Public Affairs and Consumer Education (OPACE). Excepted functions, include recalls, maintaining the import/export library on the FSIS website, providing notifications and information to FSIS employees through various communication channels, and monitoring the Meat and Poultry Hotline and Ask Karen for issues related to life and property.

- Office of Planning, Analysis, and Risk Management (OPARM). Excepted functions include sample scheduling; Public Health Risk Evaluation (PHRE) and Food Safety Assessment (FSA) scheduling; ensure PHIS alerts and reports are available for FSIS inspection personnel; state meat and poultry inspection personnel; and industry.
- Office of Employee Experience and Development (OEED). Excepted functions include preparing for, conducting, and finalizing required training for FSIS frontline personnel, including state and TA inspectors.
- Office of Policy and Program Development (OPPD). Excepted functions include provision of expertise on regulatory issues, providing guidance to frontline employees, ensuring labels for FSIS regulated products are reviewed, and foreign audits.
- Office of International Coordination (OIC). Excepted functions include providing expertise on international issues, foreign communications, supporting trade functions, and supporting foreign audits.
- Significant Incident and Preparedness Staff (SIPRS). Excepted functions include monitoring and responding to significant incidents involving life and property; ESF-11 functions; keeping FSIS Incident Management System (FIMS) operational; monitoring FIMS for IRs related to life and property; and maintaining the Emergency Management Committee (EMC) duty roster, maintaining COOP preparedness, and responding to food defense incidents.
- Internal Affairs (IA), Labor and Employee Relations (LERD), and Civil Rights Staff (CRS). Excepted functions include investigating cases related to the protection of life, property, and other activities that would inhibit FSIS' ability to perform required functions.

Guidelines for filling excepted functions. Consistent with Reduction in Force (RIF) and Furlough guidelines, seniority and the ability to perform the excepted function will be the primary consideration by managers in filling positions for excepted functions.

In the process of making determinations for excepted and non-excepted designation of employees, in addition to adhering to collective bargaining agreement requirements, all supervisors should also utilize equitable Equal Opportunity guidelines to ensure that one or more groups of employees are not unintentionally impacted by the selection process. Management must consider the importance of workplace diversity when making these personnel decisions in order to avoid the appearance of discriminatory practices.

On an annual basis, approximately 8,400 staff (including those whose time is reimbursable) are required for this effort. The agency will support these activities through its permanent full-time workforce and use of temporary and intermittent personnel as necessary to provide coverage. 8,000 of these staff are frontline, and they will be excepted for the entire period. The remaining 400 are management, support, and other duties outlined above, and these staff will only work the

number of hours needed required to perform their exempt duties (some will be full time, and others may only work a couple of hours).

Shutdown Impacts

- **Excepted Staff:** FSIS frontline staff (most are GS-5, 7, 8, and 9s) are impacted by missing paychecks; some run out of funds to purchase gas or make auto repairs to get to work. Frontline staff are required to travel but are not getting reimbursed for travel costs.
- **Expired Contracts:** Contracts expire at various points during the fiscal year, and contracts that expire during shutdowns result in lapse of services that can take long periods to replace
- **Cooperative Agreements for Inspection Services:** States may run out of funds to perform key inspection services. 27 states run Meat and Poultry Inspection (MPI) programs. 9 states run Talmage Aiken (TA) inspection programs. 5 states run Cooperative Interstate (CIS) inspection programs.
- **Regulations:** Policy priorities and initiatives, including deregulatory policies and modernization programs, get stalled.

FSIS Activities Prior to a Shutdown

FSIS activities prior to a shutdown may be summarized as preparing as much as possible to implement a shutdown, once OMB has notified USDA and USDA has notified FSIS. The following are critical preparatory activities for FSIS:

- The Administrator will ensure that a review of available funding and excepted functions and positions is conducted, based on the current state of the agency.
- The Administrator will ensure that a shutdown action plan, in chronological order, is developed to support this plan.
- The Assistant Administrator (AA) for the OPACE will prepare a Communication Plan for internal and external stakeholders. Employee communication will include questions about rights under grievance procedures, access to benefits, eligibility for workman's compensation and unemployment benefits and other concerns. Additionally, maintenance of the Emergency Contact Listing for FSIS Senior Executive staff, including phone numbers and email addresses for all staff members. External communication will include disposition and/or postings to hotlines, social media, web resources, and other tools.
- The OHR will prepare a comprehensive Human Resources Plan, including guidance on bargaining unit requirements, activities that must be performed to implement a furlough, and systems and processes that must be maintained to support excepted activities.
- The Chief Financial Officer (CFO) will coordinate with the Department's CFO on access to financial and feeder systems including WebTA, payroll systems, Financial Management Modernization Initiative (FMMI), eTravel and SmartPay for the travel card to ensure timely support for excepted activities as appropriate.
- The OHR and CFO will, consistent with Departmental guidance, develop agency-specific guidance for time and attendance reporting and payroll processing.

- The Director of ASD will develop a plan for procurement, including notifying contractors of their excepted and non-excepted status; and maintaining excepted procurement functions, including those necessary to support the excepted activities for the duration of the shutdown. These will be limited to those that actions for which an obligation has already been made (e.g., providing instructions to a vendor to ship inspection supplies to a specific plant) or those “emergencies involving the safety of human life or the protection of property.”

For Information Technology contracts, ASD will work with the Chief Information Officer (CIO) or their designee to include in their plan specific guidance on information technology-related contracts and agreements and shipping contracts to ensure the continuity of field operations and appropriate management IT development contracts.

ASD will also develop a plan for overseeing management of purchase cards and fleet vehicles (only by those excepted employees carrying out excepted functions.)

- The CIO will work with program areas to revise the list of FSIS applications and web site that will remain available and those FSIS applications and web sites that will not remain available during a shutdown. Once these are approved by the Office of the Administrator, they will be posted online by the Office of Public Affairs and Consumer Education as directed by USDA Office of Communications and the USDA Office of the Chief Information Officer. The CIO will work with the USDA CIO or designee to ensure USDA systems and other shared services will be available to support the Agency’s requirements during a shutdown.

Each AA is responsible for ensuring that all employees are designated by name as excepted or non-excepted employees so that they can be notified of their status.

- Consistent with Departmental and agency guidance, the OHR will be responsible for processing all furlough documents, including updates to furlough notices when non-excepted on-call employees are returned to excepted status. The USDA Office of Human Resources Management, Executive Resources Services will be responsible for processing furlough notices for all FSIS SES/SL/ST employees. In addition, the OHR will undertake a review of all outstanding offers to prospective employees with an effective date likely to be impacted by a shutdown and ensure that appropriate actions are taken. The OHR is also responsible for ensuring continuing availability of information to employees, bargaining unit and non-bargaining unit, on their administrative rights during a furlough.
- The CFO is responsible for ensuring payroll processing occurs for compensable time prior to the shutdown, including having the requisite financial staff in place to monitor funds availability.

FSIS Activities under an Orderly Shutdown

The following are the Agency’s plans for implementing an orderly shutdown, contingent on OMB and USDA approval to implement a shutdown.

- The Administrator will be responsible for ensuring that communication to the Management Council addresses the full scope of their responsibilities under a shutdown scenario as soon as appropriate after notification by the Department.
- Each day during the shutdown, the Administrator will conduct a meeting of senior excepted staff to relay and discuss any guidance from the Department and discuss any emergent issues.
- The Administrator is responsible for evaluating emergent needs as the shutdown continues and directing the recall of employees as necessary to meet operational requirements.
- The Administrator is responsible for ensuring that the agency's plan is implemented as established or updated to reflect new requirements.
- The Administrator or his/her designee will verify through contacts with each of the AAs that they, their managers, and the employees in their program area have received notification of the shutdown, of whether they are excepted or non-excepted, and of what they are to do on the first day of a shutdown.
- If a manager decides that he/she needs to return a non-excepted employee to duty, the manager will need to obtain the concurrence of the AA or his/her excepted designee. Once concurrence is received, the manager is to follow procedures provided by OHR in returning non-excepted employees to duty and tracking time worked.
- Consistent with Departmental and agency guidance, the AAs will ensure that, for their program areas:
 - All non-excepted travelers have returned to their duty station, unless the return disrupts an excepted activity;
 - All time and attendance records are complete;
 - All workstations, records and property are secured;
- Other actions as identified.
- Consistent with Departmental and agency guidance, the CFO will be responsible for ensuring availability of all financial systems necessary to support excepted activities.
- Consistent with Departmental and agency guidance, the Chief Information Officer (CIO) will be responsible for ensuring availability of all information technology systems necessary to support excepted activities and/or the orderly shutdown of systems that do not support excepted activity.

For succeeding days after a government shutdown, and on a daily basis, supervisors of employees performing excepted activities will assess the continued need for such employees and release them from duty if necessary, effective with the close of business.

FSIS Operational Plan for Lapse of Appropriations

This plan is subject to OMB and USDA guidance and may change based upon that guidance.

At least 7 Calendar Days Prior to Day 1, the following actions will be completed:

- The Administrator ensures that communication to the Management Council addresses the full scope of responsibilities under a shutdown scenario as soon as appropriate after notification by the Department.
- The Administrator ensures identification of appropriate Department contacts for communications purposes and orderly close down of the agency; e.g., who at USDA will notify who at FSIS to initiate shutdown procedures in motion or to confirm that a shutdown will not be necessary.
- The Administrator ensures that a review of available funding and excepted functions is conducted, based on the current state of the agency. A summary of applicable authorities for functions is prepared.
- The Administrator ensures identification of excepted positions necessary to carry out excepted functions. Consistent with RIF and furlough guidelines, seniority and the ability to perform the excepted function are the primary considerations used by managers to identify excepted positions. This is to be done in a consistent and fair manner in compliance with applicable personnel regulations and Equal Employment Opportunity Commission (EEOC) guidance to ensure that one or more groups of employees are not unintentionally impacted by the selection process. Management also is to consider the importance of workplace diversity when making these personnel decisions in order to avoid the appearance of discriminatory practices. Positions are identified by job title, classification and any other information, such as pay band and duty station, needed to distinguish excepted positions from similar non-excepted positions.
- The Administrator ensures that a thorough assessment of the practical implications of a shutdown on non-excepted and excepted activities is conducted; e.g., impacts on labor management relationship, contracting, hiring. This assessment is used to inform planning and communication.
- The Administrator ensures that procedures are defined for communicating with State Meat, Poultry, and Egg Inspection Agencies so that they can administer programs in a manner to effectuate programs as defined in the Federal and State Cooperation provisions of the FMIA, PPIA, and EPIA, Talmadge-Aiken Act, and Cross Utilization agreements during an emergency shutdown; so that the cost for providing this service to the Agency under an emergency shutdown can be determined; and so that the Agency can appropriately reimburse the State Agency for work done under an emergency shutdown.
- The AA for OPACE prepares a Communication Plan for employees and other internal and external stakeholders on Agency operations and critical issues. External communication includes postings to hotlines, social media, web resources, and other tools.

- The Director, OHR, consistent with OPM and Department guidance, implements a comprehensive Human Resources (HR) Plan, including guidance on administering the collective bargaining agreement for bargaining unit employees, and guidance on activities that must be performed to implement a furlough, and systems and processes that must be maintained to support excepted activities. Employee and supervisor HR communication materials will address questions about rights under grievance procedures, rights for bargaining unit employees, access to benefits, eligibility for workers compensation and unemployment benefits and other concerns. The Agency will notify all employees of their excepted or non-excepted status.
- The CFO coordinates with the Department's CFO on access to financial and feeder systems including WebTA, payroll systems, FMFI, SmartPay, and IAS to ensure timely support for excepted activities as appropriate.
- The CIO identifies what system support is needed to maintain essential services and information technology infrastructure.
- The Director, ASD identifies measures to secure records, personal property, real property, and facilities that will be maintained and protected until appropriate disposition is accomplished.
- The AA for OFO will coordinate with OHR and OA to organize work unit meetings (WUM) in the week leading up to the potential shutdown lasting no more than 30 minutes.
- Each AA identifies all potential meetings, hearings, and other previously arranged Agency business that may need to be cancelled.
- Each AA identifies all employees that are to be in travel status on Day 1 of anticipated shutdown, so that they can be quickly alerted if they need to return to duty station.
- Each AA updates emergency telephone lists for the units in their program.

3 Days Before Day 1:

- OHR begins preparing furlough notification letters for all employees to be furloughed.
- Ensure at least two excepted employees have access and are monitoring eCop to quickly react to and distribute new department guidance as it is received.
- Alert all employees of possible furlough and their status. Because of the geographic dispersal of the workforce, FSIS will send a brief, one-page alert to all employees signed by the Administrator or Under Secretary and including only the most basic information: why we may need to take this action; categories of excepted employees; categories of non-excepted employees; how employees will be notified if they are actually furloughed; instructions for Day 1 – report to duty station or, if teleworking, report in to supervisor.
 - Director ASD, creates a master list of essential and non-essential contracts.

2 Days Before Day 1:

- Provide all managers with an Agency alert (OPACE) on the possible upcoming shutdown and HR information packages (OHR) to disseminate to their subordinate supervisors. Packages include samples of all materials that will be provided to employees: for example; sample furlough letter, sample letter confirming employee will not be furloughed; procedures for call-back if furloughed employee is required to work.
- Hold teleconference with managers and supervisors to alert them of a possible furlough; go over package, address questions and confirm understanding.
- Supervisors alert employees in travel status that they may need to return to duty station in 2 days; confirm how they will be reached or who they should call or final instructions on Day 1 if travel cannot be concluded before Day 1.
- Managers and supervisors coordinate activities to prepare for potential shutdown, such as: 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; identify and stage files for potential boxing and storage or transfer.
- Director ASD, provides pre-notification to vendors that their contracts will or won't be considered essential if there is a shutdown. Holds a phone meeting with all FSIS CORS to provide guidance on dealing with contracts and contractors in the event of a shutdown.

1 Day Before Day 1:

- Resolve and document answers to new questions and concerns; dialogue among managers, supervisors, to minimize confusion. (All)
- Supervisors notify employees as to their furlough or non-furlough status: face-to-face, telephone, e-mail notification. This notification will be complemented by written notification. Supervisors should make sure that they have contact information for all employees (including personal e-mail addresses where possible).
- Finalize processing of materials for internet, intranet posting, door signs, e-mail dissemination, phone message from Administrator or Under Secretary. Ensure at least two exempted FSIS employees have access to external communication platforms. (OPACE and OM)
- Provide updated EMC duty roster with exempted employees serving on the EMC (Significant Incident and Preparedness Staff (SIPRS))
- Provide COOP employee contract information (SIPRS)
- If required, provide a list of FSIS staff (names and buildings) who need access to federal buildings during a shutdown to OO (OM)

Day 1

- The Administrator is responsible for ensuring that the agency's plan is implemented as established or updated to reflect new requirements.

- Verify that all public notification materials and employee guidance materials are posted on internet, intranet as appropriate. (OHR/OPACE) (To enable at least 4 hours of viewing by employees.)
- Director, ASD, coordinates with all contracting officers and contracting officer technical representatives to notify all contractors and vendors on non-essential contracts that work is suspended. This work may continue into Day 2.
- All employees report to their supervisors to receive assignments of duties or pertinent information for an orderly shutdown. For those employees teleworking, “report” may be done by telephone. Where possible, telework should be encouraged. Shutdown activities will normally not take more than 4 hours, though more time or less may be necessary as determined by the supervisor.
- Supervisors begin shutdown tasks, including ensuring that:
 - All records, personal property and real property, including workstations, are secured;
 - All employees, excepted or not excepted, complete appropriate T&As for pay period involving furlough using Agency-specific instructions consistent with Departmental guidance;
 - Instruct non-excepted employees to monitor the status of the government shutdown and agency operations primarily via the Office of Personnel Management (OPM) website (www.opm.gov);
 - All non-excepted employees put out-of-office messages on their phone and email; and
 - All non-excepted employees leave the worksite as they complete shutdown activities.
- Supervisors contact any employees on leave and communicate that employee leave is cancelled. The employee can request permission from their supervisor to be absent, but they cannot be in approved leave status during the shutdown.
- Supervisors contact any employee in non-excepted travel status and direct employee to return to duty station.
- Managers, supervisors and employees cancel all meetings, hearings and previously arranged Agency business for Week 1 of shutdown.
- Validate existing communication strategy and employee contact information for future communication need.
- Excepted CFO employees record all current and prior year budget authority available for expenditure and all future budget authority and other reconciliations; review and adjust as necessary all apportionment and allocations, particularly for the reimbursable programs; confirm internal processes for interim payroll processing are complete; and oversee/sign-off on all financial reporting data and allocations.

- OHR begins preparing and distributing formal written notices to Assistant Administrators for further distribution to staff.
- OHR begins preparing and processing Personnel Actions for furloughed employees and for furloughed employees returned to work.

Day 2 -20

- The Administrator is responsible for ensuring that the agency's plan is implemented as established or updated to reflect new requirements.
- For succeeding days after a government shutdown, and on a daily basis, supervisors of excepted/on duty employees assess the continued need for such employees and release them from duty if necessary, effective with the close of business as shut-down tasks are completed.
- Each day during the shutdown, the Administrator will conduct a meeting of senior excepted staff to relay and discuss any guidance from the Department and discuss any emergent issues.
- If a manager decides that he/she needs to return a non-excepted employee to duty, the manager will need to obtain the concurrence of the Assistant Administrator or his/her excepted designee. Once concurrence is received, the manager is to follow procedures provided by their respective AA in returning non-excepted employees to duty and tracking time worked. At a minimum, the manager is to notify the returning employee in advance of the start date & time, duty location, and to whom the returning employee is to report to, along with an estimate of how long the employee will be needed to perform excepted duties.
- Only excepted employees report for work to perform excepted duties.
- Consistent with Departmental and agency guidance, the CIO is responsible for ensuring availability of all information technology systems necessary to support excepted activities and/or the orderly shutdown of systems that do not support excepted activity.
- Consistent with Departmental and agency guidance, the AA for OPACE is responsible for maintaining appropriate internal and external communication.
- Consistent with Departmental and agency guidance, the CFO is responsible for ensuring availability of all financial systems necessary to support excepted activities.

Further breakdown of all FSIS personnel, grouped as follows:

- **Excepted/ On Duty.** Personnel essential to the functioning of food safety operations in the nation's food supply, who would continue to perform services essential to public health during a government shutdown.
- **Not paid with appropriated funds.** Personnel either specially contracted or paid for through non-appropriated funding who remain on duty and are not affected by furlough.

- **Non-Excepted/ On Call (Furloughed).** Personnel normally needed for day to day operations during regular FSIS operations, but not likely to be needed during a government shutdown. Subject to recall to Excepted/on duty status.

Based on the FSIS established criteria, the agency anticipates that its workforce will break down into the following categories in the event of a government shutdown:

Within 24 hours of the notice of a Federal Government shutdown, and by the close of business on the applicable day, employees listed above as on duty and contractors will be identified and instructed to continue to report for duty until otherwise advised. Other employees will be notified that they will be on furlough effective with the close of business date as specified by the Agency and will not return to work until officially notified to report for duty by their supervisor. For succeeding days after a government shutdown, and on a daily basis, supervisors of excepted/on duty employees will assess the continued need for such employees and release them from duty if necessary, effective with the close of business as essential shut-down tasks are completed. Depending upon the extent of the period of time the agency is operating without funding; non-excepted employees will be on an “on call” basis and returned to work when required.

State MPI Programs

The Agency will share its criteria for establishing excepted duties, positions, and functions from its approved Agency Shutdown Plan with State Meat, Poultry, and Egg Inspection Agencies so that they can administer programs in a manner to effectuate programs as defined in the Federal and State Cooperation provisions of the FMIA, PPIA, EPIA, Talmadge-Aiken Act, Cross Utilization agreements during an emergency shutdown; determine cost for providing this service to the Agency under an emergency shutdown; and for Agency reimbursement to the State Agency under an emergency shutdown. The Administrator for OFO is responsible for communication with the states.

FSIS reimburses programs according to language in Cooperative Agreements that are signed at the start of each fiscal year. Cooperators are defined as State Agencies.

The following conditions exist for Cooperators administering programs in a manner to effectuate programs as defined in the Federal and State Cooperation provisions of the Federal Meat Inspection, Poultry Products Inspection and Egg Products Inspection Acts, and Talmadge-Aiken Act.

- A. The Cooperator shall:
 - Administer and enforce the State and meat and/or poultry inspections program, including recruiting, selecting and assigning, training and supervising State personnel.
 - Maintain complete accounting, property and program records and/or reports as required by 7 CFR Part 3015, FSIs Directives 3300.1 and 5720.2 depicting the status of the inspection program(s) within the State.
 - Compensate all State employees working under the terms of this agreement wholly from public funds of the State.

The following conditions exist for FSIS to support Cooperators administering programs in a manner to effectuate programs as defined in the Federal and State Cooperation provisions of the FMIA, PPIA, EPIA, and Talmadge-Aiken Act.

B. The Service shall:

1. Furnish the Cooperator with financial and other aid for the administration of such a program.

The following conditions exist for FSIS and Cooperators administering programs in a manner to effectuate programs as defined in the Federal and State Cooperation provisions of the FMIA, PPIA, EPIA, and Talmadge-Aiken Act.

C. It is Mutually Understood and Agreed that:

1. The amount to be contributed to the Cooperator under paragraph B(1), (2) and (3) of this Agreement shall not exceed 50 percent of the estimated total cost of the cooperative program established by this agreement or under any additional cooperative agreement, such as one entered into under the authority of the Talmadge-Aiken Act (7 U.S.C. 450), except for overtime expenses.

The following agreement exists for FSIS and Cooperators administering programs under cross utilization agreements provided for in Intergovernmental Cooperation Act of 1968. Under the statute, FSIS reimburses the State Agency for administering and enforcing Federal Meat Inspection, Poultry Products Inspection and Egg Products Inspection Acts.

The agency acknowledges that it will be incurring emergency obligations under a shutdown for the Talmadge-Aiken program.

Start-Up of Operations Plan

- The FSIS Shutdown Plan instructed employees to monitor the status of the government shutdown and agency operations primarily via the Office of Personnel Management (OPM) website (www.opm.gov).
- Unless it is a regularly scheduled non-duty day, or employee is absent due to leave that was previously approved, or on 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. Supervisors should use their discretion should notification arrive late in the evening.
- 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

FSIS has prepared for an agency start-up following an approval of 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 funding: Furloughed Federal employees receive notification via the OPM website that they should report for work on the next work day.

- Following approval of funding: The Director, Human Resources and Assistant Director, Labor and Employee Relations Division (LERD), Office of Human Resources Management (OHR), Office of Management will conduct a Labor-Management Teleconference to provide advance notice to union leadership, regarding the operational status of the agency.
- Day 1: 9:00 am EST – Joint meeting of the FSIS Management Council and Start-Up Team (members identified below) to initiate the Start-Up of FSIS Operations Plan
- Day 1: 1:00 pm EST – The FSIS Administrator will review the start-up plan with the Management Council and provide any new guidance from the Department.
- Day 1: 2:30 pm EST – COO, Assistant Administrator, Office of Field Operations, Assistant Administrator, Office of Management, Director, Office of Human Resources (OHR), Director ASD, Chief Financial Officer, and Chief Information Officer will review the start-up plan, focusing on specific guidance for human resources, time and attendance, contracting, budget and finance, and information technology (IT), and provide any guidance from the Department.
- Day 2: 9:00 am EST – Joint meeting of the FSIS Management Council and Start-Up Team to continue implementation of the Start-Up of FSIS Operations Plan
- Day 3: 9:00 am EST - Joint meeting of the FSIS Management Council and Start-Up Team to continue implementation of the Start-Up of FSIS Operations Plan
- Day 3: 1:00 pm EST — The 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: The Office of Public Affairs and Consumer Education (OPACE) will coordinate and oversee any external communication necessary post-shutdown.

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(s).
- 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.
- Inform supervisor of any issues that must be immediately addressed as a result of shutdown in order to resume operations.

Customer Service for Resumption of All FSIS Operations

The re-start of FSIS operations will be accompanied by many employee, customer, and partner questions and concerns. It is important for FSIS to provide timely and consistent information that is in keeping with statute, regulation, and policy, and that this information is accessible throughout FSIS.

A temporary cross-cutting Start-Up Team (“Team”) will be established and be available to address this need on Day 1 (and subsequent days) of the return of the FSIS workforce to duty status. The Team will be responsible for overseeing the implementation of the start-up plan; providing related policy and procedural direction; ensuring coordination and consistency across functional areas (human resources, financial management, information technology, property and procurement, programmatic, etc.); troubleshooting system and unique challenges; and monitoring progress related to restoring full operational status and in addressing employee, partner, and customer concerns.

The Team will work in a cohesive and coordinated manner to ensure timely, accurate, and consistent responses to shutdown/start-up questions from employees, customers, and partners. In addition, the Team will inform the Administrator and the Management Council of the status of its work and will elevate issues and opportunities that require higher level interaction or resolution. The Team will be disbanded when the Administrator has determined operations are back to normal and any major issues/challenges related to the shutdown have been resolved.

The makeup of the Start-Up Team will be as follows:

- Chief Operating Officer, Chair
- Assistant Administrator, Office of Management
- Assistant Administrator, Office of Field Operations
- Director, Office of Human Resources
- Director, Administrative Services Division
- Chief of Staff
- Chief Financial Officer
- Assistant Administrator, Office of Public Affairs and Consumer Education
- Chief Information Officer

A centralized email box will be established so that all employees can submit shutdown and start-up questions on a 24 hour/7 days per week basis. The Team will monitor the box and ensure that responses are developed and appropriately vetted, and that employees receive responses as rapidly as possible. Questions and answers with broad applicability also will be posted to

InsideFSIS, as well as being posted in prominent places in hard copy for employees without computer access.

A user notice should be distributed to remind employees of required start-up procedures, including voicemail and out-of-office message updates.

Information Technology

The FSIS 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:

- FSIS CIO will restore all FSIS IT systems, business tools, and websites to their last known state in order to conduct official FSIS business.
- FSIS CIO will coordinate with USDA-OCIO-ITS and NITC to ensure all interdependent and enterprise IT systems are online and available.
- Employee notifications will be provided as appropriate.
- Employees should retrieve all IT equipment (laptops, Blackberry, iPhone, iPads, etc.) from their secured location in order to conduct official FSIS 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 to 4 hours to complete. Employees will be instructed not to turn off computers while the updates are in progress.
- FSIS CIO will work with USDA-OCIO-ITS to ensure technical issues submitted to the IT helpdesk are addressed completely and in a timely manner.
- FSIS CIO will provide ongoing monitoring to ensure availability and proper functionality of IT systems throughout the start-up and recovery process.

Human Resources

The Director, Office of Human Resources Management is responsible for ensuring that all Human Resources (HR) services and guidance is provided to FSIS employees, including HR Specialists in order to return to operations after a government shutdown due to a lapse in appropriations. In addition, the Start-Up 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 as instructed in the furlough notifications

- If an employee received unemployment compensation and is paid retroactively for time during furlough the employee will be required to repay the unemployment compensation. This guidance is also provided in the furlough notifications. For further guidance employees should 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 (WebTA guidance – prepared in coordination with the CFO -- will be provided by COB on day 1).
- Guidance for Human Resources Operations Division staff:
 - Provide the Director, HR the status of the following by COB on Day 1:
 - Employees scheduled to begin work during the shutdown or within one pay period of start up
 - Certificates that closed during the shutdown or within 2 business days prior to the shutdown
 - Vacancy announcements that closed during the shutdown or within 2 business days prior to the shutdown
 - Number of SF-52s submitted for processing during the shutdown or immediately prior to the shutdown that need to be processed immediately
 - Any other relevant information regarding issues that need to be immediately addressed as a result of the shutdown
 - Precede to process outstanding personnel actions.
 - Meet with the Director, HR and Assistant Director, HROD to determine extension dates, re-advertisement policies, etc.
 - Review expiration dates of certificates of eligible applicants and document the case file.

Travel

The 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 FSIS has confirmed the operational status of all associated IT systems.
- The FSIS CFO will work with the Department's Office of the Chief Financial Officer to determine policy regarding timely payment of travel card balances since FSIS employees will not be reimbursed for any travel expenses from appropriated funds that are incurred during the furlough until an appropriation is received. Once the Department makes its determination, the FSIS CFO will communicate the Department's policy and guidance.

Contracts, Grants, Agreements, and Asset Management

The Director, ASD is responsible for managing the resumption of functions related to acquisitions and procurements; contracts, grants, and agreements; and 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.

- **Contracts, Grants and Agreements Guidance:**
 - Contracts, Grants and Agreements under FSIS authority, and requiring FSIS support, oversight, assistance, will resume as determined by the appropriate Contracting Officer and Grants/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.
- **Asset Management Guidance:**
 - Personal property (vehicles, survey equipment, copiers, etc.) owned or leased by FSIS 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 FSIS 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 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, including close-out (if appropriate).

- **Financial Management Modernization Initiative (FMMI) 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.
- **Discretionary funding:**
 - Applicable discretionary funding made available will be loaded into FMMI, reflecting the terms and conditions of the appropriations language and automatic apportionment by the Office of Management and Budget (OMB).
- **Applicable Allocations:**
 - Initial allocations, based on a percentage of the prior year appropriation or continuing resolution allocations, will be provided within five (5) days of resumption of full operation.

- Initial allocations will support agency operations during pendency of complete allocation process.
- Full allocations will be provided within five (5) business days of the receipt of a full year appropriation.

Research, Education & Economics (REE) & The Office of the Chief Scientist (OCS)

Agricultural Research Service (ARS)
Economic Research Service (ERS)
National Agricultural Statistics Service (NASS)
National Institute of Food and Agriculture (NIFA)
Office of the Chief Scientist (OCS)

General REE Shutdown Procedures

Communication Plan (Within 4 weeks of a shutdown)

The Deputy Administrator for Administrative and Financial Management (DAAFM) and the Director, Human Resources Division (HRD) will coordinate with the USDA Office of Human Resources Management (OHRM) and other Departmental Management (DM) offices to ensure accurate and timely information is provided to the REE Administrators and Directors in accordance with USDA guidance and timing. Information that is available and approved for release prior to the first morning of a shutdown will be provided to the agencies for sharing with employees as early as possible. REE Administrators will provide information to employees leading up to a potential lapse of funding in order to ensure an orderly shutdown.

Employees (Within 3 weeks of a shutdown)

Following are recommended actions during the days prior to a potential shutdown.

- Access and print documents that may be needed during a lapse of appropriation such as:
 - Leave & Earning Statement (LES)
 - SF-50
 - Furlough related guidance or communication from USDA or the agency
- Prioritize workload to ensure urgent requirements that need to be met prior to the potential shutdown are completed.
- Ensure all sensitive documents, hazardous materials and other like items are properly inventoried and stored properly.

Managers/Supervisors (Within 3 weeks of a shutdown)

Following are recommended actions during the days prior to a potential shutdown.

- Ensure the organizational calling trees to reach employees are up to date with accurate personal phone numbers and personal emails.
 - Personal contact information may be utilized to inform employees of change in furlough status or provide additional information in case of a long-term furlough.
- Ensure employees understand it is their responsibility to check the Office of Personnel Management (OPM) website or mobile phone application for information on the government's startup status. Employees should monitor OPM in addition to those outlined in official shutdown communications. Agencies may contact employees through a calling tree or other systems, but the official notification is from OPM to inform them to return to work.
- Identify and communicate potential excepted activities and excepted personnel during a potential shutdown through the agency leadership structure.

- Assist employees with the prioritization of workload to ensure urgent requirements that need to be met prior to the potential shutdown are completed.
- Employees that may be excepted may be provided an informal notice but formal notification to excepted employees must be made after USDA and Agency approval with approved documentation.
- Ensure partners and stakeholders information is up to date in the appropriate systems/database.
- Agency leaders should notify stakeholders and university partners the potential impacts of a shutdown in accordance with agency and USDA guidance.

Administrative and Financial Management (AFM) (Within 2 weeks of a shutdown)

Human Resources Division (HRD)

- In preparation for a potential shutdown, HR specialists are to identify and resolve issues related to temporary positions that may expire during the shutdown in addition to on-board of new hires during the shutdown.
- Hold the final excepted employee list for T&A purposes.
- Coordinate with OHRM and other DM offices and issue all approved and appropriate information/notices on furlough and guidance on orderly shutdown to the REE agencies and bargaining units.
- Provide appropriate notification and instruction to Area Administrative Offices (AAOs) operations on HR activities (i.e. recruitments, prospective Entrance-On-Duty, processing personnel actions, etc.).
- Partner with OHRM on HR actions that occur during the shutdown that require guidance or information for distribution to excepted and/or non-excepted employees.

Financial Management & Agreements Division (FMAD)

- Coordinate with the Department to ensure financial business/systems remain available for excepted employees during potential shutdown and be on call to support excepted functions.
- Provide guidance on the limitation of travel in preparation for a potential shutdown.
 - When and to what point in time scheduled travel should be cancelled
 - Instructions on travel arrangement for excepted employees
 - Instructions on travel arrangement for employees on details away from their local commuting areas
- Advise employees that travel planned on or after the furlough date should not commence in the event of a shutdown. Travel orders issued would be considered invalid.
- Advise passport custodians to retrieve all passports held by employees and secure them in the custodian's safe.
- Advise employees to secure all hard copy tickets for travel during the period of lapsed appropriation.
- Advise employees that all Government issued travel charge cards should be in the possession of the individual cardholder or stored in a secure location.
- Advise employees that no travel arrangements or ticket purchases should be made through the applicable Travel System or directly with the TMCs during the period of lapsed appropriation. Additional information for excepted employee travel in support of excepted duties will be provided prior to a potential shutdown.

- Travel System approving officials should not stamp any non-excepted employee related documents in the system during the period of the lapsed appropriation.
- Provide advice and guidance on establishing or continuing existing Extramural Agreements deemed necessary by ARS program managers to support mission critical research or for the purpose of providing adequate care and protection of Government property; i.e., facilities, land, and/or livestock.
- Provide advice and guidance on continuing existing Extramural Agreements that are not impacted by the potential lapse in appropriations.
- Provide advice and guidance on transaction processing procedures to obtain/retain essential cooperator services as noted above.

Acquisition and Property Division (APD)

- Provide guidance to Contracting Officers (CO) on how to allow for contracted critical services that preserve and protect property.
- Provide guidance on how to process essential requirements for supply contracts.
- Issue guidance to ensure that personal property and hazardous materials (including equipment and hazardous materials pending disposal actions) are safeguarded to protect against theft and destruction.
- Provide guidance to the Acquisition Workforce to inform service contractors of the Government status and what limits/changes they will have to operate under.
- Provide guidance to Purchase Cardholders regarding using and securing purchase cards. Provide specific guidance on the appropriate use of purchase cards in support of excepted activities during a shutdown.
- Provide guidance to secure fleet cards. Include guidance as a reminder to use fleet and fleet cards only in support of excepted activities during a shutdown.

Information Technology Service Division – (Within 2 weeks of a shutdown)

- Identify agency-wide systems under the responsibility of the agency that will and will not be available to excepted employees during the shutdown. The specific method for blocking access to the identified systems will be determined by the mission area ACIO.
- Prepare guidance for IT security measures to those locations outside the National Capital region, as applicable.
- Prepare employee guidance on the availability and use of IT systems, government furnished IT equipment and proper IT shutdown procedures during the furlough and provide to employees in accordance with USDA and agency guidance.

Day One of Furlough

Employees: All employees must be on work status (physically at work or approved telework) to receive furlough communication and guidance. Employees without approved telework agreements may be able to conduct orderly shutdown activities through remote access if pre-approved by their supervisor in the event of a potential shutdown. Employees on travel are to return to their duty stations as soon as practicable. Employees who are on paid leave (annual or sick) will have their leave cancelled and will return to work status. Employees are to engage in orderly shutdown activities such as:

- Update voicemail, email out of office and office signage with authorized verbiage and instructions

- Verify that all sensitive document and hazardous materials are properly inventoried and stored
- Ensure timesheets are validated and certified in accordance with USDA guidance (The National Finance Center (NFC) has doubled the capacity for WebTA usage to resolve the slow system access issue)

Employees who are on leave or in travel status will conduct their shutdown activities as soon as they return to their worksite. Upon completion of all orderly shutdown activities, all furloughed employees will be placed on furlough status.

Furloughed employees must not use Government issued systems such as computers, cell and smart phones, tablets, and/or laptops during the shutdown. If a furloughed employee is designated as “on call” the appropriate supervisor/manager will contact the furloughed employee via personal phone or email and designate the employee as excepted for specific excepted duties.

Supervisors: Supervisors are to ensure that excepted employees are provided appropriate excepted employee communication. Supervisors are to ensure furlough related communication is provided to those employees who are on approved leave and cannot be on work status.

Agency Leaders: Excepted Agency leaders should notify stakeholders and university partners of the government shutdown status in accordance with agency and USDA guidance.

Contracting Officers: Contractors will be notified of the Government status and what limits/changes they will have to operate under by the applicable Contracting Officer. Contracting Officers will notify and keep the appropriate Contracting Officer’s Representatives (COR) aware of these activities. CO’s will ensure contractors provide facilities security and maintenance services in accordance with applicable laws and regulations. In addition, updated excepted employees lists for the applicable facility will be shared with security staff in partnership with local excepted government employee(s). Contractors and excepted employees are to forward all facilities issues to the appropriate excepted leader in the applicable agency. All future REE contracts will include language to clarify the contracted activity as excepted or not excepted.

Excepted Employees: Excepted employees are authorized to use Government equipment and communication devices while performing excepted activities. Being designated as excepted employees do not necessarily mean that the excepted employees must be physically at the official worksite every day for a full day. Excepted employees are designated to perform excepted activities as needed.

Excepted employees are to track daily excepted tasks and duration utilizing the Excepted Employee Daily Log which will be provided as part of the communication package to excepted employees.

Additional specific information will be provided to all employees in accordance with agency and USDA approval by or prior to a potential shutdown.

ARS Shutdown Plan

Shutdown Communication

ARS research and operational activities will be suspended during a shutdown. ARS activities during a shutdown will be limited to the following agency excepted and exempted duties.

Supervisors/Employees: Furlough communication will be provided to all ARS employees via the ARS ALL email distribution. The agency will work with USDA to provide communication as early as possible in preparation for a shutdown. Excepted employees will receive information from the Administrator's Council (AC) through the location/office supervisor.

Location leadership is to notify local cooperators of the status of the shutdown on the first day of the shutdown in accordance with agency and USDA guidance. Contractors will be notified of the Government status and what limits/changes they will have to operate under by the applicable Contracting Officer.

Excepted Duties and Positions

HQ and Area Excepted Duties

- Coordination of data calls and excepted and exempted activities throughout the agency needed to accommodate short and long-term shutdown.
- Respond to urgent furlough related issues throughout the agency and with stakeholders and partners.
- Respond to location/office excepted and exempted issues. Coordinate with locations/offices with current and emergent excepted requirements.
- Provide communication to excepted and non-excepted employees in accordance with USDA guidance.
- In the event additional excepted employees are needed, additional employees may be designated as excepted and employees with the approval of the Administrator's office due to emergent excepted requirements and/or emergency response.
- Coordinate with DM offices, Under Secretary's office and REE agency leadership on furlough related data calls and coordination.
- Coordinate with OHRM and the REE agencies on personnel related items such as time & attendance, benefits during the furlough.
- Coordinate with USDA, Agriculture Security Operations Center (ASOC) on resolution of cybersecurity incidents during the furlough.
- Coordinate with the USDA Office of Homeland Security and Emergency Coordination (OHSEC) Operations Center on any emergencies that may arise.
- Coordinate with USDA Office of Inspector General (OIG) Investigations on any criminal law enforcement issues requiring action or attention.

HQ and Area Excepted Positions

- Administrator
- Associate Administrators
- Chief of Staff
- Director, Budget and Program Management Staff

- Deputy Administrator for Administrative & Financial Management / Mission Area Business Center Chief Operating Officer
- Five Area Directors
- NAL Director
- Five Area Administrative Office Directors
- Director, Human Resources Division
- Director, Acquisition and Property Division
- Director, Facilities Division
- Director, Homeland Security Division
- Chief Financial Officer
- Chief, Travel and Relocation Policy Staff
- Chief, Pay and Leave Staff
- Director, Communication Staff
- Assistant Chief Information Officer
- Cybersecurity and IT Infrastructure Specialists

Location Excepted Duties

- Coordinate with Area Director on current and emergent excepted requirements.
- Provide communication to excepted and non-excepted employees in accordance with USDA guidance.
- Designate excepted employees with the approval of the Administrator's office due to emergent excepted requirements and or emergency response.
- Coordinate the work and scheduling of excepted activities.
- Collect, harvest, preserve, protect and analyze irreplaceable, time sensitive and cost prohibitive to replace property (physical& intellectual)/data/crops/animals/cultures/samples and germplasm.
- Continuation of certain human studies to not violate ethics related to human studies, includes but not limited to taking biological samples as needed and continuing experimental protocols.
- Continuation of certain animal wellbeing activities and other animal studies to not violate ethics related to animal studies which might result in animal death or unnecessary extension of experimental protocols.
- Continuation of projects affecting national security and safety in the areas of animal protection and production, crop protection and production, food safety, and natural resources.
- Provide building access to non-federal employees in facilities located at cooperating institutions doing work not funded through lapsed appropriations as long as safety and security concerns are addressed.
- Coordination with contractors and or cooperators that are performing excepted or exempted duties in matters of national security and preserving and protecting life and property.

Location Excepted Positions

- A leader at each location (Center Director/Location Coordinator/Research Leader)

Agency Excepted FTE

- The remaining ARS excepted not identified by positions above are FTE and not positions or people. (For example: Four Animal Caretakers at a location working two-hour shifts are equivalent to one FTE)

Total Agency Excepted Count

- Up to 1500 to respond to emergent excepted and exempted activities.

Agency Exempted Activities supported by Excepted Positions

- NBAF – Design and Construction of biocontainment laboratory which is critical for biosecurity and animal health.
- Buildings & Facilities Projects – Design and Construction of research facilities excepted for the care for animals, plants and associated infrastructure to preserve agricultural research funded by no-year funds.

Emergency Response/Continuation of Operations (COOP)

Emergency response and COOP officials will not be designated as excepted employees until an emergency situation is identified. When needed, emergency response and COOP officials will be reached through personal phone or email and be activated as excepted employees as approved by the agency.

Media Requests

All employees must notify and work with ARS Director of Communication Staff prior to engaging in media interviews or other forms of communication with media. Contact information and specific instruction will be provided in preparation for a potential lapse of funds.

ERS Shutdown Plan

Shutdown Communication

ERS publications, website updates, data products, and Outlook reports will be suspended during a shutdown. ERS activities during a shutdown will be limited to the following agency excepted duties.

Supervisors/Employees: Furlough communication will be provided to all ERS employees via an all employee email in the work days prior to an excepted shutdown. Excepted employees will receive information from the Administrator's office through their Division Directors.

Agency leaders are to notify applicable stakeholders of the status of the shutdown on the first day of the shutdown in accordance with agency and USDA guidance. Contractors will be notified of the Government status and what limits/changes they will have to operate under by the applicable Contracting Officer.

Excepted Duties and Positions

Agency Excepted Duties

- Coordination of furlough related data calls and excepted activities throughout the agency needed to accommodate a shutdown
- Respond to urgent furlough related issues throughout the agency as needed or required by Departmental Guidance Respond to Departmental or other excepted issues.
- Excepted employees are authorized to use Government equipment and communication devices while performing excepted activities.
- Unless their presence is required to address agency excepted activities, excepted employees may fulfill their duties away from their headquarters offices.
- Provide communication to excepted and non-excepted employees in accordance with Departmental guidance.
- In the event additional excepted employees are needed, additional employees may be designated as “on-call” excepted employees with the approval of the Administrator’s office to address emergent excepted requirements and/or emergency response. If such a need arises and approval is given, an excepted supervisor will contact the individual(s) on their personal communication devices. The excepted supervisor will provide instructions on the nature of “on-call” work assignments, “on call” worksite during the furlough period, protocol for communication, and any other pertinent information.
- Coordinate with DM offices, Under Secretary’s office and REE agency leadership on furlough related data calls and coordination.
- Coordinate with OHRM and the REE agencies on personnel related items such as time & attendance, departures, and benefits during the furlough.
- Maintain agency Local Area Network (LAN) and Wide Area Network (WAN) systems. Advise all Agency staff that their computers are to be on during a shutdown to allow for cyber security patches and other critical maintenance.
- Ensure all systems remain online and functional with unauthorized user access denied during the shutdown.
 - Agency LAN and WAN computer systems are considered critical infrastructure
- Employees will be instructed to report back for duty when they are notified. They will be advised to monitor official notifications from OPM or media sources and only return after appropriations legislation of a Continuing Resolution has been enacted.

Agency Excepted Positions

- Administrator
- Associate Administrator
- Division Directors (four)
- Three Information Technology ERS staff members
- Two ERS COOP Team Members
- Budget Officer
- Agency Incident Commander

Total Agency Excepted Positions

- Up to 13 to respond to emergent excepted requirements, emergency management or vulnerability prevention.

Emergency Response/Continuation of Operations (COOP)

Emergency response and COOP official will be designated as excepted employees to ensure adequate communications with the USDA Operations Center. COOP team members officials will be reached through their official phones or personal email as needed by the agency. COOP team members required for both readiness activities such as maintaining operable communications as well as any emergency implementation or activation activities, and to ensure adequate communication with the USDA OpsCenter.

Media Requests

All employees must notify and work with the ERS Administrator prior to engaging in media interviews or other forms of communication with media.

NASS Shutdown Plan

Shutdown Communication

NASS will suspend all program activity, including those funded through Census of Agriculture or Agriculture Estimates. Carryover funds from no year funding will not be used to continue program activities. NASS activities during a shutdown will be limited to the following agency excepted duties.

Supervisors/Employees: Furlough communication will be provided to all NASS employees via an all employee email. Excepted employees will receive information from the Administrator's office through the HQ or regional leadership.

Agency leaders are to notify applicable stakeholders of the status of the shutdown on the first day of the shutdown in accordance with agency and USDA guidance. Contractors will be notified of the Government status and what limits/changes they will have to operate under by the applicable Contracting Officer.

Excepted Duties and Positions

Agency Excepted Duties (Excepted duties as listed are not impacted by timing or season of the year.)

- Coordination of data calls and excepted activities throughout the agency needed to accommodate short and long-term shutdown.
- Respond to urgent furlough related issues throughout the agency and with stakeholders and partners.
- Respond to HQ/regional excepted issues.
- Coordinate between HQ & Regions on current and emergent excepted requirements
- Provide communication to excepted and non-excepted employees in accordance with USDA guidance.
- In the event additional excepted employees are needed, additional employees may be designated as excepted employees with the approval of the Administrator's office due to emergent excepted requirements and/or emergency response.
- Coordinate with DM offices, Under Secretary's office and REE agency leadership on furlough related data calls and coordination.

- Coordinate with OHRM and the REE agencies on personnel related items such as time & attendance, benefits during the furlough.
- Move necessary funds during the shutdown.
- Address any NASDA (National Association of State Departments of Agriculture) enumerator issues during the shutdown.
- Ensure all office shutdown activities are complete and closed out.
- Monitor communications and keep HQ informed of any local issues that arise.
- Ensure all systems remain online and functional with user access denied during the shutdown.
- Disconnect all VPN access.
- Disable DMZ applications pointing to the internal databases.
- Disable access to the FTP server.
- Monitor systems during shutdown and be prepared to address any threats to property or infrastructure.
- Ensure all lab specimens are properly secured or organized in a sanitary manner.
- Monitor incoming packages for lab samples. Ensure all systems are monitored, remain online and are fully functional
- Monitor systems during shutdown and be prepared to address any threats to property or infrastructure.
- Proceed with critical vulnerability patching as needed to maintain a healthy Security perimeter.

Agency Excepted Positions

- Administrator
- Associate Administrator
- Senior Executive Team
- Regional Directors
- Chief of Staff
- Twelve IT specialists
 - NASS Employees: NASS Deputy Director, NASS BSSB Chief, Head of Service Design Section, Head of Service Delivery Section, DBA Lead and External WebSite Developer
- Director, Public Affairs
- Budget Officer
- Objective Yield Lab Specialists

Agency Exempted Activities supported by Excepted Positions

- Support Farm Service Agency through Agricultural Price Reports.

Agency Excepted FTE

- The remaining NASS excepted not identified by positions above are FTE and not positions or people.

Total Agency Excepted Count

- Up to 185 to respond to emergent excepted and exempted activities.

Emergency Response/Continuation of Operations (COOP)

Emergency response and COOP officials will not be designated as excepted employees until an emergency situation is identified. When needed, emergency response and COOP officials will be reached through personal phone or email and be activated as excepted employees as approved by the agency.

Media Requests

All employees must notify and work with the NASS Director of Public Affairs prior to engaging in media interviews or other forms of communication with media.

NIFA Shutdown Plan

Shutdown Communication

NIFA program activities will be suspended during a shutdown. The scope of the activities includes all NIFA extramural funding programs supporting research, education, extension or a combination of two or more of these functions. This includes agency activities associated with competitively awarded, noncompetitive Federal financial assistance payments, capacity and infrastructure, endowment, and all other NIFA grant programs. NIFA activities during a shutdown will be limited to the following agency excepted duties.

Supervisors/Employees: Furlough communication will be provided to all NIFA employees via an all employee email. Excepted employees will receive information from the Director's office through the Institute/Office leadership.

Agency leaders are to notify applicable stakeholders of the status of the shutdown on the first day of the shutdown in accordance with agency and USDA guidance. Contractors will be notified of the Government status and what limits/changes they will have to operate under by the applicable Contracting Officer.

Director, NIFA

The NIFA Director position is a presidentially appointed position. The Director position is exempt from the Annual and Sick Leave Act pursuant to 5 U.S.C 6301 (2) (x). Accordingly, the position is not subject to furlough.

Excepted Duties and Positions

Agency Excepted Duties (Excepted duties as listed are not impacted by timing or season of the year.)

- Coordination of data calls and excepted activities throughout the agency needed to accommodate short and long-term shutdown.
- Respond to urgent furlough related issues throughout the agency and with stakeholders and partners.
- Respond to agency excepted issues.

- Provide agency financial and grants management support needed to avoid degradation of intellectual property.
- Coordinate with Institutes and Offices on current and emergent excepted requirements.
- Provide communication to excepted and non-excepted employees in accordance with USDA guidance.
- In the event additional excepted employees are needed, additional employees may be designated as excepted employees with the approval of the Office of the Director due to emergent excepted requirements, emergency management or vulnerability prevention.
- Coordinate with DM offices, Under Secretary's office and REE agency leadership on furlough related data calls and coordination.
- Coordinate with OHRM and the REE agencies on personnel related items such as time & attendance, benefits, relocation, removal action or retirement processing, VERA/VSIP and lump sum payments during the furlough.
- Monitoring agency Local Area Network (LAN) and Wide Area Network (WAN) critical infrastructure systems to prevent security breaches and subsequent startup failures.
- Ensure all systems remain online and functional with user access denied during the shutdown.
- Monitor systems during shutdown and be prepared to address any threats to property or infrastructure.

Agency Exempt Activities

- Support programs with available carryover or mandatory funding.
- Assess and report to the Director the available staffing and contracting resources to support exempted programs.
- Implement a phased approach as approved by the Director, to designate additional exempted staff supporting NIFA exempted program activities as appropriate.

Agency Excepted Positions

- Associate Director for Operations
- Associate Director for Programs
- Chief of Staff
- Administrative and Operations Officer
- Congressional and Stakeholder Affairs Officer
- Operations Officer
- Science Program and Analysis Officer
- Director, Budget Staff
- Director, Center for International Programs
- Director, Communications Staff
- Director, Equal Opportunity Staff
- Director, Planning, Accountability, and Reporting Staff

Total Agency Excepted Positions

- Up to 12 to respond to emergent excepted and exempted requirements, emergency management or vulnerability prevention.

Agency Exempt Positions

- Deputy Director, Institute of Bioenergy, Climate, and Environment
- Deputy Director, Institute of Food Production and Sustainability
- Deputy Director, Institute of Food Safety and Nutrition
- Deputy Director, Institute of Youth, Family, and Community
- Deputy Director, Office of Grants and Financial Management

Total Agency Exempt Positions

- Up to 104, to include the above 5 exempt positions to support programs with available carryover or mandatory funding.

Emergent Excepted Requirements, Emergency Management and Vulnerability Prevention

Emergency response and COOP officials will be designated as excepted employees to ensure adequate communications with the USDA Operations Center. COOP team members officials will be reached through their official phones or personal email as needed by the agency. COOP team members required for both readiness activities such as maintaining operable communications as well as any emergency implementation or activation activities and ensure adequate communication with the USDA OpsCenter.

Media Requests

All employees must notify and work with the NIFA Office of the Director prior to engaging in media interviews or other forms of communication with media.

OCS Shutdown Plan

Shutdown Communication

OCS activities will be suspended during a shutdown. OCS activities during a shutdown will be limited to the following agency excepted duties.

Supervisors/Employees: Furlough communication will be provided to all OCS employees via an all employee email. Excepted employees will receive information from the Under Secretary's office.

OCS Director is to notify applicable stakeholders of the status of the shutdown on the first day of the shutdown in accordance with office and USDA guidance.

Excepted Duties and Positions

Office Excepted Duties (Excepted duties as listed are not impacted by timing or season of the year.)

- Coordination of interagency data calls and excepted activities in OCS needed to accommodate short and long-term shutdown.
- Respond to urgent furlough related issues throughout OCS and with stakeholders and partners.
- Respond to OCS excepted issues.
- Coordinate with Institutes and Offices on current and emergent excepted requirements.

- Provide communication to excepted and non-excepted employees in accordance with USDA guidance.
- In the event additional excepted employees are needed, additional employees may be designated as excepted employees with the approval of the Administrator's office due to emergent excepted requirements and/or emergency response.
- Coordinate with OHRM and OSEC on personnel related items such as time & attendance, benefits during the furlough.
- Coordinate with Science staff to provide scientific expertise to the Secretary as needed.

Exempt Position

- Director

Emergency Response/Continuation of Operations (COOP)

Emergency response and COOP officials will not be designated as excepted employees until an emergency situation is identified. When needed, emergency response and COOP officials will be reached through personal phone or email and be activated as excepted employees as approved by the office.

Media Requests

All employees must notify and work with the OCS Director or REE Director of Communications prior to engaging in media interviews or other forms of communication with media.

General REE Start-up Procedures

Employees are responsible for checking the Office of Personnel (OPM) website and mobile phone applications for information on the government's startup status. Employees should monitor these sources in addition to those outlined in shutdown communications.

Employees are expected to return to work as directed 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). Any delay in reporting for duty requires a request for leave that must be approved by the supervisor. Supervisors should authorize liberal leave in the event the CR or appropriation is approved late in the evening and employees need time during the next day to secure childcare or other logistical matters prior to reporting. Telework ready employees will be permitted to telework on the first day, either as part of their Core or Situational telework agreement with supervisory notification and approval of the employee's intent to telework.

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 work email.
- Reset your work 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.

Administrative and Financial Management

Human Resources

The Agricultural Research Service (ARS) Administrative & Financial Management (AFM) Director, Human Resources Division (HRD) is responsible for all REE Agencies' Human Resources (HR). As such, the Director of HRD will ensure that all HR services and guidance are provided to the HR professionals and all REE employees, in order to expeditiously return to normal operations after a government shutdown due to a lapse in appropriations.

- Return to Duty After Shutdown
 - 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
 - HRD Pay & Leave staff will provide T&A guidance on behalf of the USDA Office of Personal Management (OHRM) to the REE Agencies' Timekeepers and REE employees in order to expeditiously return to normal operations.
 - Timekeepers may need to 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
 - Pending and new personnel actions should be processed based on agency priorities. HR specialists should coordinate with the agency POCs to reaffirm the priorities of pending and new actions before proceeding.
 - If a vacancy announcement closed during the furlough, please work quickly to rate, rank, notify applicants of their eligibility & issue a certificate of eligibles.
 - Review expiration dates of open certificates and document the case file. Extend where applicable and restart the job announcement if a certificate expired during the furlough.
 - Document all other appropriate case files that were impacted by the furlough.
- HRD will issue additional guidance as needed on:
 - Retroactive pay and Unemployment compensation
 - Transit Subsidies
 - Research Position Evaluation System (RPES) schedule (ARS)
 - Extension of long-term details
 - Carryover leave
 - Extension of temporary employees
 - Overtime for excepted employees

Financial Management, Agreements & Travel

The ARS AFM CFO serves as the lead for the Financial Management & Agreements Division (FMAD) and is responsible for the REE agencies' financial management, agreements and travel programs. As such, the CFO will ensure that all financial management, agreements and travel services and guidance are provided to the appropriate subject matter experts (SMEs) and all REE employees as appropriate, in order to expeditiously return to normal operations after a government shutdown due to a lapse in appropriations. The CFO will ensure that funding for

agency operations is made available in a timely manner, and for ensuring that agency financial operations are properly resumed, including close-out of the previous Fiscal Year (FY) and completion of the financial audit.

- Financial Management Modernization Initiative (FMMI) Accessibility
 - The FMMI system is managed by the Department's OCFO. It is anticipated that FMMI will be made available to all USDA agencies throughout any potential government shutdown and continue to be available as business resumes. The interface between FMMI and agency IT systems will be evaluated to ensure that it is functioning properly.
 - Questions about FMMI access should be directed to the CFO for resolution.
- Financial Audit
 - The CFO will work with appropriate offices at the Department to assess how to bring applicable financial audits to closure and implement.
 - Any outstanding audit samples should be completed and returned to FMAD as soon as possible, following previously established procedures.
- Agreements
 - Agreements management, processing and oversight will resume immediately as determined by the Authorized Departmental Officer (ADO) or other Agreements signatory officials.
 - Interagency and other agreements will resume under the existing terms of the agreement.
 - Any modifications to agreements due to the furlough should be worked through the appropriate Grants Management Specialist.
- Travel
 - The CFO will coordinate with the Department's Office of the Chief Financial Officer (OCFO) and ensure the travel and financial management systems are fully operational as soon as practicable.
 - The CFO will also work with the OCFO to determine policy regarding timely payment of travel card balances since REE employees did not have access to the travel system during the government shutdown. Once the Department makes its determination, the CFO will communicate the Department's policy and guidance.
 - Travelers should complete any outstanding travel vouchers immediately.
- Issue additional guidance on:
 - Automatic payments in FMMI
 - Travel vouchers for excepted travel
 - Travel vouchers for cancelled travel

Acquisition & Personal Property

The ARS AFM Director, Acquisition & Property Division (APD) is responsible for REE agencies' acquisition and personal property programs. As such, the Director of APD will ensure that all acquisition and personal property services and guidance are provided to the acquisition & property professionals and other REE employees as appropriate, in order to expeditiously return to normal operations after a government shutdown due to a lapse in appropriations.

- Acquisition
 - Contracts under REE Agencies' authority will resume as determined by the appropriate Contracting Officer (CO).

- CO's will issue resume work orders for those contracts that were suspended/stopped during the furlough. CO's will also notify the applicable CORs.
- Personal Property
 - Personal property (vehicles, lab equipment, copiers, etc.) owned or leased by the agency will be made safe, ready and available for use by authorized Federal and/or non-Federal personnel as appropriate.
 - The use of personal property will resume under all applicable guidance and procedures.
- Issue additional guidance on:
 - Availability of procurement and property systems
 - Escalated contractor costs due to the shutdown

Facilities

The ARS AFM Director, Facilities Division (FD) is responsible for various REE agencies' asset management and facilities programs. As such, the Director of FD will ensure that all applicable facilities services and guidance are provided to the facilities professionals and other REE employees as appropriate, in order to expeditiously return to normal operations after a government shutdown due to a lapse in appropriations.

- Real Property
 - Real property (buildings/office space) owned or leased by REE agencies will be made safe and available for use by authorized Federal and non-Federal personnel as applicable.
- Leases
 - Any impact to REE agencies' leases due to the furlough will be resolved by the appropriate FD personnel and/or agency point of contact (POC) as appropriate.

Agricultural Research Service (ARS) Startup Plan

Guidance for the Start-Up of ARS Operations

A temporary Start-Up Committee ("Committee") will guide the agency's transition from shutdown to full operational status. The Committee will be responsible for overseeing the implementation of the start-up plan; providing related policy and procedural direction; ensuring coordination and consistency across functional areas (human resources, financial management, information technology, property and procurement, programmatic, etc.); troubleshooting system and unique challenges; and monitoring progress related to restoring full operational status and in addressing employee, partner, and customer concerns.

Initially, the Committee will meet at least daily to assess progress and issues. As issues are resolved and progress continues, meetings may be less frequent. The Committee also will assess lessons learned from the shutdown and start-up and apply those to normal operations where applicable. The chair will be responsible for reporting progress and issues to the Administrator. The Committee will be disbanded when the Administrator has determined operations are back to normal and any major issues/challenges related to the shutdown have been resolved.

The Associate Administrator for Research Operations will chair the Start-up Committee. The Associate Administrator for National Programs will serve as vice chair. The complete membership of the Committee will be as follows:

- Associate Administrator for Research Operations, Chair
- Associate Administrator for National Programs, Vice Chair
- Area Directors
- Chief of Staff
- Deputy Administrator for Administrative & Financial Management / Mission Area Business Center Chief Operating Officer
- Chief Financial Officer
- Assistant Chief Information Officer
- Director, Human Resources Division
- Director, Acquisition and Property Division
- Director, Facilities Division
- Director, Budget & Program Management Staff (BPMS)

Other employees may be called upon for assistance as the issues, challenges, and opportunities warrant.

Initial Communications Timeline

ARS has prepared for an agency start-up following an approval of a CR or FY appropriations. In order to keep the agency informed during the 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 CR or appropriation:
 - Federal employees should check OPM and USDA website for information on reporting for work.
- Day 1: 9:30 am EST
 - Meeting of the Start-Up Committee to initiate the Start-Up of ARS Operations Plan
- Day 1: 2:30 pm EST
 - Joint Administrator's Council (AC) and Administrative & Financial Management Council (AFMC) Conference Call
 - The Associate Administrator for Research Operations will brief out on the restart of research operations. The Deputy Administrator, AFM (DAAFM), CFO and Chief Information Officer (CIO) will review the start-up plan, focusing on specific guidance for human resources, contracting, budget and finance, and IT and provide applicable guidance from the Department.
- Day 2: 9:00 am EST
 - The Start-Up Committee will meet to continue implementation of the Start-Up of ARS Operations Plan. Provide guidance and request feedback from the Area Directors (AD's) as necessary.
- Day 3: 9:00 am EST

- The Start-Up Committee will meet to continue implementation of the Start-Up of ARS Operations Plan. Provide guidance and request feedback from the Area Directors (AD's) as necessary.
- Day 3: 1:00 pm EST
 - AC call to review the status of ARS startup
 - Identify, prioritize and manage time sensitive issues that were on hold during the lapse in funding.

Employee Communication

The Administrator will communicate with all ARS employees via an ARS ALL email within 48 hours of start-up. In addition, the ARS employee on-line feedback program “Your Two Cents” (Y2C) will start a category for agency start-up of operations. Employees can submit shutdown and start-up questions on a 24 hour/7 days per week basis through Y2C. The Y2C Team will monitor the box and ensure that responses are developed and appropriately vetted, and that employees receive responses as rapidly as possible. Questions and answers with broad applicability also will be posted to the agency’s Frequently Asked Questions, which will be accessible to all ARS employees via Y2C.

Information Technology

The REE Assistant Chief Information Officer (ACIO) is responsible for ensuring that IT systems are available and operating. Upon restoration of funding for the agency:

- ACIO will ensure access is restored to all ARS production IT systems, business tools, and websites to their last known state in order to conduct official ARS business.
- ACIO will provide necessary guidance related to the start-up of all IT systems.
- Employees should retrieve all IT equipment (cell and smart phones, tablets, and/or laptops, etc.) from their secured location in order to conduct official ARS 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.
- Employees will 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 to 4 hours to complete. Do not turn off computers while the updates are in progress.
- ACIO will provide ongoing monitoring to ensure availability and proper functionality of agency-wide IT systems throughout the start-up and recovery process.
- ACIO will coordinate with the USDA Agriculture Security Operations Center (ASOC) on any follow-up actions to close out any incidents that may have occurred during the shutdown.
- ACIO will provide help desk support for agency-wide IT systems that support official business such as ARIS, SharePoint, ARS website, ARSnet and eAuthentication...etc.
 - OCIO-ITS Help Desk
 - 1-877-873-0783
 - helpdesk@ars.usda.gov

Economic Research Service (ERS) Startup Plan

Guidance for the Start-Up of ERS Operations

A temporary Start-Up Committee (“Committee”) will guide the agency’s transition from shutdown to full operational status. The Committee will be responsible for overseeing the implementation of the start-up plan; providing related policy and procedural direction; ensuring coordination and consistency across functional areas (human resources, financial management, information technology, procurement, programmatic, etc.); troubleshooting system and unique challenges; and monitoring progress related to restoring full operational status and in addressing employee, partner, and customer concerns.

Initially, the Committee will meet on at least a daily basis to assess progress and issues. As issues are resolved and progress continues, meetings may be less frequent. The Committee also will assess lessons learned from the shutdown and start-up and apply those to normal operations where applicable, and to plans prepared in the event of a future shutdown/start-up. The chair will be responsible for reporting progress and issues to the Administrator. The Committee will be disbanded when the Administrator has determined operations are back to normal and any major issues/challenges related to the shutdown have been resolved.

The Associate Administrator will chair the Start-up Committee. The complete membership of the Committee will be as follows:

- Associate Administrator, Chair
- Associate Director ISD
- Communications Director
- Director, Administrative and Financial Services Unit
- Associate Director, MTED
- Associate Director, RRED
- Associate Director, FED

Initial Communications Timeline

ERS has prepared for an agency start-up following an approval of a CR or FY 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 funding:
 - Federal employees should check OPM and USDA website for information on reporting for work. Once funding is approved, the Agency will send all employees information about the start-up using and emergency communications system (e.g., MIR3)
- Day 1: 9:00 am and 1:30 pm
 - Meeting of the Start-Up Committee to initiate the Start-Up of ERS Operations Plan. During meeting, review the start-up plan, focusing on specific guidance for human resources, contracting, budget and finance, and information technology (IT), and provide any guidance from the Department.
- Day 1: 2:30 pm
 - SES Meeting – Agency Senior Executives, Administrative & Financial Services Unit Director, Civil Rights Director, Budget Officer, Communications Director,

and Training Coordinator meet and review plans and status of time sensitive reports and data.

- Day 2: 9:00 am
 - Meeting of the Start-Up Committee to continue implementation of the Start-Up of ERS Operations Plan. Start –Up Committee will meet daily during week 1 and as needed afterwards.
- Day 2: 1:00 pm
 - Meeting of Agency Budget team to review the start-up plan, focusing on specific guidance for payments and budgets, and provide any guidance from the Department.
- Other Communications:
 - Direct general staff questions to existing Suggestion Box on the Agency intranet, ConnectERS. The Team will monitor the box and ensure that responses are developed and appropriately vetted, and that a response is posted for all employees to view a response. Individual specific questions will be directed to the AFS Director.
 - Update FY note to stakeholders on ERS website with updated information for FY. The Communications Director will circulate the draft for final review and clear with OC.

Programmatic activities

- **Division Directors**
 - Ensure coordination and timely handling of programmatic issues.
 - Provide assessment of the impact of the shutdown on ERS programs and identify activities that were cancelled and need to be rescheduled. The first priority is reports and data that have or will have for dates scheduled on the Agency public calendar.
 - Coordinate with external agencies including the Office of the Chief Economist, World Agricultural Outlook Board, and National Agricultural Statistics Service on schedule changes for their products.

National Agricultural Statistics Service (NASS) Startup Plan

Guidance for the Start-Up of NASS Operations

A temporary Start-Up Committee (“Committee”) will guide the agency’s transition from shutdown to full operational status. The Committee will be responsible for overseeing the implementation of the start-up plan; providing related policy and procedural direction; ensuring coordination and consistency across functional areas (human resources, financial management, information technology, property and procurement, programmatic, etc.); troubleshooting system and unique challenges; and monitoring progress related to restoring full operational status and in addressing employee, partner, and customer concerns.

Initially, the Committee will meet on at least a daily basis to assess progress and issues. As issues are resolved and progress continues, meetings may be less frequent. The Committee also will assess lessons learned from the shutdown and start-up and apply those to normal operations

where applicable, and to plans prepared in the event of a future shutdown/start-up. The chair will be responsible for reporting progress and issues to the Administrator. The Committee will be disbanded when the Administrator has determined operations are back to normal and any major issues/challenges related to the shutdown have been resolved.

The Associate Administrator for Operations will chair the Start-up Committee. The complete membership of the Committee will be as follows:

- Associate Administrator, Chair
- Chief of Staff
- Staff Director for Budget and Administrative Services
- IT Director
- Chair and Executive Director of the Agricultural Statistics Board
- All other Division Directors

Other positions may be called upon for assistance as the issues, challenges, and opportunities warrant.

Initial Communications Timeline

NASS has prepared for an agency start-up following an approval of a CR or FY appropriations. 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 funding:
 - Federal employees should check OPM and USDA website for information on reporting for work.
- Day 1: 9:00 am EST
 - Meeting of the Start-Up Committee to initiate the Start-Up of NASS Operations Plan
- Day 1: 2:30 pm EST
 - Joint HQ – Field Operations Conference Call – The Associate Administrator will brief the agency on the restart of operations. The Committee members will review the start-up plan, focusing on specific guidance for human resources, contracting, budget and finance, and information technology (IT), and provide any guidance from the Department
- Day 2: 9:00 am EST
 - Joint meeting of the Start-Up Committee to continue implementation of the Start-Up of NASS Operations Plan
 - Identify, prioritize and manage time sensitive issues that were on hold during the lapse in funding.

Customer Service for Start-Up of NASS Operations

The NASS portal will start a category for startup and employees will be notified via NASS Staff. Employees can submit shutdown and start-up questions on a 24 hour/7 days per week basis through NASSshare. The Team will monitor the box and ensure that responses are developed and appropriately vetted, and that employees receive responses as rapidly as possible.

Information Technology

The NASS IT Director and Deputy Assistant Chief Information Officer is responsible for ensuring that Information Technology (IT) Systems are available and operating. Upon restoration of funding for the agency:

- NASS IT Director and Deputy Assistant Chief Information Officer will restore all NASS production IT systems, business tools, and websites to their last known state in order to conduct official NASS business.
- NASS IT Director and Deputy Assistant Chief Information 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 (cell and smart phones, tablets, and/or laptops, etc.) from their secured location in order to conduct official NASS 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 to 4 hours to complete. Do not turn off computers while the updates are in progress.
- NASS IT Director and Deputy Assistant Chief Information will work with USDA-OCIO-ITS to ensure technical issues submitted to the IT helpdesk are addressed completely and in a timely manner.
- NASS IT Director and Deputy Assistant Chief Information will provide ongoing monitoring to ensure availability and proper functionality of IT systems throughout the start-up and recovery process.
- NASS IT Director and Deputy Assistant Chief Information will provide help desk support for NASS IT systems that support official business.

National Institute of Food and Agriculture (NIFA) Startup Plan

Guidance for the Start-Up of NIFA Operations

NIFA's Executive Council (EC), chaired by the Director, will guide the agency's transition from shutdown to full operational status. The EC includes Office of the Director staff, all Deputy Directors, and all Office Directors. The EC will be responsible for overseeing the implementation of the start-up plan; providing related policy and procedural direction; ensuring coordination and consistency across functional areas (human resources, financial management, grants management, information technology, programmatic, etc.); troubleshooting system and unique challenges; and monitoring progress related to restoring full operational status and in addressing employee, partner, and customer concerns.

The EC will meet every morning for the first three days of the start-up to assess progress and issues. The EC also will assess lessons learned from the shutdown and start-up and apply those

to normal operations where applicable, and to plans prepared in the event of a future shutdown/start-up.

Initial Communications Timeline

NIFA has prepared for an agency start-up following an approval of FY 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 CR or FY funding:
 - Federal employees should check OPM and USDA website for information on reporting for work.
- Day 1: 8:00 am EST
 - NIFA director will be at the Waterfront Centre and greet employees.
- Day 1: 9:00 am EST
 - Meeting of NIFA Executive Council, which will serve as the agency start-up committee, to discuss and execute start-up plans. The EC will review the execution of the start-up plan, focusing on specific guidance for human resources, contracting, budget and finance, and information technology (IT), issues regarding grants panels, project directors' meetings, RFAs, reporting and accountability, and NIFA website, and provide any guidance from the Department.
- Day 1: 11:00 am EST
 - A message will be sent to academic partners and other stakeholders.
- Day 1: 1:30 pm EST
 - Office of Grants and Financial Management Deputy Director will review with staff the start-up plan, focusing on specific guidance for capacity and competitive grants programs, budget and finance, and provide any guidance from the Department.
- Day 2: 9:00 am EST
 - Meeting of the NIFA Executive Council to review Day 1 of start-up, status updates, and to address any issues.
- Day 3: 9:00 am EST
 - Meeting of the NIFA Executive Council to review of start-up, status updates, and to address any issues.

Information Technology

The NIFA's Deputy Assistant Chief Information Officer or designee will be responsible for ensuring that Information Technology (IT) Systems are available and operating. Upon restoration of funding for the agency will:

- Restore all NIFA production IT systems, business tools, and websites to their last known state in order to conduct official NIFA business.
- 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 (cell and smart phones, tablets, and/or laptops, etc.) from their secure location in order to conduct official NIFA 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 to 4 hours to complete. Do not turn off computers while the updates are in progress.
- Work with REE ACIO to ensure technical issues submitted to the IT helpdesk are addressed completely and in a timely manner.
- Provide ongoing monitoring to ensure availability and proper functionality of IT systems throughout the start-up and recovery process.
- Provide help desk support for all NIFA employees and grantees, academic partners, and stakeholders.

Grants and Agreements

The Office of Grants and Financial Management (OGFM) is responsible for managing the resumption of functions related grants, and agreements. The expectation is that these activities will resume within two (2) working days following agency start-up.

- Grants and Agreements Guidance
 - Grants and Agreements under NIFA authority, and requiring NIFA support, oversight, assistance, will resume as determined by the Assistant Director, OGFM.
 - Interagency and other agreements will resume under the existing terms of the agreement.

Office of the Chief Scientist (OCS) Startup Plan

Guidance for the Start-Up of OCS Operations

OCS's Director, will guide the office's transition from shutdown to full operational status. The Director will be responsible for overseeing the implementation of the start-up plan; providing related policy and procedural direction; ensuring coordination and consistency across functional areas (human resources, financial management, information technology, programmatic, etc.); troubleshooting system and unique challenges; and monitoring progress related to restoring full operational status and in addressing employee, partner, and customer concerns.

The Director will meet with key office staff every morning for the first three days of the start-up to assess progress and issues. The Director also will assess lessons learned from the shutdown and start-up and apply those to normal operations where applicable, and to plans prepared in the event of a future shutdown/start-up.

Key office staff includes:

- Deputy Director
- Secretary

Initial Communications Timeline

OCS has prepared for an agency start-up following an approval of FY 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 CR or FY funding:
 - Federal employees should check OPM and USDA website for information on reporting for work.
- Day 1: 9:00 am EST
 - Meeting of the OCS Director and key staff, which will serve as the agency start-up committee, to discuss and execute start-up plans. The Director will review the execution of the start-up plan, focusing on specific guidance for human resources, contracting, budget and finance, and information technology (IT).
- Day 1: 9:30 am EST
 - Meeting of the OCS Director with all OCS staff to review start-up plans and address any issues.
- Day 1: 12:00 pm EST
 - OCS website and online presence is restarted and operational.
- Day 2: 9:00 am EST
 - Meeting of the OCS Director and OCS start-up committee to review Day 1 of start-up, status updates, and to address any issues.
- Day 3: 9:00 am EST
 - Meeting of the OCS Director and OCS start-up committee to review Day 1 of start-up, status updates, and to address any issues.

Information Technology

The OCS Secretary will work with the applicable CIO's in Departmental Management to ensure that Information Technology (IT) Systems are available and operating. Upon restoration of funding for the office will:

- Restore all OCS production IT systems, business tools, and websites to their last known state in order to conduct official OCS business.
- 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 (cell and smart phones, tablets, and/or laptops, etc.) from their secure location in order to conduct official OCS 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 to 4 hours to complete. Do not turn off computers while the updates are in progress.
- Work with USDA-OCIO-ITS to ensure technical issues submitted to the IT helpdesk are addressed completely and in a timely manner.

- Will provide ongoing monitoring to ensure availability and proper functionality of IT systems throughout the start-up and recovery process.
- Will provide help desk support for all OCS employees.

Marketing and Regulatory Programs

Animal and Plant Health Inspection Service (APHIS)
Agricultural Marketing Services (AMS)

Animal and Plant Health Inspection Service

Orderly Closure and Communications

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

The Administrator, Deputy Administrators, Associate and Assistant Deputy Administrators, overseas Regional, Area and Program Managers, Executive Directors (EDs), Associate Executive Directors (AEDs), National Science Program Leaders, Laboratory Directors, State Plant Health Directors (SPHDs), Supervisory Facility Operations Specialists, Center Directors, Port Directors, Wildlife Services State Directors (WSSD), Wildlife Services Operational Support Staff Director, and other 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:

- Identifying measures to secure records, personal property, real property, and facilities that will be maintained and protected until appropriate disposition is accomplished.
- Drafting a strategy for communicating with Agency employees.
- Drafting a strategy for communicating outside the Agency as necessary.
- Identifying all potential meetings, hearings, and other previously arranged Agency business that may need to be cancelled.
- Identifying all exempt and excepted employees and ensuring that employees have been identified consistently and fairly in compliance with applicable personnel regulations.
- Ensure employee emergency contact information is updated.
- Identifying what Information Technology (IT) support, applications, contracts, and systems are needed to maintain exempt and excepted services.
- Identifying all employees in international travel status.
- Identifying all contractors and contracts that could be impacted by an impending shutdown.
- Identifying what instructions and procedures Human Resources Division (HRD) will provide to employees for the shutdown period.
- Identifying appropriate Department contacts for communications purposes and orderly shutdown of the Agency.
- Identifying all potential mail and equipment deliveries, including vehicles to government occupied offices, adjusting for safe storage.
- Initiating bargaining over furlough related topics.

- Establishing communication procedures with key USDA partners to determine any possible excepted activities that may require APHIS participation. This will include working with Foreign Agricultural Service (FAS) on upcoming international trade negotiations as well as regulatory activities with Food Safety Inspection Service.

Bargaining Unit Requirements

APHIS Labor Management and Employee Relations staff will provide the Unions with appropriate notice to the extent as may be required.

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

Report to Work. Unless instructed otherwise by their supervisor, all employees will report to work as usual on the first scheduled work day following the determination that a shutdown is necessary. Those employees teleworking may “report” by telephone if they can conduct all necessary actions for an orderly shutdown from an off-site location.

Employee Notification. HRD will provide furlough instructions to supervisors. Supervisors will notify affected employees either verbally or in writing of the need to conduct an emergency furlough. Supervisors will ensure that affected employees are provided: copies of the Memorandum of Status to Employees; the SF-8 form (Unemployment Compensation for Federal Employees); and “questions and answers for furloughed employees,” which provides information on a variety of topics, including continuation of benefits coverage. Supervisors will document the employee’s receipt of notification—even if notified verbally. Notification may or may not be provided in advance of the actual furlough date, but all affected employees will receive written notification at some point. The notification procedures identified in the APHIS Emergency Notification System, Directive 1810.1, may be used in the interest of efficient notification if the Agency Head determines that it is impractical to provide advance written notice.

Employee Identification. The names of employees who are exempt or needed to carry out excepted activity will be transmitted to HRD, immediately upon identification. HRD will ensure that no personnel action is taken to furlough exempt or excepted-activity employees. Personnel actions to furlough all other Agency employees will be processed by Human Resources, as directed by the Office of Personnel Management (OPM). Employees who are to be furloughed will complete time sheet entry in WebTA, as instructed by their supervisor, as part of the Agency shutdown procedures described below. Supervisors will inform exempt and excepted employees of any changes in supervisory structure resulting from the shutdown (i.e. when supervisors are furloughed, and employees are exempt or excepted). Identified supervisors should have sufficient training and experience to provide supervisory support, including reporting incidents impacting security and safety and health, and to conduct job hazard analyses for employees’ assigned work that is different from their usual job functions.

Supervisors will:

- Issue “Notice of Furlough” and “Furlough Checklist” to all employees.
- Survey employees regarding any meetings scheduled on the first day of the furlough or later involving non-government entities and take appropriate action.
- Ensure all outstanding travel vouchers have been approved and processed via Concur for travel dates prior to the second day of the furlough.
- Ensure employees have canceled any reservations made outside of Concur (such as for hotel or rental car) for travel scheduled after the first day of the furlough.
- Provide detailed instructions to all employees designated as “*Exempt*” or “*Excepted*,” including those subject to recall only, on the following:
 - a. Nature of work assignments
 - b. Work site for furlough period
 - c. Expectations for communication
 - d. Tour of duty
 - e. Organizational contacts for the furlough period
 - f. Any other pertinent information
- Check and ensure that all items have been cleared from common break areas (remove food from refrigerator, clean and turn off coffee pots, etc.).
- Advise furloughed employees that they are not allowed to use government-issued equipment during the furlough period, except if placed in on-call status.
- P.L. 116-1 allows excepted employees to use leave during a shutdown. Cancel all annual and sick leave for all non-excepted employees during the furlough period to include leave already commenced and approved.
- Ensure employees in travel status have been directed to return home.
- Verify proper completion of all of your employees’ T&As before departure on the first day of the furlough. WebTA may be accessed at: <https://wta.nfc.usda.gov/usda/>.
- Complete the Employee Furlough Checklist, to be provided by Human Resources management.
- Set out-of-office notifications with pre-approved scripted message on all common email and voice mail accounts (main line phone numbers, group email boxes, etc.).
- Ensure they have employee’s contact information, and that their employees have theirs. This provides a channel of communication, providing support for employees if questions arise during the shutdown.
- Ensure furloughed employees receive the following guidance to begin shutdown operations.

Employees reporting to work will be instructed to continue their exempted work, begin their excepted activity work or, for furloughed employees, begin shutdown operations to include:

- Secure all personally identifiable information (PII) and confidential or sensitive data in the work area and clear the open, accessible work space as appropriate.
- Provide supervisor with current personal contact information, including personal e-mail address and personal phone number.
- Complete any organization-specific shutdown activities as directed by their supervisor.
- Discuss cancellation of any meetings scheduled on the first day of the furlough.
- Discuss cancellation of travel scheduled after the first day of furlough, including canceling any reservations made outside of Concur (such as for hotel or rental car).
- For those employees in travel status, immediately contact supervisor for instructions on returning home.
- 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 resolved.
- Remove or secure all valuable personal belongings.
- Dispose of/remove all perishable food and personal items from work and break areas.
- Ensure all small appliances are turned off and unplugged.
- Secure all government equipment, especially portable electronic devices.
- Make sure that work time is recorded in WebTA as instructed. WebTA may be accessed at: <https://wta.nfc.usda.gov/usda/>.
- Set voicemail and email out-of-office notification with the pre-approved scripted message provided by Department officials.
- Ensure they have their supervisors contact information, and that their supervisor has theirs. This provides a channel of communication, providing support for employees if questions arise during the shutdown.
- Ensure computers are physically secure but leave the computers connected to the network so that they continue to receive critical security patches. Employees should be logged off of the network.
- Lock the office door, if applicable, at departure.
- Regularly review the USDA Be Prepared website. This site provides employee resources during a shutdown. <https://www.dm.usda.gov/beprepared/index.php>

The APHIS Information Security Coordinator (ISC) will contact the Local Information Security Specialists to ensure that all classified materials and equipment under their control is accounted for and remains secure. The Local Information Security Specialists will:

- Conduct an inventory of their classified holdings;
- Ensure all classified materials and equipment are secured the day prior to the beginning of the furlough; and,
- Ensure their secure room is closed, locked, and alarmed.

Notification to Contractors

The Mission Area Senior Contracting Official (MA-SCO) will ensure that all applicable Federal Acquisition Regulations (FAR) and Agriculture Acquisition Regulation Advisories (AGAR) are followed. In addition, the MA-SCO will direct that all existing contracts be reviewed to determine whether the contracts are funded with appropriated, multi-year or no-year funds. If any contract is funded in excess of available appropriations in error, e.g., a period of performance has been stated beyond the expiration of a Continuing Resolution, the error will be corrected so as to limit the Government's liability.

For contracts funded with current year appropriated funds, contracting officers will issue stop work orders or suspension of work orders, consistent with FAR Part 42, with the exception of contracts whose purpose is the protection of life or property or those services needed for the orderly shutdown of government operations. Contracts that are funded from funds previously awarded/obligated and available would continue.

Second half of Day 1:

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

- Document the status of cases and projects so that they can be resumed, transferred, or otherwise appropriately handled when APHIS' ultimate funding situation is determined.
- Prepare files for permanent storage, transfer to related agencies, or other disposition.
- Submit a final list of employees through the Associate Deputy Administrators, EDs, AEDs, National Science Directors, Laboratory Directors, SPHDs, Supervisory Facility Operations Specialists, WSSDs, Regional Directors, overseas Regional Managers, Field Operations Directors, District Directors, or other Directors, to their respective Deputy Administrator and then to the Associate Administrator no later than the end of Day 2.
- Contracting Officers and Contracting Officer Technical Representatives will continue to contact all appropriate contractors and vendors to let them know the status of their work and whether or not it is suspended.

Day 2:

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

Employees leading, directing, and performing work identified as exempted or excepted from shutdown procedures (described in Sections II- Exempted and III-Excepted) will continue to work. Excepted employees may be placed in an "on call" status, depending on the nature of the activity and duration of the shutdown.

Employees will be directed to perform only those activities as enumerated earlier (Attachment II). As each shutdown function is completed, the supervisor must notify the supervisor at the next highest level or, at headquarters, the respective Deputy Administrator, of completion.

Each employee whose shutdown function is completed will be furloughed immediately and formally notified by their supervisor or other appropriate manager 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.

Day 3 and until completion of close down procedures:

Employees who were previously identified as required to perform functions necessary for orderly shutdown of program activities will report for work, only if necessary.

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

Employees leading, directing, and performing work identified as exempted or excepted from shutdown procedures (described in Sections II- Exempted and III-Excepted), will continue to perform the identified activities. There will be daily communications by the Administrator's Office on the status of the shutdown procedures with the Department contacts previously identified.

Should the appropriations hiatus last more than 5 days, the APHIS Administrator and any other officials he or she deems appropriate will review excepted and exempted Agency operations and any additional guidance provided by OPM and OMB. They may update the shutdown plan as the situation develops and circumstances warrant.

Resumption of Duties:

Furloughed employees should monitor the news for information and should report back to work on their next scheduled workday once another continuing resolution or an appropriation bill is enacted (passed by the House and the Senate and signed by the President). APHIS has a start-up plan for employees and supervisors to assist in an orderly return to duties. The start-up plan is posted on the APHIS portal (<https://my.aphis.usda.gov>).

Exempted Activities

Trust Funds

APHIS receives revenue for activities requested by cooperators. These activities include preclearing and inspecting fruits, vegetables, and nursery products before they are shipped to the United States; inspecting commercial birds in an APHIS-approved commercial bird quarantine facility; and other technical assistance. All costs that APHIS incurs to provide these services are the responsibility of the cooperator and must be paid in advance.

User Fees

Animal and Plant Import and Export:

As provided in 21 U.S.C. 136(c)(2), APHIS may charge and collect fees for the costs incurred in inspecting and quarantining animals imported into and exported from the United States; performing certain laboratory veterinary diagnostics and select agents services; and issuing phytosanitary certificates for plant materials bound for export. All fees collected shall be credited to the accounts that incur the costs and shall remain available until expended without fiscal year limitations (21 U.S.C. 136(c)(3)).

Agricultural Quarantine and Inspection:

As provided in 21 U.S.C. 136(a)(1)(A), APHIS may charge and collect fees for the costs incurred in providing agricultural quarantine and inspection services in connection with the arrival at a port in the customs territory of the United States, or the preclearance or preinspection at a site outside the customs territory of the United States, of an international passenger, commercial vessel, commercial aircraft, commercial truck, or railroad car. APHIS will maintain additional personnel who can be called upon to assist with conducting these activities when requests for services exceeds the exempted workforce capacity during and outside of normal business hours. APHIS transfers a portion of these fees to the Department of Homeland Security's Customs and Border Protection (CBP). All fees collected shall be credited to the accounts that incur the costs and shall remain available until expended without fiscal year limitations (21 U.S.C. 136(a)(6)).

Reimbursable Overtime

Under the same authorities cited above for user fees, APHIS charges for the additional overtime costs associated with providing inspection services normally performed during regular hours and covered by established user fees. These funds cover the costs of the services provided and are only received when the services are requested and provided. The amount of reimbursable overtime is subject to requests for services to occur outside of normal business hours and is scheduled as shipments arrive needing immediate clearance.

Building and Facilities

There are incomplete construction projects that are funded from money previously appropriated and available until expended. This work would continue because contracts have already been awarded and funding is already obligated. No USDA employees would be involved.

No-year funding

APHIS has responsibility to respond to agricultural emergencies involving invasive pests and diseases. APHIS' responses are supported through emergency transfers of Commodity Credit Corporation (CCC) no-year, mandatory funding. APHIS will continue these operations to protect U.S. agriculture and forests, including current ongoing emergency programs.

APHIS carries out certain appropriated agricultural programs that have the ability to carryover funding into the next fiscal year. APHIS will maintain program operations using carryover appropriated balances to mitigate the risks associated with animal and plant pests and diseases,

including wildlife damage management activities. The carryover funding is sufficient to cover the salaries and benefits for employees working on these activities into the next fiscal year.

Reimbursable Agreements

APHIS receives funds through cooperative service agreements for activities requested by cooperators. For example, APHIS is working in support of the Department of Defense (DOD) to minimize the risk of transport and establishment of invasive brown tree snakes to Hawaii, other islands, and the U.S. mainland so that operations on Guam and the Pacific can continue to support national security purposes. This activity is funded through cooperative agreements with the DOD and the Department of the Interior.

APHIS also provides scientific expertise in reducing human-wildlife conflicts, including wildlife hazards at airports, military bases throughout the United States and the world, and in protecting agriculture, natural resources, and human health and safety. To minimize the likelihood of catastrophic or major-damage bird strikes and other wildlife conflicts, wildlife biologists provide direct services to stakeholders including wildlife harassment, habitat modification, or wildlife removal.

Foreign Staff

APHIS has exempt positions overseas that are funded by user fees as well as through trust fund agreements and reimbursable agreements. These employees conduct the activities described above.

Farm Bill Section 10007

The Agricultural Act of 2014 consolidated two of APHIS' Farm Bill programs: Plant Pest and Disease Management and Disaster Prevention Program (formerly Section 10201) and the National Clean Plant Network (formerly Section 10202) now under Section 10007, Plant Pest and Disease Management and Disaster Prevention Program. During the fiscal year, the Farm Bill team reviews, rates, and ranks approximately 1,000 suggested projects received by the Agency. The Agency provides funding to State departments of agriculture, territories, academia, and tribes, non-profits and private entities. Projects include training and deployment of canine teams to cooperators, developing survey methodology, procuring traps and lures that APHIS distributed nationwide to cooperators in many pest programs, outreach efforts to inform the public and make them aware of invasive plant pests, and supported development of an improved data management system for use by States and territories, other cooperators, and APHIS.

APHIS also administers the USDA responsibility to establish a "National Clean Plant Network" (NCPN), a program under which a partnership of clean plant centers is organized for diagnostic and pathogen elimination services to produce clean propagative plant material and maintain blocks of pathogen-tested plant materials in sites located throughout the United States. Clean plant material may then be made available to States for certified clean plant programs and to private nurseries and producers. USDA consults with State departments of agriculture, land grant universities, and non-land grant colleges of agriculture.

APHIS Plant Protection and Quarantine (PPQ) has ongoing responsibilities which include program governance, addressing critical/emerging issues, developing policy and protocols, education and outreach, strategic planning, stakeholder engagement, and managing the cooperative and agreements. Therefore, APHIS employees will continue to work and support the program.

Farm Bill Section 2408

The Agricultural Improvement Act of 2018 established a Feral Swine Eradication and Control Pilot Program under Section 2408 to respond to the threat feral swine pose to agriculture, native ecosystems, and human and animal health. APHIS protects natural areas and native wildlife from invasive species, such as feral swine.

Farm Bill Section 12101

The Agricultural Improvement Act of 2018 established the Animal Disease Prevention and Management Program under Section 12101 to address the increasing risk of the introduction and spread of animal pests and diseases affecting the economic interests of livestock and related industries of the United States.

Excepted Activities

APHIS conducts the following essential activities to the extent that they protect life and property, including:

1. Activities essential to ensure continued public health and safety, including safe use of food and drugs and safe use of hazardous materials;
2. Border and coastal protection and surveillance;
3. Protection of Federal lands, buildings, waterways, equipment and other property owned by the United States;
4. Law enforcement and criminal investigations;
5. Emergency and disaster assistance;
6. Activities necessary to maintain protection of research property.

Activities essential to ensure continued public health and safety, including safe use of food and drugs and safe use of hazardous materials

The APHIS Emergency Management, Safety and Security Division's Safety, Health and Environmental Protection Branch is responsible for providing oversight and technical consultation on all environmental, health, and safety issues for exempted and excepted employees. This includes areas such as occupational health, biological safety, safety and industrial hygiene, workers compensation, drug free workplace, and environmental protection. Activities may include but are not limited to accident investigations involving government owned vehicles and aircraft, and deaths. The APHIS/ Agricultural Marketing Service (AMS) Occupational Workers' Compensation Program Manager and APHIS Drug-Free Workplace Program Manager is responsible for ensuring workers' compensation claims are filed within the

regulatory requirements, claims are continually managed, and post-accident drug testing is accomplished within the regulatory requirements. The APHIS Emergency Management, Safety and Security Division's Security Branch conducts investigation of security threats and incidents, and workplace violence. Personnel to support these safety and security activities will be available on a case-by-case basis—similar to their weekend responsibilities but with no requirement that they stay at their duty stations or stay within cell phone range—to respond as necessary to provide technical assistance and conduct investigations for exempt and excepted activities.

APHIS' Safety and Security Unit (SSU) is responsible for providing oversight and technical consultation on all environmental, health, safety, and security issues for employees of the National Centers for Animal Health (NCAH) in Ames, Iowa. Responsibilities include areas such as occupational health, biological safety, safety and industrial hygiene, physical security, environmental protection, and select agent programs. A core SSU staff will be maintained to address any safety and security issues that may arise for those exempt and excepted APHIS or ARS personnel carrying out exempt and excepted laboratory/support services at the NCAH.

Animal Care (AC) regulates entities required to be licensed or registered under the Animal Welfare Act. If conditions for covered animals result in suffering as a result of failure of the licensee to follow the provisions of the regulations or standards, APHIS may confiscate the animal(s) for care, treatment, or humane disposal. In the case of dangerous animals, AC may be called in to capture and contain these animals. AC will require some of its staff to be "on-call" for these types of situations. In the event AC is in the midst of a confiscation when a lapse in appropriations occurs, involved AC employees will finish the confiscation work before reverting to either on-call or furloughed status.

Biotechnology Regulatory Services (BRS) regulates the safe development and use of certain Genetically Engineered (GE) organisms that may pose a risk to plant health, to include unintended effects on the environment, food safety, and food security. As part of these efforts, BRS regulates the introduction (importation, interstate movement, and release into the environment, or field testing) of GE organisms. This activity includes responding to incidents involving non-compliance with the conditions placed on these introductions. In any given year BRS oversees more than 2,000 field trials and thousands of requests for movements and importations of regulated GE materials. When an incident occurs that is not in compliance with the regulations and/or conditions placed on the regulated activity, responsible entities are required to contact BRS via its compliance reporting systems, phone line or e-mail system, within a set period of time to report the incident. BRS then begins a process to assess and investigate the incident, often with the assistance of inspectors from PPQ, and as needed, investigative officers from Investigative and Enforcement Services (IES).

During a Government shutdown, BRS will be required to monitor the BRS compliance call line on a daily basis in case a responsible party reports an incident in which regulated material being field tested, moved intrastate, or imported results in an unauthorized release into the environment. In doing so, BRS will require some of its staff to be "on-call". The activities provided by these employees will be essential to protecting agriculture and the environment from potential plant health risks.

Border and coastal protection and surveillance

Agricultural quarantine and inspection and cattle fever tick surveillance activities prevent the introduction of animal and plant pests into this country that would be potentially damaging to American horticulture and livestock. This work includes pre-departure inspections at ports in Hawaii and Puerto Rico (inspections of travelers before they depart for the continental United States), and livestock movement quarantines and tick treatments for cattle and deer along the U.S.-Mexico border. The services rendered by these employees protect the United States from devastating incursions of animal and plant pests and diseases that could cause substantial property losses to U.S. farmers and ranchers.

APHIS Security staff will be available on a case-by-case basis to respond to security incidents for employees working on the border and in Mexico—similar to their weekend responsibilities but with no requirement that they stay at their duty stations or stay within cell phone range.

Protection of Federal lands, buildings, waterways, equipment and other property owned by the United States

APHIS conducts its programs in a number of owned or leased facilities, including laboratories that hold select agents. If these properties are not maintained and secured, then the Government would lose a considerable financial interest and future replacement would be several times more costly than original costs. APHIS' facilities include the NCAH, the National Wildlife Research Center (NWRC), Wildlife Services Pocatello Supply Depot, and WS field sites, and the Center for Plant Health Science and Technology, among others. Also, personnel will be available to suitably store lab samples received daily, for testing at a later date and separate out emergency samples and user fee samples for regular testing.

APHIS Security will coordinate facility access using the enterprise physical access control system (EPACS) for facilities that support exempted and excepted personnel. Facilities on the EPACS auto-unlock and lock are based on operational need and these changes need to be programmed. APHIS operated facilities will remain operational to support exempted and excepted activities.

Law enforcement and criminal investigations

IES, provides investigative and enforcement support relating to serious alleged violations of Federal statutes and regulations under APHIS' jurisdiction that require immediate investigative attention (such as biotechnology that impacts health, American agriculture, or trade; animal and plant diseases that present a serious risk of harm to health or American agriculture; animal welfare violations resulting in animal suffering; or border-related alleged violations that present a serious risk to health or American agriculture). IES employees will be placed on-call and activated, as appropriate, to support APHIS in its response(s) to significant events.

Animal Care employees will also be placed on-call to review complaints and significant events using predetermined criteria to determine if a response is warranted during the period of lapse in appropriations. Additional employees may be called in to respond as necessary.

Emergency and disaster assistance

Should an animal or plant health emergency occur, APHIS employees needed to support a response will be activated, as appropriate. APHIS' Emergency Management, Safety, and Security Division's staff will be available as needed to activate the APHIS Dr. Jere L. Dick Operations Center (JDOC). Two JDOC personnel will be available on an as-needed basis only to activate the JDOC and its equipment, and to perform related assistance duties. In the event of an ongoing outbreak, the Agency will maintain adequate personnel to support the incident.

Foreign animal disease (FAD) diagnosticians and incident command system (ICS) teams will be available on a case-by-case basis to respond to FAD investigations and FAD emergencies—similar to their weekend responsibilities as emergency response officials—but with no requirement that they stay at their duty stations or stay within cell phone range. Similarly, one public affairs specialist and one Agency Web specialist will be available on an as-needed basis to post information about an FAD outbreak or other emergency. Laboratory personnel will be available to run tests on samples associated with FAD investigations, and, at the beginning of the period, to close out pending lab tests.

Rabies control is critical along the border with Mexico and in other areas of the United States to prevent reintroduction and spread of the canine rabies virus and to protect public and animal health. The rabies management strategy requires an annual distribution of rabies vaccine to be effective in preventing and controlling the spread of this disease.

PPQ has ongoing plant health emergency and domestic programs that would need to continue in the event of a shutdown. In addition, PPQ has ICS teams that are on-call to respond to new or developing plant health emergencies.

APHIS serves as the coordinating agency and as a primary agency for Emergency Support Function #11 (ESF#11) of the National Response Framework. ESF#11 personnel will be available to respond to activations of ESF #11. These employees provide agriculture and natural resources support when activated under a FEMA Mission Assignment. Depending on the funding source, APHIS personnel activated during a lapse of appropriations may be funded in entirety (including salary, overtime, and travel) by FEMA. Activities could include pre-activation situational awareness activities if funded by FEMA Mission Assignment. These personnel are essential to the national disaster response mission. APHIS provides technical assistance and subject matter expertise to FEMA to coordinate response under all five functions of ESF#11. FEMA will notify the USDA Operations Center of any activations of ESF#11. The USDA Operations Center will notify the APHIS Security Officer, who will notify the ESF#11 National Coordinator or appropriate ESF #11 Regional Coordinator. Mission Assignments will be negotiated prior to activation and mobilization of responders.

APHIS employees who provide radiation response support to the interagency Advisory Team for Environment, Food and Health, or the USDA Advisory Team will be available on a case-by-case basis to respond to activations—similar to their weekend responsibilities but with no requirement that they stay at their duty stations or stay within cell phone range. Requests for support will be made by the USDA Operations Center and funded in entirety from response funds.

Activities necessary to maintain protection of research property

APHIS' NWRC research scientists develop wildlife damage management methods to reduce threats to human health and safety. APHIS will maintain staff at NWRC and its associated field sites to care for the animals being studied or maintained. APHIS also houses animals at its National Veterinary Services Laboratories (NVSL), including its Foreign Animal Disease Diagnostic Laboratory (FADDL), that are necessary for diagnostic and methods development work.

In several APHIS programs, sterile or biological-control insects are continuously reared in order to retard the spread or eliminate harmful insect infestations in the United States or prevent them from reaching our borders. If operations were to cease at these facilities, these insects would no longer be produced and starting these programs again would be costly and time consuming; failure to continuously release sterile insects in barrier zones would allow pests to spread and reverse years and billions of dollars in investments.

Foreign Staff Activities⁵

APHIS' overseas operations fall under U.S. State Department authorities and host country labor laws. APHIS' U.S. direct hire (USDH) employees paid by appropriated funds are designated as excepted according to the Office of Management and Budget guidance. This guidance allows activities that provide for the national security, including the conduct of foreign relations essential to the national security or the safety of life and property, to continue in the absence of appropriations. APHIS' locally employed staff (LES) positions are also considered excepted. Local labor laws generally prohibit these employees from being furloughed and require the United States to continue to pay their salaries. Some overseas employees are not funded by annually appropriated funds and are considered exempt from furlough.

APHIS also has staff in the Afghanistan theater of operations pursuant to an Interagency Agreement with DOD. In Afghanistan, APHIS staff work under the auspices of DOD and continue to perform activities related to the Bird/Aircraft Strike Hazard program during a lapse in funding.

A limited number of headquarters employees will be provide basic management and administrative support and coordination of services as needed for APHIS employees working overseas through their excepted and on-call status.

Agency-wide Management and Support

During a lapse in appropriations, APHIS senior level management will be maintained at a minimal level to staff the Office of the Administrator as well as program level exempted and excepted activities. Adequate support staff from the HRD; Financial Management Division; Acquisition and Asset Management Division; Information Technology Division; and Emergency Management, Safety, and Security Division will be maintained to support APHIS program delivery in Categories II and III, and also to provide administrative services for exempt and excepted employees of the AMS. APHIS administrative staff will provide basic services in

⁵ This language was coordinated with FAS' Office of Foreign Service Operations.

procurement, contracting, facility engineering, labor and employee relations, human resources, personnel actions including death benefits, furlough and staffing actions, payroll, budget and finance, accounting, mailroom support, and worker's compensation.

Agricultural Marketing Service (AMS)

Exempt Activities

Employees who are fully funded by funds that are available during a lapse in appropriations are exempt employees. Examples of these funds are:

- Mandatory and permanent appropriations (e.g., Farm Bill-funded Programs, Domestic Commodity Procurement, Marketing Agreements and Orders)
- Reserve balances and/or revenues collected for user funded activities (e.g., Grading, Classing, PACA, FGIS)
- Reimbursements from non-Federal funds – advanced collections will be required to continue these operations (e.g., oversight of Research and Promotion Boards)

Partially Exempt Activities

Employees who are funded by multiple funding sources may be partially exempt to the extent their salaries are paid with available (exempt) funding. The following are examples of partially exempt employees.

- Office of the Administrator and its associated Staff Offices
- Deputy Administrators and their Staff Offices (*excludes the National Organic Program Deputy Administrator whose activities are fully financed with appropriated funds*)
- Management and Analysis Program
- Federal Grain Inspection Service Field Management Division and Technical and Science Division

Excepted Activities

Employees who are partially funded or fully funded by appropriated funds may be considered “excepted” if the activity they support meets OMB’s criteria.

- The AMS Administrator and Associate Administrators will also work in an excepted status to maintain support of excepted activities (e.g., Market News) and manage the orderly shutdown process.
- AMS and MRPBS administrative staff will provide basic services in procurement and contracting; labor and employee relations, human resources, personnel actions including death benefits, furlough and staffing actions, payroll, and worker's compensation; billings and collections and financial management; and information technology support. Additional staff will provide coordination and guidance to AMS employees during shutdown operations and to exempt and excepted employees during a shutdown. These administrative support employees will service both the exempt and excepted employees. The support is for regularly ongoing work funded other than by annual appropriations and permissible excepted activities. Excepted activities include the Market News program and disaster response for protection of life and property.
- Deputy Administrators and appropriate staff who are fully supported by appropriated funds will be changed to excepted status on an as needed basis to respond to specific

issues such as disaster response, food safety support, or agricultural transportation emergencies that arise during their furlough status. The Administrator or Associate Administrators will determine when an employee is brought out of a furlough status and the duration.

- Deputy Administrators and appropriate staff who are partially supported by appropriated funds (partially exempt) will also be excepted on an as needed basis during their furlough periods to respond to specific issues such as disaster response, food safety support, or agricultural transportation emergencies that arise during their furlough status. The Administrator or Associate Administrators will determine when an employee is brought out of a furlough status and the duration.
- The Market News program is an excepted activity based on the criticality of the market news reports to the overall agricultural industry. The Administrator or Associate Administrators, in consultation with the Deputy Administrators, will determine the extent of the excepted activities to minimize market disruption while maintaining adherence to the OMB guidelines.
- The AMS Emergency Management Specialists perform safety protection and environmental emergency work that involves human life. User fees partially fund the employment activities of this position. If called to work during an emergency, the portion of the activities not supported by user fees will be considered excepted service.

Furloughed Employees

Furloughed employees include those that work in any programs that are funded 100% with appropriated funds.

Shutdown Guidance

- **Reporting to Work** – Unless otherwise instructed by their supervisor, all employees will report to work at their normal reporting time on the first work day following the expiration of a continuing resolution with no subsequent authorization. Employees will be instructed to either begin their excepted activity work or complete any necessary close-down activities and leave their worksite as directed by their supervisor or competent authority.
- **Shutdown activities during 1st Day** – AMS employees will primarily need ½ of a day to complete shutdown activities. Supervisors will make the necessary assignment of duties to ensure an orderly shutdown occurs. Contracting officers will notify contractors of their operating status and AMS managers will notify cooperating agencies as needed. Shutdown activities will include preparing all records for transfer to the appropriate records holding area, issuing notices of cancellation of ongoing program activities, and inventorying and preparing all personal and real property and facilities for appropriate disposition.

In order to ensure the continuity of operations for exempt activities, program managers will provide a shutdown impact report to the Administrator which will include each Program's budget activities, staff years, location, operating status, activity impact as a result of furloughed staff in other programs or agencies, and any issues with administrative support as a result of reduced support from APHIS MRPBS or Department offices.

Specific activities to shut down program operations include, but are not limited to the following:

✓ **Employee Responsibilities:**

- Protect sensitive and personally identifiable information by securing it in locked files or offices (*includes all PII information*)
- Ensure that all property and records assigned to furloughed employees are accounted for and are appropriately secured
- Cancel meetings and other previously arranged business; inform parties who are involved in Agency matters, such as State governments, other Federal agencies, contractors and private entities of the cessation of normal business
- Cancel any travel in the Concur travel system that was scheduled after the start date of the funding hiatus
- Document the status of assignments and projects so they can be resumed, transferred or otherwise handled when the furlough ends
- Activate standardized 'out of office' message in email to indicate the employee is out of the office until further notice
- Update voice mail to indicate employee is out of the office until further notice
- Record all time worked during the pay period properly in WebTA and submit to approving authority prior to leaving on furlough
- Ensure there is no open food in the work area; place trash outside of any locked space
- Ensure all lights, fans, heaters, etc. are turned off
- Post signage on office doors indicating closure due to a lapse of funding
- Stop using transit benefits while in furlough status during the lapse of funding
- Employees will not use government-owned computers and electronic devices while in furlough status

✓ **Supervisor Responsibilities:**

- Cancel annual and sick leave scheduled for furloughed employees during the lapse of appropriation (*including leave already started*). Employees with paid leave (*annual, sick, credit, compensatory, etc.*) scheduled and approved for days designated as furlough days, will not be allowed to take the leave, since furloughs are considered to be non-workdays. Exempted employees may be allowed to take leave as they would at any other time, since funds are available to pay their salaries
- Advise employees being furloughed that the agency will not accept their voluntary services during a funding hiatus as it is prohibited in the Antideficiency Act
- Advise employees who are furloughed they are not authorized to use Government equipment (laptops, cell phones, etc.) or transit benefits during the funding hiatus as they are not in work status and cannot work voluntarily

- Ensure shutdown activities have been appropriately completed; secure the facility, as applicable
- Ensure that emergency contact information for employees is current
- Employees in travel status, who are impacted by a funding hiatus, will be advised to return home prior to the expiration of funding authority. Travel agents will be instructed not to issue airline tickets for activities impacted by a shutdown unless they receive certification from travel coordinators that funds are available. For those employees funded from multiple sources, only travel directly related to programs not impacted by a shutdown should continue and be charged directly to that activity (no distributed accounting should be used)
- Advise travelers that travel may need to be resubmitted in Concur for approval and/or ticketing if applicable
- Certify that all T&As are properly recorded in WebTA before departure
- Suspend transit benefits for furloughed employees

AMS Website Information

AMS will coordinate with MRP IT Services in support of the following items:

- Modify the AMS website to allow public access to information (guidance, forms, etc.) for those AMS programs that continue in operation during a lapse in appropriations.
- Maintain at least one cyber-security specialist on duty during each workday of a funding lapse period to respond to cyber incidents identified by the Agency or reported to AMS by the Department or DHS.

Furlough Notice to Employees

- Furlough notices will follow the guidance and timeline as prescribed by the Department
- In general, each employee to be furloughed will be notified orally and in writing of the decision to furlough. In addition, affected employees will be provided copies of the SF-8 Form (Unemployment Compensation for federal Employees) and questions and answers for furloughed employees, which provide information on a variety of topics, including continuation of benefits coverage. The supervisor will document each employee's receipt of written or verbal notification. The written notice may or may not be provided in advance of the actual furlough date; however, all furloughed employees will receive written notification at some point.
- Employees should be instructed not to report back for duty unless they are notified by official notification (supervisor, OPM) or media sources, that appropriations legislation or a Continuing Resolution has been enacted. Supervisors should ensure that they have a means of contacting employees.

Activities Identified to Continue Operations during a Shutdown

As a result of the way in which certain AMS programs are funded, a lapse in appropriations will have varying impacts on our ability to continue AMS activities. The following AMS programs will continue to operate during the furlough because they are either sustained with non-appropriated funds, mandatory funds (not annually appropriated), or the activity provided from a program is needed for the protection of property:

1) Funded by User Fees & Assessments

✓ Cotton Classing

✓ Poultry Grading

- ✓ Cattles Futures
- ✓ Dairy Grading
- ✓ Federal Grain Inspection Service
(for user fee funded activities only,
see below for activities funded by
appropriations)
- ✓ Laboratory Operations
- ✓ Meat Grading
- ✓ Perishable Agricultural
Commodities (PACA)
- ✓ Tobacco Grading
- ✓ Plant Variety Protection Program
- ✓ Seed Inspection
- ✓ Quality Assessments and Audits
- ✓ Specialty Crop Inspections
- ✓ Fee-funded Warehouse Examinations

2) Funded by Mandatory Appropriations

- ✓ Farm Bill-funded Activities
- ✓ Commodity Purchase Services
- ✓ Marketing Agreements & Orders

3) Funded by Non-federal Reimbursements

- ✓ Research and Promotion Programs

4) Excepted Activities

- ✓ Market News and Market News Support Staff

Activities Identified to Not Operate During Shutdown

The following AMS programs are 100% funded with annually appropriated funds and will not be continued during a government shutdown:

- ✓ Country of Origin Labeling
- ✓ Federal Seed
- ✓ Federal-State Marketing
Improvement Program
- ✓ All compliance, standardization,
methods development, and
international monitoring activities
conducted by the Federal Grain
Inspection Service
- ✓ International Food Procurement
- ✓ National Organic Program
- ✓ Packers and Stockyards Program
- ✓ Pesticide Data Program
- ✓ Shell Egg Surveillance
- ✓ Standardization
- ✓ National Bioengineered Food
Disclosure

Offices Identified as Partially Funded to Operate During Shutdown

The following AMS offices are identified for partial furlough based on appropriated funding, but will continue during a government shutdown to the extent their salaries are paid with excepted or exempt funding:

- ✓ Office of the Administrator and its associated Staff Offices
- ✓ Deputy Administrators whose programs include exempt and excepted activities and their management staff
- ✓ Federal Grain Inspection Service Field Management Division and Technical and Science Division
- ✓ Management & Analysis Program

- ✓ Transportation & Market Development (Grants oversight management for Farm Bill Funded grants will continue)
- ✓ Fair Trade Practices Program
- ✓ Commodity Procurement Program

External Inter-Agency Administrative Support

AMS will work with the other USDA agencies that provide administrative services through reimbursable agreements to confirm what services will be available for AMS excepted and exempted employees during a government shutdown. AMS will coordinate with MRP IT Services staff who will provide baseline technical information technology assistance, ensure network security and operations.

Short and Long-Term Impacts for Activities Not Operating During Shutdown

Short-term (1-5 days): A discontinuation of all Packers and Stockyards Program's activities will hinder the program's enforcement of the Packers and Stockyards Act. Similarly, a discontinuation of FGIS' compliance activities will affect AMS' ability to ensure that the U. S. Grain Standards Act, applicable provisions of the Agricultural Marketing Act of 1946, and applicable regulations are implemented accurately and uniformly throughout the official grain inspection and weighing system. The inability to investigate alleged violations could hamper corrective action in the long term. This could have an immediate impact on members of industry if marketing is disrupted or conducted under inappropriate conditions due to the violations.

Short-term (1-5 days): Methods development activities include applied research or testing that produces new or improved techniques for measuring grain quality. Even a short-term disruption of methods development activities could affect projects where the ongoing collection and testing of new crop samples is critical. AMS' international monitoring programs monitor the quality and weight of grain shipments between origin and destination ports; responds to grain quality or weight complaints received through the Foreign Agricultural Service or other sources; and briefs representatives of importing countries both in the U. S. and abroad on the roles and responsibilities of AMS. Additionally, the international monitoring program works with USDA sister agencies, the Food and Drug Administration, and cooperator organizations to increase awareness of AMS' roles and responsibilities in the U. S. and abroad. One potential impact of shutdown may be a delay in addressing a discrepancy of an urgent nature, should one arise. For example, an importer alleges that a cargo is contaminated with a toxic substance. Such a situation could have a severe adverse impact on the image of American agriculture as a supplier of high quality, wholesome products. Such a situation could also disrupt orderly trade if, for example, the vessel was detained, the cargo was unnecessarily destroyed, or the payment was withheld.

Long-term (2-4 weeks): Suspension of regulatory and oversight activities for longer than a few days will impact the organic industry (National Organic Program). State cooperators that support the Pesticide Data, Country of Origin Labeling, and Federal Seed Act programs will be impacted by suspended operations and halted Federal reimbursements. Reporting on agricultural transportation and market development activities that strongly support communities and smaller farmers/ranchers will not be available. As the timeframe expands, the suspension of appropriated

marketing support activities will negatively affect marketing for all agricultural sectors served by AMS.

Timing of Shutdown

Commodity grading and other fee based services operate year-round, but shutdown of operations will have a major impact on producers (farmers/ranchers) when agricultural commodities are ready to move into the marketplace.

AMS Start-Up Activities

Initial Communication

The AMS shutdown plan instructed employees to monitor the status of the government shutdown and agency operations via the Office of Personnel Management (www.opm.gov) and news sources. Following approval of an annual or partial budget, AMS employees will receive notification either from the OPM website, the news media or their immediate supervisors on when to return to work. *Employees should not wait to hear from their supervisor if news and other sources (e.g., OPM, USDA website) are reporting that the Federal government is open.*

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 in Outlook email
- Reset voice mail message
- Remove all signage indicating the office was closed due to a lapse of funding
- Resume use of transit benefits, if available where you work
- Resume use of government-issued mobile devices, including cell phones, tablets, and/or laptops for approved purposes
- Resume use of government fleet and travel cards for appropriate government use

Information Technology

AMS will coordinate with MRP IT Services to ensure that Information Technology (IT) Systems are available and operating with a high level of confidence to perform agency business operations. Upon restoration of funding for the agency:

- MRP IT Services will restore all AMS production IT systems, business tools and websites to their last known state in order to conduct official AMS business
- Employees should retrieve all IT equipment (laptops, cell phones, tablets, etc.) from their secured location in order to conduct official AMS 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
- 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, this process may take up to 4 hours to complete. Do not turn off computers while the updates are in progress
- MRP IT Services will work with USDA-OCIO-ITS to ensure technical issues submitted to the IT Service Center are addressed completely and in a timely manner

- MRP IT Services will provide ongoing monitoring to ensure availability and proper functionality of IT systems throughout the start-up and recovery process

Human Resources

- 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/>
- Timekeepers must follow up with supervisors and employees to determine if corrected timesheets need to be prepared for pay periods affected by the furlough

Office of the Secretary (OSEC)

Contingency Plan for Agency Close Down Procedures

The Secretary of Agriculture requires maximum flexibility in managing the orderly shutdown of USDA. In the event of an interruption of fund availability, all functions and resources of the Office of the Secretary (OSEC) including all Mission Area and Executive Offices would be centralized into the Immediate Office of the Secretary.

The Secretary will assign priorities and shift resources as needed to address national concerns utilizing no-year appropriations, permanent funds, and Working Capital Funds which are available without time limitations. Decisions on the size and specialties of the staff pool will be made on an as needed basis.

On the first day of the shutdown, all OSEC employees will report for duty as scheduled and proceed with orderly shutdown including securing files, cancelling schedules, and certifying sub-agency orderly shutdown procedures. OSEC employees will be notified by call or automated system with future instructions for reporting to work, if any. OSEC employees are to follow these special instructions:

- Employees in travel status must return to their duty station. Exceptions are the Secretary and any excepted employees assigned to him (i.e. protective detail, etc).
- Excepted employee communication will be conducted through the Watch Center.
- Issue notices of cancellations of ongoing scheduled activities until further notice.
- All phones will be programmed with an appropriate message once shutdown is complete. Employees should not be using handheld electronic devices, e.g. iPhones, Blackberries, Droids, etc., for communications during shutdown for official business other than for the purposes of shutdown or as required by the Secretary.
- OSEC is part of the critical operations of USDA and personnel and expected to be on-call to ensure that critical missions are met.

Excepted employees at the end of orderly shutdown:

- Secretary (1)
- Deputy Secretary (1)
- Assistant Secretary for Administration or Deputy Assistant Secretary for Administration (1)
- Assistant to the Secretary for Rural Development (1)
- All Presidential Appointee Status or Deputy Assistant/Under Secretary (9)
- Trade Counsel to the Secretary (1)
- Chief of Staff (1)
- Deputy Chief of Staff (1)
- Deputy's Chief of Staff (1)
- Senior Advisor (4)

- Director of Policy and Coordination (1)
- Scheduler (2)
- Advance Staff (2)
- Special Assistant, Immediate Office (1)
- Staff Assistant, Immediate Office (1)
- Mission Area Chiefs of Staff (11)
- Director to the Assistant Secretary for Congressional Relations (1)
- Associate Director of Intergovernmental Affairs, Congressional Relations (2)
- Staff Assistant, Congressional Relations (1)
- Confidential Assistant, FPAC (2)
- Confidential Assistant, MRP (1)

This plan is subject to amendment as developments require, and provided such amendments are consistent with applicable law.

Office of Partnerships and Public Engagement (OPPE)

The Director of the Office of Partnerships and Public Engagement (OPPE) requires maximum flexibility in managing an orderly shutdown of the agency. In the event of an interruption of fund availability, all functions and resources of OPPE including all mission areas would be centralized into the Office of the Director on the 5th floor of the Whitten Building.

The Director will assign priorities and shift resources as needed to address national concerns utilizing discretionary and mandatory funding. Decisions on the size and specialties of the staff pool will be made on an as needed basis.

On the first day of the shutdown, all OPPE employees will report for duty as scheduled and proceed with orderly shutdown including securing files, cancelling schedules, and certifying orderly shutdown procedures. OPPE employees will be notified by call or automated system with future instructions for reporting to work, if any.

OPPE employees are to follow these special instructions:

- Employees in travel status must return to their duty station.
- Issue notices of cancellations of ongoing scheduled activities until further notice.
- All phones will be programmed with an appropriate message once shutdown is complete.
- Employees should not be using handheld electronic devices, e.g. iPhones, Blackberries, Droids, etc., for communications during shutdown for official business other than for the purposes of shutdown or as required by the Director.

Excepted employees at the end of orderly shutdown:

Day one of the shutdown week

Director – Category III. Report to duty station and communicate shutdown instructions and procedures to all employees

Chief of Staff – Category III. Report to duty station and communicate shutdown instructions and procedures to all employees

Day two of the shutdown week

All programs will cease to operate

Day five of the shutdown week

All programs will cease to operate

This plan is subject to amendment as developments require, and provided such amendments are consistent with applicable law.

Departmental Administration (DA)

This plan assumes that some Agency activities will continue and are essential to protect life and property and are excepted from close down procedures, such as:

1. Security personnel and all necessary equipment costs to protect life and property, including the security of the Secretary of Agriculture.
2. Emergency and Natural Disasters Response (i.e., floods).
3. Protection of Federal lands, buildings, waterways, equipment and other property and investments owned by the United States when the suspension of such activities would cause an imminent threat to human life and property.
4. All contracts in support of cyber security and infrastructure operations to support key positions and essential personnel.
5. Collection and Payment activities for previous legal obligations.
6. Excepted positions and support of excepted personnel as needed for close down procedures (see attachment 1).
7. Emergency and Defense Preparedness.

Employees required to support excepted activity:

Assistant Secretary for Administration: 2 total

This would include two leadership staff to oversee overall management and coordination for Departmental Administration.

Office of Human Resources (HR) Management: 12 total

This would include the Chief Human Capital Officer, the Chief of Staff, and employees required to cover Policy, HR systems, Employee Relations, Labor Relations, T&A Pay/Benefits/Retirement/Health Insurance for the OHRM servicing population, and limited staffing support for exempt customers and critical excepted hiring.

Office of Homeland Security: 9 total

The Office of Homeland Security (OHS) will except a total of 9 employees and 2 contracts in support of the Departmental Administration Contingency Plan for Lapsed Appropriations.

The function addresses emergency circumstances, such that the suspension of the function would imminently threaten the safety of human life or the protection of property⁶.

- **National defense and homeland security readiness**
 - 1 employee for leadership/advice to the Secretary on national and homeland security issues, liaison with White House National Security Council and Department of Homeland Security, and coordination with the Intelligence Community. This team also responds immediately to no-notice incidents, leading USDA's first-hour response actions to intentional, accidental, and naturally-occurring emergencies.
 - 4 employees to operate the USDA Operations Center 24/7, maintain situational

⁶ OMB Memorandum 18-05 dated January 19, 2018

awareness, and execute immediate actions to save life/property, and serve as the USDA focal point for coordination of emergency management actions.

- 1 employee for Continuity of Operations (COOP) readiness and activation of USDA and Agency COOP plans:
- 1 Emergency Operations Center Contract: to provide USDA emergency notification and response capabilities supporting all USDA emergency and security programs worldwide.

Activities that an agency must continue, in the absence of appropriations, because their continuation is "necessarily implied" from the authorized continuation of other activities⁷.

- **In support of national defense and homeland security readiness**
 - 2employees to provide access to secure facilities and communications systems that support secure networks, store classified materials, and provide for the secure communications in support of the USDA senior leadership (i.e., excepted staff) and are prepared necessary to respond immediately to national security threats.
 - 1 employee to administer the Enterprise Physical Access Control System for continued and uninterrupted access to USDA facilities and information systems by those performing excepted functions.
 - 1 Physical Security Contract [Help Desk contract task only]: to provide continued and uninterrupted access to USDA facilities and information systems by those performing excepted functions.

Office of Operations: 60 total

The Office of Operations will except a total of 60 federal employees (22 federal employees will initially be excepted and 38* federal employees would be considered intermittent excepted to perform certain functions as the need arises) and 51 contract employees in support of the Departmental Administration Contingency Plan for Lapsed Appropriations to provide critical mission support, facility maintenance and management for the USDA Headquarters Complex (South, Whitten, and Yates Buildings), and the Materiel Management Service Center, Beltsville, MD. These employees will ensure that USDA have the necessary security, operations and maintenance, custodial services, pest control, hazardous material abatement, landscaping, mail services, and other support services during the shutdown. This is critical to ensure that USDA functions operationally and provide a safe and secure environment for the federal employees and contractors responsible for delivering the Department's missions and objectives to support the American people. The breakdown of the excepted activities and employees are listed below.

- In support of Executive Leadership, Oversight and Management Controls
 - 2 federal employees
- In support of Administrative Services for the Office of the Secretary
 - 5 federal employees
 - 1 contract employee
- In support of Physical Security and Building Access in the National Capital Region
 - 4 federal employees
 - 13 contract employees

⁷ Ibid.

- In support of Building Operations and Maintenance
 - 8 federal employees
 - 36 contract employees
- In support of Mail and Copier Services
 - 30 federal employees (*intermittent excepted)
- In support of Food Safety Inspection Services Field Supply Requirements
 - 8 federal employees (*intermittent excepted)
- In support of Safety and Emergency Preparedness
 - 3 federal employees 1 contract employee

Office of Contracting and Procurement: 15 total

In support of contracts, acquisition, policy and charge card services.

- Support of the Integrated Acquisition System
- Support of Procurement Policy matters
- Support of Purchase and Fleet Card services
- Support of Contracts in OCIO, OCFO, DA, and other agencies some with no funding and some with.

This is all based on the workload we encountered during the last lapse.

Office of the Chief Information Officer: 70 total

The Office of the Chief Information Officer has identified a total of 70 federal employees. The Chief Information Officer and Deputy Chief Information Officer (2) are excepted in addition to the following leadership and functions:

- Client Executive Center (CEC) 26
CEC provides end user support for the Secretary, National Capital Region (NCR) as well as state and field locations. CEC provides phone and in-person support for computers, Voice Over IP, enterprise VPN, LincPass/E-Authentication logical and digital support.
- Digital Infrastructure Service Center (DISC) 9
DISC provides USDA enterprise infrastructure support for USDA agencies necessary to maintain technology supporting USDA programs, specifically Enterprise Network Services and Enterprise Data Center services and support.
- Information Security Center (ISC) 33
ISC provides critical cyber security support for USDA, ensuring a critical and safe cyber security posture for USDA. The Federal CIO has determined that cyber security services are excepted work to ensure the safe guarding of the federal government network and digital environment.

The IT services supported by the operational units identified above are required to ensure agencies continuing to provide services to USDA customer and public can continue to function properly.

Activities not related to continued operation of information systems necessary to support excepted activities, (inspection and enforcement systems, cyber security, maintaining connectivity to the field, maintaining help desk support) will cease.

Office of Property and Fleet Management: 2 total

The Office of Property and Fleet Management has identified two federal employees that would be excepted: the Chief of the Environmental Management Division (EMD) and an EMD employee required to coordinate the Department's environmental response and restoration activities and coordinate with the U.S. National Response Team for emergencies of national significance.

Office of the Executive Secretariat (OES):

OES will not maintain any regular staffing. Necessary staff would be subject to being called back for an excepted activity, as needed," in case the Secretary decided to call an OES lead back in to communicate via letter on an excepted action – as an example - NRCS (who is regularly funded) needing to do a letter to Congress from the Secretary on an excepted action.

Plan for activities not excluded from close down procedures:

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

The Assistant Secretary for Administration (ASA) and Departmental Administration (DA) Directors will identify those functions that need to be performed that are solely associated with an orderly interruption of normal activities. Such functions may include, but are not limited to:

- Identifying measures to secure records, personal property, real property, and facilities that will be maintained and protected until appropriate disposition is accomplished.
- Drafting communications strategy for communicating with staff office employees.
- Drafting communication strategy for making contacts outside the offices that is necessary to communicate our status, i.e. that USDA is shut down and providing an explanation for the hiatus.
- Identify all potential meetings, hearings and other previously arranged business that must be cancelled.
- Identify all essential employees and ensure these employees have been identified consistently, fairly and in compliance with applicable personnel regulations.
- Identify employees whose presence at work will be required to perform functions associated with the orderly cessation of program activities. This includes employee name, title and function the employee will perform.
- Identify all employees in International travel status and issue recall orders
- Identify what instructions and procedures Human Resources Management will provide to employees for the close down period.
- Identify appropriate Department contacts for communications purposes and orderly close down of all offices.
- Initiate bargaining with unions and other employee representatives over furlough related topics.

First half of Day 1 (First 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 or email.

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

- Communicate close down 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.
- Contact any employees on leave and communicate that their leave is cancelled.
- Contact any employees in travel status, inform of shutdown status, and direct to return to duty station.
- Ensure all employees to be released complete timesheet entry and submit to approving official.
- Cease any employee transfer of station.
- Ensure all records; personal property and real property are secured.
- Cancel all meetings, hearings and previously arranged DA business.
- Validate existing communication strategy and employee contact information for future communication need.

There will be daily communications by the ASA’s Office on the status of the close down procedures with the Department contacts previously identified.

The ASA will be responsible for:

- Providing instructions and procedures to managers and supervisors for all employees during the close down period. This will include provisions for call back of employees in the event it is determined they are needed to complete close down procedures.
- Providing specific instructions for employees to complete final time and attendance report.
- Ensuring individual furlough notices will be prepared, reviewed and approved.
- Ensure all employees timesheets are processed by the National Finance Center.
- Delay hiring of new employees and notify new hires of the reason for the delay.
- Coordinating with all contracting officers and contracting officer technical representatives to notify all contractors and vendors that work is suspended for the duration of the shutdown.

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 DA’s ultimate funding situation is determined.

- Prepare files for permanent storage, transfer to related agencies, or other disposition.
- Complete identification of employees whose presence at work will be required to perform functions associated with the orderly cessation of program activities.
This includes:
 - Name of each employee required to continue shutdown operations.
 - Title of each employee identified.
 - Office where employed, and
 - The termination function that each identified employee is to perform.
- A finalized listing of employees required for shutdown operations will be submitted by the Staff Office Directors to the ASA no later than the end of Day 2.
- Contracting Officers and contracting officer technical representatives will continue to contact all contractors and vendors to let them know work is suspended.

Day 2:

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

Employees leading, directing and performing work identified as “excepted” from close down procedures on page 1, will continue to work.

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

As each shutdown function is completed, each Staff Office Director notifies the Chief of Staff for the ASA and NFC, of completion and identifies those employees who were responsible for the task.

Each employee whose shutdown functions are completed will be furloughed immediately and formally notified by their supervisor or appropriate Director if the supervisor is not available.

There will be daily communications by the ASA’s Office on the status of the close down procedures with the Department contacts previously identified.

Day 3 and until completion of close down procedures:

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

Employees leading, directing and performing work identified as “excepted” from close down procedures on page 1, will continue to work.

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

Employees completing close down functions, continue tasks as outlined under Day 2 for each succeeding day until the Chief of Staff for ASA determines the shutdown is complete.

There will be daily communications to and from the ASA’s Office on the status of the close down procedures.

Office of Communications (OC)

This document describes the plan for shutdown of agency activities in the event of late appropriations or other similar situations requiring the discharge of all employees except those conducting essential activities.

Actions

The Office of Communications (OC) has two Category III excepted employees who will be funded when appropriations are made available - the Director of the Office of Communications and the Deputy Director for Press Operations. In the event of a shutdown, the Director or the Deputy Director will be available to provide communications assistance to the Secretary. OC has 67 total employees: 40 funded by appropriations and 27 funded through the Working Capital Fund. 65 employees are not excepted and will be asked to come to work for at least the first half day. After this, only the excepted employees will report.

On the first day, 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 teleworking, "reporting" maybe be done by telephone.

The voice mail message on the OC main contact number for reporters will be changed to reflect the shutdown.

Employees' auto reply email will be updated and employees will also change their voice mail messages to reflect the shutdown.

Unless otherwise directed by OMB, the USDA.gov website will remain live with supporting resources or in a cached state. This means the site will not be updated during the shutdown but will allow for full access to USDA.gov pages and resources in a frozen state of the last operational day before the shutdown. USDA websites granted as 'excepted' will continue normal operations. This disposition will be communicated to all agency heads, web masters, and public affairs directors.

Any OC staff on travel will be notified to return prior to the lapse in appropriations.

All records, personal property, real property, and facilities will be maintained and protected by those entities charged with security for the Jamie L. Whitten and South buildings until such time as funds are appropriated.

When it is determined that an employee is no longer needed to perform activities to accomplish the orderly shutdown, the employee(s) will be notified and placed on furlough or other personnel action as appropriate.

As employees are about to be released, the employee should enter their time for the pay period up to the time of their release in the WebTA system.

Other instructions and specific guidance will be issued as circumstances require at each occurrence of a potential shutdown situation.

Throughout this period, the Director will evaluate the need for continued attendance by these two employees. All other employees will continue on furlough, except as provided below:

- The Director will continually evaluate the need to bring staff out of furloughed status based on the needs of the office to conduct excepted activities. Employees brought out of furloughed status for excepted activities will be returned to furlough status when the need for the excepted activity ceases.

Program Impact

Press releases will not be generated as normal, nor will there be regular USDA contact with the media. Therefore, the media will not have access to USDA data, information, and/or personnel. Information on USDA policies and programs will not be available to the public.

Timely updates to the website will stop, thus valuable agricultural reports and materials will not be available to agricultural economic community, and the agriculture and consumer publics. Hosting and support of the website platform supporting USDA.GOV and a dozen more USDA agency and program websites would be at risk in a cached state.

Visual production, printing and editing of USDA documents will stop. Television and radio transmission will also be stopped.

Requests for information and publications that provide advice and assistance to the public will not be processed.

Direct and sustained public and media contact with organizations, groups and individuals will cease. This will prevent this office from providing responses to requests for clarification and information on national agricultural policies and programs that ultimately impact on the agricultural economy and general well-being of the nation.

The following is a partial list of services that will not be provided in the event of a shutdown:

- i. USDA reports
- j. Policy guidance and direction on public affairs issues and programs
- k. Teleconferencing and video production
- l. Design services
- m. Photographic Services
- n. Radio and television transmissions
- o. Printing Services
- p. Publications and information distribution

Office of the Chief Economist (OCE)

Immediate Office of the Chief Economist
Office of Energy and Environmental Policy (OEEP)
Office of Pest Management Policy (OPMP)
Office of Risk Assessment and Cost-Benefit Analysis (ORACBA)
World Agricultural Outlook Board (WAOB)

Shutdown Plan

The purpose of this plan is to prescribe the actions to be followed by the Office of the Chief Economist (OCE) for an orderly shutdown of the organization in the event of a lack of appropriations to permit continuation of programs. OCE includes all staff assigned to the Chief Economist's Immediate Office, Office of Energy and Environmental Policy, Office of Risk Assessment and Cost-Benefit Analysis, World Agricultural Outlook Board, and Office of Pest Management Policy.

Actions to close down OCE include the following:

1. All employees will be directed to report to their supervisors for assignment of duties or other pertinent information for an orderly shutdown. This may also be accomplished by e-mail or phone.
2. OPMP contracting officers will notify OCE contractors of their operating status.
3. All records, personal property, real property, and facilities will be maintained and protected until appropriate disposition is accomplished.
4. When an employee is no longer needed to perform activities to accomplish the orderly shutdown, the employee(s) will be notified and placed on furlough.
5. Employees should complete timesheet and submit to approving authority. Timesheet will be submitted by master Timekeepers at the appropriate time.
6. As needed implementation status reports will be provided to the Chief Economist and OCE leadership.
7. Other instructions and specific guidance will be issued as circumstances require at each occurrence of a potential shutdown situation.

OCE shutdown activities will take no more than half a day. Staff on board at implementation of the plan is estimated at 61. Six (6) staff will be retained under the plan in the category of protecting public health, safety, or the economy. Twenty (20) staff will be partially furloughed, being retained from the last day of the month through the scheduled release of the *World Agricultural Supply and Demand Estimates* (WASDE) report each month.

The Chief Economist, the Deputy Chief Economist, the Chairperson of the WAOB, select staff in OPMP, and the Senior Policy and Senior Trade Economists are all deemed to be excepted for the purpose of supporting critical activities of the Office of the Secretary, including representing the Department and/or the Secretary in critical international negotiations and responding to requests by the Secretary for agricultural and economic intelligence or analysis in support of decision making that may impact public health,

safety, or the economy. Subject to activities that may be scheduled, an OPMP staff member may be required to support intergovernmental negotiations such as Codex, while the Senior Policy and Trade Economists will support ongoing international trade negotiations and disputes being coordinated by the Office of the U.S. Trade Representative. A significant OCE activity that will continue during shutdown is the preparation and release of the monthly WASDE report. The twenty (20) WAOB staff on call will work with needed excepted or exempt staff from NASS, ERS, FAS and FSA to produce the WASDE report and upon release will return to furlough status.

All other OCE employees are deemed to be neither excepted nor exempt and will be furloughed for the duration of any shutdown. However, if additional staff is required during the period of the shutdown, the Chief Economist may change the designation of an employee to excepted, only until such time as the emergency need is concluded, upon which time the individual will again be placed on furlough status.

The Office of Hearings and Appeals (OHA)

The following plan addresses shutdown and start-up procedures in the absence of appropriations. This plan assumes that no full-time Office of Hearings and Appeals (OHA) activities will continue in the absence of appropriations. However, there may be a requirement for temporary OHA services in the event that the shutdown is prolonged or that customers OHA serves, who are not shutdown, require temporary services. While these situations are not expected to arise frequently, OHA needs the flexibility to conduct bare essential activities as the need arises. The following are hypothetical examples of activities that may require OHA personnel to report for short time periods:

- A NAD Regional Director may need to analyze and decide that scheduled hearings for appellants are canceled for the next two weeks.
- The Chief Judge of the Office of Administrative Law Judges may need to authorize an off-site adjudication of a case that involves the compliance of a rule or regulation that affects public safety.
- After a significantly long shutdown period, the Judicial Officer may need to adjudicate late cases that fall under the Perishable Agriculture Commodities Act, administered by a program staff not subject to the federal appropriations or the shutdown.

As no OHA activities will continue during a shutdown for other than temporary periods (2 hours or less), for the purposes of this plan, OHA does not designate any excepted employees. However, if the furlough is extended beyond a period or adjudication is required for an activity that requires public health and safety, certain employee may be required to complete limited essential administrative tasks for a prescribed time period.

Excepted Employees:

None.

Employees permitted to perform temporary duties (less than two hours per week).

- NAD Eastern Regional Assistant Director
 - Makes determinations about whether to notify appellants whether future hearings are cancelled.
- The NAD Director
 - Makes determinations about emergency adjudications or makes decisions affecting all OHA employees.
- OHA Director of Management
 - Miscellaneous administrative task supporting all OHA activities.
- OHA COOP Director
 - Ensures overall readiness and communication protocols in preparation for the shutdown; receives and disseminates information during the shutdown; notifies OHA when shutdown ends.

- The NAD COOP coordinator
 - Notifies OHA employees about shutdown and startup guidance.
- Chief Judge, OALJ
 - Authorizes off-site adjudication issues in the event of health or safety issue.
- The Judicial Officer, Office of the Judicial Officer
 - Performs emergency adjudications for agencies not subject to the shutdown or appropriations.

Non-excepted employees include:

Non-excepted employees

- All NAD Administrative Judges
- All NAD Appeals Officer
- All NAD Regional Office Staff (except as listed above as Emergency Employees)
- All NAD National Office Staff (except as listed above as Emergency Employees)
- All OALJ Office Staff
- All OALJ ALJs (except as listed above as Emergency Employees)
- The Judicial Officer (except as listed above as Emergency Employees)

We estimate it will take OHA four hours to complete orderly shutdown procedures.

Concept of the Operation for Shut down

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

The OHA Director, OALJ Chief Judge, the Judicial Officer, Deputy Directors, Special Assistant, and the Regional Assistant Directors will identify those functions that need to be performed that are solely associated with an orderly interruption of normal activities. Such functions may include but are not limited to the following:

- Identifying measures to secure records, personal property, real property, and facilities that will be maintained and protected until appropriate disposition is accomplished. OALJ staff will coordinate with the USDA Office of Operations for building and office security issues.
- Drafting communication strategy for communicating with OHA employees.

- Drafting communication strategy for making contacts outside OHA that is necessary to communicate our status.
- Identify all potential meetings, hearings travel and other previously arranged OHA business that may need to be cancelled.
- Identify all non-excepted employees and ensure that employees have been identified consistently and fairly in compliance with applicable personnel regulations. Coordinate with the Union.
- Identify employees whose presence at work will be required to perform functions associated with the orderly cessation of program activities. This includes employee name, title and function the employee will perform. In past experiences, employees that enter timesheet data require additional duty time in shutdown activities.
- Identify what information technology systems support is needed to maintain essential services and information technology infrastructure.
- Identify all employees in travel status.
- Identify what instructions and procedures NFC personnel will provide to employees for the close down period.
- Identify appropriate Department contacts for communications purposes and orderly close down of the agency.
- Inform and include the Union in pre-planning and during shutdown bargaining over furlough related topics.
- Plan for Initial notification: Park Center will provide the initial notification that OHA expects an upcoming absence of appropriations. The notification will define the time period to prepare for furlough implementation. (For the remainder of this plan, the term “time period” will refer to the precise dates identified in the initial notification.) In that notification, OHA will ask employees to make final preparations to implement the following furlough activities:
 - Appropriate NAD and OALJ regional administrative staffs will print out NADTrack schedules of hearing activities (prehearings, hearings and determinations) scheduled for the time period. OJO will assess inventory of PACA cases.
 - Employees will begin to secure property in their offices.
 - Depending on the dates of anticipated furlough, appropriate personnel will complete T&A activities as described in the initial notification instructions.
 - Appropriate personnel will submit and approve all GovTrip actions.
 - COOP Plan coordinator will verify the phone tree in order bring employees back to operating status, when appropriate.

- Supervisors will ensure furloughed employees are advised of their benefits and rights. Employees with TSP loans will review basic agreements for non-pay status during the furlough and also when returning to pay status.
- Supervisors will ensure all training and travel has stopped and that no leave is approved for the time period.
- OHA COTRs will contact contractors to implement stop work activities.

First half of Day 1: In the absence of continuing appropriations, the following steps will occur:

- All employees shall be directed to report to work and receive instructions to shutdown their activities. Non-excepted employees as discussed herein will be released on furlough by mid-day of their workday.
- Administrative Judges and ALJs will notify parties about cancelling proceedings scheduled within the identified timeframe. At the end of notifications, Administrative Judges and ALJs will inform their offices / supervisors of appellants they were not able to reach directly.
- NAD Administrative Judges will email their Regional Directors with appellant contact information for prehearings and/or hearings scheduled beyond the identified timeframe.
- Regional office staff and Administrative Judges will advise Postal Service and UPS not to deliver until notified to resume deliveries.
- Employees will set up the voicemail extended absence greeting and email out of office automatic reply for the identified timeframe. Employees will cease answering office phones and travelling to the Post Office during the furlough.
- Contact any employees on leave and communicate that their leave is cancelled.
- Contact any employee in travel status and direct to return to duty station.
- Ensure all employees to be released complete timesheet entry and submit to approving official.
- Delay any employee transfer of station.
- Ensure all records; personal property and real property are secured.
- Validate existing communication strategy and employee contact information for future communication need.
- Post message on websites to indicate that no updates will be posted during lapse in appropriations.
- Post website messages and / or orders for NAD and OALJ that filing deadlines will be tolled during the shutdown time period.
- Send test messages by email and text to all OHA employees to ensure that phone trees are up-to-date and accurate; make adjustments.

Second half of Day 1:

Shutdown activities will be completed by the second half of day 1. At this time, and throughout the shutdown, employees should not access government informational technology systems.

Day 2 until end of furlough time period. OHA will be closed down

End of Furlough Activities (Call-Backs) The COOP coordinator will implement phone tree procedures to inform staff when they should return to operating status.

Start up

This section establishes a plan of action to execute an orderly start-up of OHA operations following the approval of fiscal year funding. This plan will be enacted through a notification to all employees from the OHA Coop team. The OHA 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

OHA has prepared for an agency start-up following an approval of FY 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 funding: Federal employees receive notification either from the NAD Coop team, OPM website, or the news media that they should report for work on the next work day.
- Following approval of FY funding: The NAD Special Assistant for Legal Administration will conduct a Labor-Management Teleconference to provide advance notice to union leadership.
- Day 1: 11:00 a.m.: OHA video conference with all supervisors to prioritize start-up activities. Based upon the length of the shutdown and the number of cancelled proceedings and delays of issuing written determinations, the NAD Director will extend all statutory deadlines for appellant, pursuant to his statutory authority found in 7 U.S.C § 6997 (d). This extension will be posted on the NAD website. Finally, notifications will be sent to USDA agencies with cases pending.
- Based upon the length of the shutdown and the number of cancelled proceedings and delays of issuing written determinations, the OALJ will extend all statutory deadlines for proceedings pursuant to applicable statutory authority. This extension will be posted on the

OALJ / OJO website. Finally, notifications will be sent to USDA agencies with cases pending.

- 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.
 - Resume use of government-issued mobile devices, including cell and smart phones, tablets, and/or laptops for approved purposes.
 - Resume use of government purchase and travel cards for appropriate government use.
- Customer Service for Start-Up of OHA Operations: The re-start of OHA operations will be accompanied by many employee, customer, and partner questions and concerns. It is important for OHA to provide timely and consistent information that is in keeping with statute, regulation, and policy, and that this information is accessible throughout OHA.
- The OHA Information Technology Specialist, Financial Manager, and the Human Resources Specialist will perform liaison with administrative support partners to ensure priorities for startup are established.
- Travelers should complete any outstanding travel vouchers immediately after OHA has confirmed the operational status of all associated IT systems.
- Daily video conferences at 11 am will continue until operations return to normal.

Office of Budget and Program Analysis (OBPA)

In the event of a lapse in appropriations for the Department of Agriculture (USDA), the following procedures will be followed by the Office of Budget and Program Analysis (OBPA).

First Half of Day One

All employees will be directed either to report to their duty stations or to report to their supervisors by telephone to receive assignments of duties or other pertinent information to assure an orderly shutdown of activities. Managers and supervisors will coordinate the following activities intended to affect an orderly shutdown of OBPA's operations:

- Communicate shutdown instructions and procedures to all employees.
- Distribute furlough notices to all employees who have not been determined to be necessary for shutdown activities.
- Contact any employees on leave and inform them that their leave is cancelled.
- Contact any employee in travel status and direct them to return to their duty stations.
- Ensure all records, personal property, and real property are secured.
- Validate existing OBPA communications strategy and employee contact information for future communications requirements.

Second through Fifth Day

The Director will report to appropriate Departmental contacts regarding the status of OBPA's shutdown procedures.

The following staff will report to work each day to provide support to policy officials managing the continuation of excepted government activities:

- Director;
- Deputy Directors (2)

Thereafter

If the absence of appropriations continues, the Director will then reevaluate the status on the fifth day to make decisions on the necessity for continued attendance by these two employees. All other employees will continue on furlough.

For the period of the lapse, the Director will evaluate the need to bring furloughed staff back based on the needs of the office to conduct excepted activities. Employees brought back from furlough for excepted activities will be put back in furlough status when the need for the excepted activity ceases.

Post Shutdown Plan

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), USDA operations website (www.dm.usda.gov/beprepared), and news sources for updated information. Employees are required to return to work within 24 hours of notification.

Office of the Chief Financial Officer (OCFO)

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.

- **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 designated exempt or excepted. 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:

- Chief Financial Officer(CFO)
- Deputy Chief Financial Officer (DCFO)
- Chief of Staff
- Associate Chief Financial Officer for Financial Systems (ACFO-FS) **⁸
- Director, Administrative Management Division (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)
- Director, Logistics and Administration Division (FMS)

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:

- Chief Financial Officer(CFO)
- Deputy Chief Financial Officer (DCFO)
- Chief of Staff
- Associate Chief Financial Officer for Financial Systems (ACFO-FS)
- Director, Administrative Management Division (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)
- Director, Logistics and Administration Division (FMS)

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

^{** 8} The Associate Chief Financial Officer for Financial Systems also serves as the Acting Associate Chief Financial Officer for Financial Policy and Planning (ACFO-FPP) at present.

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:

- Chief Financial Officer (CFO)
- Deputy Chief Financial Officer(DCFO)
- Chief of Staff
- Associate Chief Financial Officer for Financial Systems (ACFO-FS)
- Director, Administrative Management Division (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)
- Director, Logistics and Administrative Division (FMS)

Thereafter

If the absence of appropriations continues, the CFO or DCFO 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 referenced 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.

USDA Agency Identified Needs (Exempted Activities)

Agency	Exempted Activities	Required Systems	Required Staff
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
FNS	All major FNS program activities would continue operations, including ASAP and AMA file processing and budget allocations and adjustments.	FMMI CRM	Basis Team Interface Team Certification Payment Processing Grants Team

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

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 employees will need continued physical and logistical access during a furlough event.

IV National Finance Center

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), Information Technology Services Division (ITSD, also referred to as Data Center), 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 (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
- Deputy Director, NFC
- Director, ITSD
- 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. Information Technology Services Division (also referred to as Data Center)

In response to a government-wide shut down, NFC's Data Center will execute the following concerning Hosted Systems:

Payroll Systems – GESD’s support of payroll during the first week of the pay period will require support for all payroll systems – (Payroll/Personnel System; Payroll Accounting System; WebTA; Employee Personal Page; Reporting Center, etc.). This will require the following Data Center support:

- a. Operations and Security Center (OSC): On-site systems monitoring and help desk support for the systems (not customer technical help desk support).
- b. Scheduling Section: On-site support for batch processing beginning Sunday night shift of week one of the pay period and continuing every day through Saturday day shift.
- c. Output Management: Print jobs from the Input / Output (IO) room during payroll week.
- d. Systems Support: On-call systems support will be required to ensure that any problems with systems supporting payroll production are addressed and corrected, including: Systems Administration - Server Engineering Branch (SEB)/Mainframe Engineering Branch (MEB); Network Administration - Network Services Branch (NSB); Database Administration - Data Base Management Branch (DBMB); Access Management – Access Management Branch (AMB); Application Software Configuration Management – Operations Branch (OB)/Production Management Section (PMS); Office Automation for On-Site Personnel - Office Services Branch (OSB); Telephone Support for On-Site Personnel – NSB; Security Incident Handling – Information Systems Security Branch (ISSB); and Security Systems Administration – Security Systems Administration Branch (SSAB).

For personnel on-call, if they are called to respond, they will work to resolve the system issue either remotely or at their assigned work area. Once resolved, they will return to furloughed status, but remain on-call. Once the entire payroll cycle is completed, all personnel except for the OSC Denver will be furloughed until needed for the next payroll cycle.

Integrated Acquisition System (IAS) – Office of Procurement and Property Management’s IAS will remain up. This will require the following Data Center support:

- a. OSC: On-site systems monitoring and help desk support for the systems (not customer technical help desk support).
- b. Systems Support: On-call systems support will be required to ensure that any problems with systems supporting payroll production are addressed and corrected. On-call support will be needed in the following areas: SEB/MEB, NSB, AMB, ISSB, and SSAB.

“On Call” employees, if activated, will work to resolve system issue either remotely or at their assigned work area. Once resolved, they will return to furlough status, but remain on-call.

MIDAS – Farm Service Agency (FSA) will shut the MIDAS system down. No development activity will be taking place. FSA will have a small group of essential personnel that will

contact the OSC if an issue arises, and that the OSC can contact on-call OCFO support from ITSD and/or ACFO-SS as needed. This will require the following data center support:

- a. Operations and Security Center (OSC): On-site systems monitoring and help desk support for the systems (not customer technical help desk support).
- b. Systems Support: On-call systems support will be required to ensure that any problems with systems supporting payroll production are addressed and corrected. On-call support will be needed in the following areas: SEB/MEB, NSB, AMB, ISSB, and SSAB.

Site Security

Personnel will be required 24x7 at the OSC in Denver to provide data center on-site security. Since these personnel will be required, they will also perform the OSC duties described above. OSC in New Orleans will not be manned. The toll-free number for the New Orleans OSC will be transferred to the OSC Denver for the duration of the Government shutdown. The OSC Denver Site Chief will coordinate with the Associate Director of Operations regarding all data center activities during the hiatus.

Command and Control

OSC will maintain contact information for all on-call personnel. They will direct personnel needed to correct system problems, track status, and release personnel when systems are returned to normal operation. They will follow established escalation procedures.

Personnel Requirements

Activities	On-Site Number of Employees
OSC, Denver	7 employees (1 person per shift; 1 person will be the Site Chief)
Scheduling	6 employees (2 per shift)
Print Support	2 employees (1-day shift, 1 evening shift; Monday-Friday of payroll week)

Approximately 50 employees are identified as “On-Call” for any emergent issues impacting activities, e.g., system, network, and database administration, etc. Once resolved, they will return to furlough status, but remain on-call.

C. 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; the Alternate Work Site (AWS) in Bossier City, LA; and, at the Primary Computing Facility (PCF) in Denver, Colorado. 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 (NASAMAF 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
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.

D. 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

E. 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.

Office of Civil Rights (OCR)

This plan assumes that no Agency activities will continue during a lapse in appropriations.

We estimate that it will take the agency two days to complete orderly close down procedures.

Actions to close down the Office of Civil Rights (OCR) include the following:

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

The Deputy Assistant Secretary for Civil Rights (DASCR) and the Chief of Staff for Civil Rights (COS) will identify those functions that need to be performed that are solely associated with an orderly interruption of normal activities. Such functions may include but are not limited to:

- Identifying measures to secure records, personal property, real property, and facilities that will be maintained and protected until appropriate disposition is accomplished.
- Drafting communication strategy for communicating with Agency employees.
- Drafting communication strategy to complainants that is necessary to communicate our status.
- Identify all potential meetings, hearings and other previously arranged Agency business that may need to be cancelled.
- Identify all excepted employees and ensure that employees have been identified consistently and fairly in compliance with applicable personnel regulations, including Departmental Directives and Collective Bargaining Agreement with Local 3147 (see Article 33-RIFs, Furloughs, Reorganization, and Transfer of Function).
- Identify employees whose presence at work will be required to perform functions associated with the orderly cessation of program activities. This includes employee name, title and function the employee will perform.
- Identify what OCR IT systems support is needed to maintain essential services and information technology infrastructure.
- Identify what human resource instructions and procedures OCR's Administrative Officer will provide to employees for the close down period.
- Identify appropriate Department contacts for communications purposes and orderly close down of the agency.

First half of Day 1 (First 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.

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

- Communicate close down instructions and procedures to all employees.
- Distribute furlough notices at headquarters and all field units to all employees who have not been excepted from shutdown procedures.
- Contact any employees on leave and communicate that their leave is cancelled.
- Contact any employee in travel status and direct to return to duty station.
- Ensure all employees to be released complete timesheet entry and submit to approving official.
- Delay any employee transfer of station.
- Ensure all records; personal property and real property are secured.

- Cancel all meetings, hearings and previously arranged OCR business.
- Validate existing communication strategy and employee contact information for future communication need.

The DASCRC will notify employees of the furloughs and close down.

There will be daily communications by the DASCRC's Office on the status of the close down procedures with the DASCRC's staff:

- Deputy Assistant Secretary for Civil Rights – ES
- Chief of Staff - ES
- Associate Assistant Secretary for Civil Rights – SES

Second half of Day 1:

The DASCRC 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 OCR's ultimate funding situation is determined.
- Prepare files for permanent storage, transfer to related agencies, or other disposition.
- Complete identification of employees whose presence at work will be required to perform functions associated with the orderly cessation of program activities. This includes:
 - Name of each employee required to continue shutdown operations.
 - Title of each employee identified, and
 - The termination function that each identified employee is to perform.
- Contracting officer technical representatives will contact all contractors and vendors to let them know work is suspended.

Day 2:

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

As each shutdown function is completed, each OCR staff notifies the DASCRC, of completion and identifies who was responsible for the task.

Each employee whose shutdown function is completed will be furloughed immediately and formally notified by their supervisor.

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

There will be daily communications between the OCR's Office and the Chief of Staff on the status of the close down procedures.

Office of Inspector General (OIG)

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 primary goals.

1. Strengthen USDA's ability to implement safety and security measures to protect the public health, as well as agricultural and Departmental resources.
2. Reduce program vulnerabilities and strengthen program integrity in the delivery of program assistance.
3. Provide USDA with oversight to help it achieve its 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 **17** employees will be the initial OIG employees working during the shutdown.⁹ The employees are:

1. The Inspector General (IG), a Presidential Appointee, is exempted from a shutdown.
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 and one HRMD Human Resources (HR) Payroll Specialist;
 - The Financial Management Division (FMD) Director/Chief Financial Officer (CFO) and two FMD Branch Chiefs (Budget and Accounting); and

⁹ Please note that certain OIG personnel in the Offices of Audit, Data Sciences, and Investigations may be actively engaged in activities funded by no-year disaster appropriations and, therefore, exempted during a shutdown. OIG would be able to identify any exempted employees on the day prior to any shutdown.

- The Information Technology Division (ITD) Branch Chief for Client Support Services Branch (or designee) and one ITD Information Technology Specialist.
3. The Special Agent-in-Charge, Investigations Liaison and Hotline Division, and two Hotline Analysts, who are responsible for monitoring incoming complaints to the USDA Hotline for any allegations involving immediate loss of life and property.
 4. An appropriate number of Criminal Investigators 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 *five*; however, there could be as many as 50 if the agents 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.

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

1. IG's Staff (including Office of Counsel, Office of Compliance and Integrity, Office of Diversity and Conflict Resolution, and Pilot Office of Communications) – All personnel except the Inspector General as identified in I.A., above.
2. Office of Audit – All personnel.¹⁰
3. Office of Investigations – All personnel except those specifically identified in I.A.3. and I.A.4.¹¹
4. Office of Management – All personnel except those specifically identified in I.A.2.
5. Office of Data Sciences – All personnel.¹²

II. Shutdown Procedures

A. Identification of Excepted/Exempted Employees – Each Assistant Inspector

¹⁰ Please note that certain Office of Audit personnel may be actively engaged in activities funded by no-year disaster appropriations and, therefore, exempted during a shutdown. OIG would be able to identify any exempted employees on the day prior to any shutdown.

¹¹ Please note that certain Office of Investigations personnel may be actively engaged in activities funded by no-year disaster appropriations and, therefore, exempted during a shutdown. OIG would be able to identify any exempted employees on the day prior to any shutdown.

¹² Please note that certain Office of Data Sciences personnel may be actively engaged in activities funded by no-year disaster appropriations and, therefore, exempted during a shutdown. OIG would be able to identify any exempted employees on the day prior to any shutdown.

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 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 after the shutdown. 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 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 half of the 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 full-time telework 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.
- 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 prescheduled or full-time telework, "reporting" may be done by telephone.
- 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 Letter of Information appropriate to the employee's status under the shutdown. HRMD is responsible for preparing the Letter of Information and providing it to the OIG managers and supervisors the day after the shutdown.
- G. Contracting Officers in the Office of Management will notify contractors of the shutdown. OIG has not identified any of the current contractors as essential to OIG's operations during a 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 (www.usda.gov/oig), and the OIG Emergency Number, at 877-644-8732.
- L. Information Technology Operations

Office of the General Counsel (OGC)

In the event of a lapse in appropriations for the Department of Agriculture (USDA), the Office of the General Counsel (OGC) with 248 employees as of September 2019 will initiate the following actions:

- Provide direction to all employees in travel status to return to their duty stations;
- Issue notices of cancellation of ongoing activities with the assistance of the Office of Human Resources Management and the Office of Operations;
- Secure all personal and real property for appropriate disposition;
- Review court calendars, litigation deadlines, and other commitments in order to seek their cancellation or postponement as necessary;
- Determine whether it is necessary to engage in bargaining with OGC's bargaining unit with respect to impact and implementation of any furlough affecting bargaining unit members; and
- Adopt and implement a communications plan by which all OGC managers and staff, in Washington, D.C., and all field office locations, will be kept informed of developments during the course of any necessary furlough of employees.

Upon completion of the above items, all personnel who have not been determined to be excepted from furlough requirements, *i.e.*, all personnel who are not required for the performance of functions necessary for emergencies involving the safety of human life or the protection of property, who are not funded by user fees or no-year funds, or who are not required to accomplish an orderly shutdown of the normal functions of OGC, will be placed on immediate furlough. We anticipate working with other USDA agencies and offices to identify areas of legal services required to be continued in support of major excepted functions. Individual OGC attorneys, administrative personnel, and support staff will be excepted from the shutdown in areas where (1) their continued service is required for the provision of legal services to the Office of the Secretary, the Deputy, Under, and Assistant Secretaries, and other general officers concerning the shutdown; (2) the provision of legal services is required to support USDA functions related directly to activities respecting the safety of human life or the protection of property; (3) the provision of legal services is required for the continued performance of particular excepted functions of the Department; (4) continued service is implied from the Constitutional function of the judiciary for cases in litigation that are not postponed during the shutdown; and (5) continued service is required to accomplish the orderly shutdown of the Office of the General Counsel**.

After the steps described above have been taken, we anticipate that not more than twelve OGC employees agency-wide will remain to provide the required legal services for the Department (falling to six by Day 10), and that four additional employees may continue to provide services in support of user fee funded programs which require no appropriation in advance, and thus fall within Category II, and that up to 15 employees may be recalled sporadically over the course of the shutdown after Day 10 to deal with ongoing litigation matters.

Specific Actions to be Taken When OGC Appropriations Have Lapsed

Orderly shutdown activities of day 1 (first day funds are not available).

All employees will be directed either to report to their duty stations or to report to their supervisors by telephone to receive assignments of duties or other pertinent information to assure an orderly shutdown of activities. Managers and supervisors will coordinate the following activities intended to affect an orderly shutdown of OGC's operations:

- Communicate shutdown instructions and procedures to all employees.
- Distribute furlough notices at OGC headquarters and all OGC field offices to all employees who have not been determined to be necessary for OGC's shutdown activities.
- Contact any employees on leave and inform them that their leave is cancelled.
- Contact any employee in travel status and direct them to return to their duty stations.
- Ensure all records, personal property, and real property are secured.
- Cancel all meetings, hearings, and other previously scheduled OGC business.
- Validate existing OGC communications strategy and employee contact information for future communications requirements.
- Assure that all employees complete time and attendance reports for the portion of the pay period through the first day of the pay period as directed by OHRM or OCFO and that such time and attendance reports are certified. **

Second half of day 1.

Excepted employees will coordinate the following activities intended to affect an orderly shutdown of OGC's operations:

- Document the status of cases and projects so they can be resumed, transferred, or otherwise handled as required when OGC's ultimate funding situation is determined.
- Excepted managers will document justification and obtain General Counsel approval for additional employees to be retained or recalled to manage ongoing litigation or other matters necessarily implied from ongoing work of agencies. **
- Excepted managers will issue recall notices or additional subsequent furlough notices as appropriate. **
- Excepted managers will consult with the President of the union on ongoing issues related to the furlough as appropriate. **
- Complete identification of employees whose presence at work will be required to perform functions associated with the orderly cessation of OGC functions, including:
 - Name of each employee required to continue shutdown operations.
 - Title of each employee identified.
 - The shutdown functions that each identified employee will perform.

Day 2+

- Only employees who have been (1) identified previously as required to perform excepted functions, (2) are needed to perform functions necessary for orderly shutdown of OGC functions and activities, or (3) that have been approved to be recalled for episodic work on cases continuing in litigation during the shutdown or other implied by law duties arising from the Category II or III activities of the agencies, will report to work.
- Employees performing work identified as excepted from shutdown procedures will continue to work.
- Employees will be directed to perform only those activities identified earlier.
- The General Counsel will report to appropriate Departmental contacts regarding the status of OGC's shutdown procedures.
- Excepted managers will document justification and obtain General Counsel approval for additional employees to be retained or recalled to manage ongoing litigation or other matters necessarily implied from ongoing work of agencies. **
- Excepted managers will issue recall notices or additional subsequent furlough notices as appropriate. **
- Excepted managers will consult with the President of the union on ongoing issues related to the furlough as appropriate. **

Day 3+ and continuing until the end of the lapse in appropriations.

- Only employees who have been (1) identified previously as required to perform excepted functions, (2) are needed to perform functions necessary for orderly shutdown of OGC functions and activities, or (3) that have been approved to be recalled for episodic work on cases continuing in litigation during the shutdown or other implied by law duties arising from the Category II or III activities of the agencies, will report to work.
- Employees performing work identified as excepted from shutdown procedures will continue to work.
- Employees will be directed to perform only those activities identified above.
- There will be daily communications by the General Counsel with appropriate Departmental contacts regarding the status of OGC's shutdown procedures.
- Excepted managers will document justification and obtain General Counsel approval for additional employees to be retained or recalled to manage ongoing litigation or other matters necessarily implied from ongoing work of agencies. **
- Excepted managers will issue recall notices or additional subsequent furlough notices as appropriate. **
- Excepted managers will consult with the President of the union on ongoing issues related to the furlough as appropriate. **

** Asterisk items denote lessons learned.

FY 2019
List of Excepted OGC Employees+

<u>Employees</u>	<u>Number</u>
Immediate Office	2
General Counsel (Excepted by statute)	
Executive Assistant to the General Counsel (communciations and support)	
Natural Resources and Environment*	1
Associate General Counsel (Forest Service emergency issues, including fire and law enforcement)	
General Law and Research Division	2
Associate General Counsel (appropriations, general law issues, and all litigation issues)	
Int'l Affairs, Food Assistance, and Farm and Rural Programs*	1
Associate General Counsel (SNAP, school lunch and other feeding programs, international food aid and disaster-related commodity purchase programs)	
Civil Rights, Labor and Employment Law Division	
Assistant General Counsel (legal issues addressing human resources, employee and Labor Relations)	1
Marketing, Regulatory, and Food Safety Programs*	1
Deputy Assistant General Counsel (food safety programs administered by the Food Safety Inspection Service)	
OGC's Regions (Kansas City Office) *	1
Regional Attorney (all field-based inquiries related to to foreclosures, Rural Development programs, and commodity Procurement issues)	
Marketing Regulatory, & Food Safety Attorneys Funded by User Fees	4
Deputy Assistant General Counsel	
Attorney	
Attorney	
Attorney	
TOTAL	13

*By day 10, these are estimated to be at best half day activities.

+Estimated number does not include staff that may need to be recalled for episodic work on cases continuing in litigation during the shutdown or other implied by law duties arising from the Category II or III activities of the agencies.

OGC Post-Lapse Startup Plan

Day before resumption of appropriations: Once OGC receives reliable notice that appropriations will be provided the next day:

- OGC will provide email notice to employees to report to work on normal schedules the next day.
- Ensure all IT functions are working properly.

First day agency is open after lapse:

- Employees will complete revised time and attendance reports for the shutdown period as directed by managers or supervisors.
- Managers will ensure that employees complete revised time and attendance reports for the shutdown period as directed by OHRM or OCFO and ensure such reports are certified.
- Employees will check on revised litigation schedules with DOJ counsel or per the directions of relevant administrative tribunals and update their managers and supervisors as appropriate.
- Ensure all IT functions are working properly

Office of Ethics (OE)

In the event of a lapse in USDA appropriations, the Office of Ethics (OE) will initiate the following actions:

- Provide direction to all OE employees;
- Issue notices of cancellation of ongoing activities;
- Secure, shutdown, and lock all offices, personal and real property for appropriate disposition;
- Review OE calendar to cancel or postpone Ethics Training, as necessary; and
- Adopt and implement a communications plan by which all OE managers and staff will be kept informed of developments during the course of any necessary furlough of employees.

Upon completion of the above, all personnel who have not been determined to be excepted from furlough requirements, i.e. all personnel who are not required for the performance of functions necessary for emergencies involving the safety of human life or the protection of property, who are not funded by user fees or no-year funds, or who are not required to accomplish an orderly shutdown of the normal functions of the Office of Ethics, will be placed on immediate furlough.

We anticipate working with other USDA agencies and offices to identify areas of ethics services required to be continued in support of major excepted functions. Individual OE employees will be excepted from the shutdown in areas where (1) their continued service is required to provide ethics advice and guidance to avoid violations of criminal conflicts of interest laws for the Office of the Secretary, the Deputy Secretary, Under Secretaries, Assistant Secretaries, or to provide essential ethics advice to USDA's General Counsel concerning the shutdown; (2) the provision of ethics services is required to support USDA functions related directly to activities respecting the safety of human life or the protection of property; (3) the provision of ethics services is required for the continued performance of particular excepted functions of the Department; and (4) continued service is required to accomplish the orderly shutdown of the Office of Ethics.

After the steps described above have been taken, we anticipate that only two OE employees will remain to provide the required ethics services for the Department: the Director and Deputy Director of the Office of Ethics. The Director was appointed by the Secretary as the Department's Designated Agency Ethics Official (DAEO) and the Deputy Director serves in that role in the Director's absence. Ethics advice and rulings by the DAEO provide the necessary safeguard to ensure that officials can make critical decisions regarding the safety of human life and the protection of property in circumstances where a conflict of interest arises. In such circumstances, it is expected that the provision of ethics advice would be on an "as needed" or "as requested" basis during the shutdown to support USDA functions related directly to activities respecting the safety of human life or the protection of property or the provision of ethics services required for the continued performance of particular excepted functions of the Department or where continued service is required to accomplish the orderly shutdown of the Office of Ethics. The Director and Deputy Director will both report to the office or alternate depending on the workload of ethical inquiries from both furloughed and non-furloughed employees.

Specific Actions to be Taken When Office of Ethics Appropriations Have Lapsed

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

All 21 employees of the Office of Ethics (OE) will be directed either to report to their duty stations or to report to their supervisors by telephone to receive assignments of duties or other pertinent information to assure an orderly shutdown of activities. Managers and supervisors will coordinate the following activities intended to affect an orderly shutdown of OE's operations:

- Communicate shutdown instructions and procedures to all employees.
- Distribute furlough notices at OE Headquarters and all OE Branch offices to all employees who have not been determined to be necessary for OE's shutdown activities.
- Contact any employees on leave and inform them that their leave is cancelled.
- Contact any employee in travel status and direct them to return to their duty stations.
- Ensure all records, personal property, and real property are secured.
- Cancel all meetings, training, and other previously scheduled OE business.
- Validate existing OE communications strategy and employee contact information for future communications requirements.
- (Managers and Supervisors only) Document the status of ethics matters and projects so they can be resumed, transferred, or otherwise handled as required when OE's ultimate funding situation is determined.
- (Managers and Supervisors only) Complete identification of employees whose presence at work will be required to perform functions associated with the orderly cessation of OE's functions including:
 - Name of the employee required to continue shutdown operations.
 - Title of the employee so identified.
 - The shutdown functions that the identified employee will perform.
- The Director of the Office of Ethics will report to appropriate Department contacts as needed regarding the status of OE's shutdown procedures.

Second half of Day 1 and continuing until completion of shutdown

- Only employees who have been (1) identified previously as required to perform excepted functions, or (2) are needed to perform functions necessary for orderly shutdown of OE functions and activities will report to work.
- Employees performing work identified as excepted from shutdown procedures will continue to work.
- Employees will be directed to perform only those activities identified earlier.
- Excepted managers will issue recall notices or additional subsequent furlough notices as appropriate.
- If requested by the OE Director, the Executive Assistant will be recalled for a half day per pay period in order to perform necessary tasks to ensure continuity of operations.
- These are estimated to be at best half day activities if the lapse in appropriations continues beyond 5 days.

List of Excepted OE Employees:

Director of the Office of Ethics

Deputy Director of the Office of Ethics

(As noted above, depending on the workload of ethical inquiries from both furloughed and non-furloughed employees, the Director and Deputy Director will either both report to the office or report to the office on alternate days to ensure availability.)

Employees Subject to Recall:

Executive Assistant, Office of Ethics

(May be recalled as needed/requested by the Director, Office of Ethics one half day per pay period)

OE Post-Lapse Startup Plan

Day before resumption of appropriations: Once OE receives reliable notice that appropriations will be provided the next day:

- OE will provide email notice to employees to report to work on normal schedules the next day.
- Ensure all IT functions are working properly.

First day agency is open after lapse:

- Employees will complete revised time and attendance reports for the shutdown period as directed by managers or supervisors.
- Managers will ensure that employees complete revised time and attendance reports for the shutdown period as directed by OHRM or OCFO and ensure such reports are certified.
- Ensure all IT functions are working properly