

FNS CONTINGENCY PLAN

Prepared by

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Purpose

This document establishes a plan of action to execute an orderly shutdown of Food & Nutrition Service (FNS) operations following a lapse in federal funding. This plan will be enacted through a notification to all employees from the FNS Associate Administrator & Chief Operating Officer at the direction of the FNS Administrator. For purposes of this document, FNS is inclusive of the Center for Nutrition and Policy Promotion (CNPP). CNPP is a sister agency of FNS within the Food, Nutrition and Consumer Services mission area. FNS provides all administrative and support services for CNPP.

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 FNS Contingency Plan includes the necessary steps and information to implement an Agency Orderly Shutdown due to a lapse in appropriations. Only critical or excepted activities will take place in the event of the same. Those activities include: health and safety; financing for available funds, such as trust funds; carryover funds or “pre-appropriated” resources; or those that are necessary to complete an orderly shutdown. The exact nature of these activities will vary based on circumstances of a specific lapse in appropriation. Key considerations include, but are not limited to, seasonal patterns in program participation and operations; status and availability of multi-year appropriations; and status of program authorizing legislation. As a result only a minimum group of employees will be kept to perform these tasks. Should a situation arise and resources are needed a “Request to Recall Resources” (Appendix A) must be completed and follow the established Recall Process (Appendix B). The plan will be implemented following all regulations and policies governing the agency.

Additionally, FNS’ disaster authorities under the Food and Nutrition Act of 2008 and the Stafford Act would continue however funding may not be available for execution. If a Presidential declaration would occur and resources are determined to be available FNS would recall staff to support the response as described above.

Guidance for Orderly Shutdown & Maintaining Mission Critical

Infrastructure/Activities

A temporary Contingency Planning Committee (“Committee”) will guide the agency from full operational status to required shutdown level of business operations. The Committee will be responsible for overseeing the implementation of the contingency plan; providing related policy and procedural direction; ensuring coordination and consistency across functional areas (human resources, financial management, information technology, property, procurement, and programs; troubleshooting system and unique challenges; and monitoring progress related to the shutdown and in addressing employee, partner, and customer concerns.



Initially, the Committee will meet twice a day to assess progress and address programmatic/operational issues. As the shutdown progresses, meetings may be more frequent. The chair will be responsible for reporting progress and issues to the FNCS Under Secretary and FNS Administrator. The Associate Administrator & Chief Operating Officer will chair the Contingency Planning Committee. The complete membership of the Committee will be as follows:

Associate Administrator and Chief Operating Officer, Chair
Associate Administrator for Regional Operations and Support
Associate Administrator for Supplemental Nutrition Assistance Program
Deputy Administrator for Child Nutrition Programs
Deputy Administrator for Supplemental Nutrition and Safety Programs
Deputy Administrator for Policy Support
Regional Administrator, Northeast
Regional Administrator, Southeast
Regional Administrator, Mountain Plain
Regional Administrator, Mid Atlantic
Regional Administrator, Western
Regional Administrator, Midwest
Regional Administrator, Southwest
Deputy Administrator for Management
Chief Financial Officer
Chief Information Officer
Chief Communications Officer

The Committee will be assisted by the following positions Chief of Staff to the Administrator, Senior Policy Advisor to the Administrator, Chief Staff Officer to the Chief Operating Officer, and Office of Management, Technology and Finance Program Manager. Other positions may be called upon for assistance as the issues, challenges, and opportunities warrant.

Guidance for Continued Operations of FNS

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

A temporary Continuing Operations Team (“Team”) will be in place to address this need on Day 1 of the shutdown. The Team will work in a cohesive and coordinated manner to ensure timely, accurate, and consistent responses to shutdown questions from employees, customers, and partners. In addition, the Team will inform the Contingency Planning Committee on the status of its work, and will elevate issues and opportunities that require higher level interaction or resolution. The Continuing Operations Team includes:

Director, Budget Division



Director, Human Resources Division
Director, Contracts Management Division
Director, Operations and Facilities Division
Director, Office Emergency Management Division
Director, Program Development Division
Director, Retail Policy Division
Director, Food Safety Division
Director, Retail Operations Division
Director, Policy and Program Development Division
Director, Program Monitoring and Operational Support
Director, Nutrition Promotion and Technical Assistance
Director, Program Integrity
Director, Food Distribution Division
Director, Supplemental Food Nutrition Program Division
Deputy, Chief Information Officer
Director, Technology Division
Director, Information Security Division
Director, Portfolio Management Division
Director, Communications Division

Roles and Responsibilities of Key Functional Areas

Following are the functional areas responsible for performing critical tasks of the contingency plan.

Office of the Associate Administrator & Chief Operating Officer

The FNS Associated Administrator & Chief Operating Officer is responsible for guiding the implementation of Contingency and Continuing Operations Plan and ensures coordination across functional areas. The Associate Administrator & Chief Operating Officer monitors continuing operations and reports progress and areas of concern to FNCS UnderSecretary and FNS Administrator.

Information Technology

The FNS Chief Information Officer is responsible leading the shutdown of IT systems, and monitoring FNS IT critical systems, tools and website to ensure they are functioning appropriately.

Human Resources

The Deputy Administrator for Management is responsible for ensuring that all Human Resources (HR) services and guidance is provided to FNS employees, including HR Specialists in order to guide employees in the procedures to follow and benefits they will or will not have after a government shutdown due to a lapse in appropriations. The following attachments include Human Resources Guidance (Appendix C), Frequently Asked Questions (FAQs) (Appendix D).



In addition, the Continuing Operations Team referred to previously is available to provide additional assistance.

Financial Management

The FNS Chief Financial Officer is responsible for ensuring coordination with the Departmental Office of the Chief Financial Officer, facilitating the coordination of funding or financial system issues/opportunities with State Partners and State Budget Officers and coordinating with FNS Chief Information Officer on IT systems operability.

Contracts/Operations and Facilities

The Deputy Administrator for Management is responsible for managing the functions related to acquisitions and procurements; contracts, and operations/facilities.

DDAY-5 through DDAY-1 Critical Tasks

Five days before the expected shutdown process takes place the Contingency Planning Committee will meet twice a day to evaluate the Contingency Plan. Following are the critical tasks:

| Critical Tasks | | | |
|----------------|--|--------|--------|
| Time Frame | Task | Owner | Status |
| DDAY -5 | Contracts Management | DAM | |
| | Gather information from COR's for all contracts | | |
| | Determine contractors that are Complete Stop Work Order, Partial Stop Work Order, No Stop Work Order | | |
| | Finalize Notifications to contractors | | |
| DDAY -4 | Agency Administration | AA/COO | |
| | Submit letters for clearance/action to States/Partners | | |
| | Submit website contingency plan | | |
| DDAY -3 | Human Resources | DAM | |
| | Identify and classify employees | | |
| | Brief Unions on Contingency Plan | | |
| | Notify employees and supervisors | | |
| | Update MIR3 employee contact information | | |
| DDAY -3 | Financial Management | CFO | |
| | Clear Payments | | |
| | Submit, Distribute, and Approve TDY | | |
| | Identify travel exposures | | |
| | Evaluate Program funding issues | | |
| | Review and adapt plan for critical reconciliations | | |
| DDAY -2 | Financial Management | CFO | |

| | | | |
|---------|---|-------------|--|
| | Support payments | | |
| | Debt collection | | |
| DDAY -1 | Agency Administration | AA/COO | |
| | Contingency plan communiqué for OC | | |
| | Communicate Information to program Operators/Partners | AA AAROS | |
| | Confirm critical contact list is current | | |
| DDAY -1 | Human Resources | DAM | |
| | Notify all personnel, Unions, and Timekeepers | | |
| | Coordinate with ARC, NFC | | |
| | Process Non-Excepted and Essential Orderly Shutdown personnel T&A | | |

DDAY Critical Tasks

After a lapse of funds is confirmed the Agency Orderly Shutdown will be performed. All employees are responsible for taking necessary actions to complete required orderly shutdown tasks. Key items to address include, but are not limited to:

- Turn on the out-of-office message for your Outlook email.
- Ensure individual voicemail indicates that you are currently out-of-office.
- Provide supervisor with personal contact information.
- Ensure there is no open food in work area and place trash outside or any locked space.
- Protect and secure sensitive and personal information.
- Document the status of assignments and project so they can be resumed easily.
- Add signage indicating the office was closed because of the funding lapse.
- Turn off computers and other IT devices according to guidance outlined in the Information Technology section of this plan.
- Cancellation of transit benefits and travel.
- After completing the orderly shutdown, do not use government-issued mobile devices, including cell and smart phones, tablets, and/or laptops for approved purposes.
- Cancellation of government purchase, fleet and travel cards for appropriate government use.

Following is a list of critical tasks for each functional area:

| DDAY Critical Tasks | | | |
|---------------------|---|--------|--------|
| Time Frame | Task | Owner | Status |
| DDAY | Agency Administration | AA/COO | |
| | Confirm Employees have received and successfully completed shutdown as directed | | |
| DDAY | Regional Operations | AAROS | |
| | Confirm Employee Notification | | |

| | | | |
|--|--|--|--|
| | Acknowledge Supervisor Notification | | |
| | Oversee excepted personnel | | |
| | Confirm Orderly Shutdown complete | | |
| | Confirm Time & Attendance completed | | |
| | Notify employees to clean appliances, clear food from offices and common areas. | | |
| | Validate Building Security Monitoring | | |
| | Confirm all critical tasks performed by OIT staff are complete | | |
| | Confirm Field Office/Retailer Hotline Message is recorded on the voicemail informing retailers about SNAP benefits | | |
| | Submit Final Report | | |

| DDAY Critical Tasks | | | |
|---------------------|--|-------|--------|
| Time Frame | Task | Owner | Status |
| DDAY+3 | Information Technology | CIO | |
| | Place guidance on Public website | | |
| | Disable VPN and Citrix* (*May keep enabled for staff who are not in furlough status) | | |
| | Internal Systems: Gateway Servers, File Servers, Office Communicator, Live Meeting, Net Scout, VoIP, Remote Desktop, Routers, Switches, Core routers, Servers-Alloy, Solar Winds, Symantec Anti Virus, Print Servers, Virtual File Manager, Internet/Intranet Servers, Big Fix, Linc Pass, Virtual Manager, Active Roles, DHCP, DNS, Child & Domain Controllers, NetApp, VMware Appliance, Security- Backup File Share, and Backup VoIP, IPAS, NDB, Citric, NetApp* (*May remain up for staff who are onsite and not in furlough status) | | |
| | External Systems: NDB, Intranet, IPAS, ALERT, FPRS, eDRS, Public Web, Partner Web, SNAP Retailer Locator, STARS, WIC TIP, WIC UPC, SNAP Pre-Screening, ME Tool, FAST Framework, SNAPQCS, CN Database, FSQCS, e-COS, MyPlate, AIS, ROAP, and Supertracker* (*Depending on the nature of the furlough, some or part of these systems may be reenabled as time goes on) | | |
| | Turn off Cell phones/Droids/iPhones/iPads and AT&T circuits | | |
| DDAY+ | Financial Management | CFO | |
| | Maintain funding as permitted by law and appropriate: | | |
| | SNAP: Benefits, SAE | | |
| | TEFAP: Food, Admin | | |
| | FDPIR: Admin, Food | | |
| | WIC Grants to States | | |
| | National School Lunch Program | | |
| | School Breakfast Program | | |
| | Child and Adult Care Food Program | | |
| | Summer Food Service Program | | |
| | Special Milk Program | | |
| | State Admin. Expenses | | |
| | Fresh Fruit and Vegetable Program | | |

| | | | |
|------|---|--------------|--|
| | Farmers Market Nutrition Program | | |
| | Senior Farmers Market Nutrition Program | | |
| | Commodity Supplemental Food Program: Admin, Food | | |
| | Maintain critical ASAP reconciliations | | |
| | Maintain critical AMA reconciliations | | |
| DDAY | Operations and Facilities | DAM | |
| | Shuttle and Executive Vehicles - Stage for Reactivation | | |
| | Notify employees of impending end of shuttle run services | | |
| | Top off all vehicles – PMCS - parked locked and all equipment removed | DAM AAROS | |
| | Complete and sign trip report for close out | | |

| DDAY Critical Tasks | | | |
|---------------------|---|--------------|--------|
| Time Frame | Task | Owner | Status |
| DDAY+1 | Operations and Facilities | DAM | |
| | Turn in keys and close out Driver's log | | |
| | Check with Security to validate key lock system is secure | | |
| | Ensure any transported customers are returned | | |
| | Close out All Mail Activities | | |
| | Notify Department mail of pending shut down of CMU | DAM AAROS | |
| | Notify all employees and regions of pending shut down and close out of CMU | | |
| | Notify USPS, FED-EX, UPS, all account holders and Fund managers of CMU shut down | | |
| | No new mail postured or processed, only what is received. | | |
| | All customers cease mail distribution until further notice | | |
| | Deliver all existing mail in CMU | | |
| | No new mail accepted unless emergency | | |
| | Record all meter readings, postage, and expenditure data | | |
| | Close out all register and control mail including courier | | |
| | Release employees from activity | | |
| | Shut down building OFD operational support | DAM AAROS | |
| | OFD sends our notice of impending shutdown of building logistics support operations | | |
| | OFD sends message to Regions, GSA, DM, of pending shut down | | |
| | OFD notifies building management of pending shut down as of COB, and determines level of HVAC & support needed during the shut down | | |
| | OFD notifies Security to shut down key passes as of COB | | |
| | OFD notifies building management cleaning service – no access after | | |

| | | | |
|--|--|--------------|--|
| | 24 hrs | | |
| | OFD notifies parking management to turn off garage access as of COB | | |
| | OFD notifies employees to clean appliances, clear food from offices and common areas. | | |
| | Visually check Supply room inventory and close out operations. | | |
| | OFD request security to check all office doors at COB | | |
| | OFD notifies all vendors- deliveries- service contractors of shut down | | |
| | Notify all employees – Regions – to execute maximum Physical Security measures – lock and secure personal items – safeguard office equipment | DAM AAROS | |

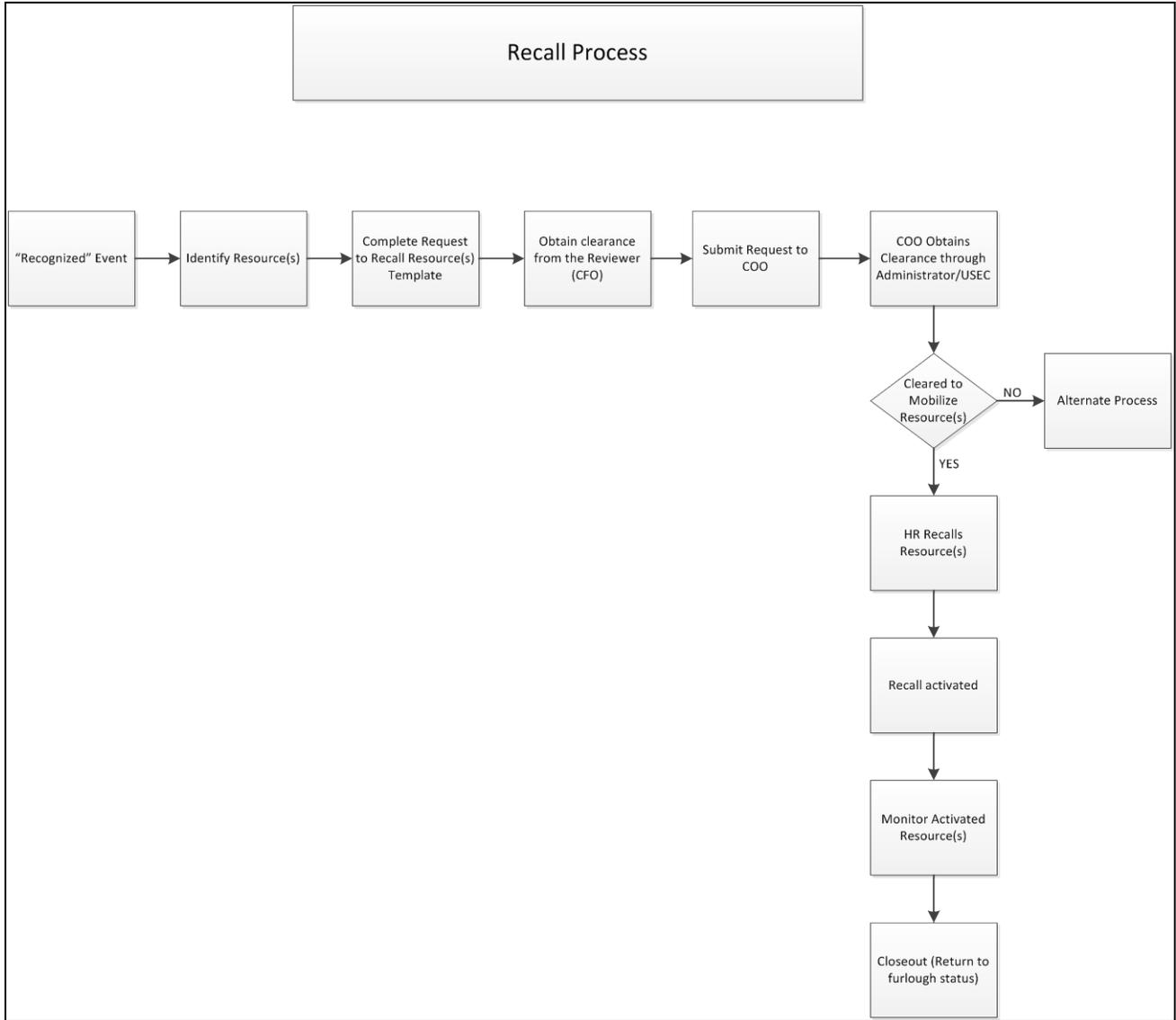
| DDAY Critical Tasks | | | |
|----------------------------|---|--------------|---------------|
| Time Frame | Task | Owner | Status |
| DDAY+1 | Operations and Facilities (continued) | DAM | |
| | Unplug all small appliances including communal areas | DAM AAROS | |
| | Notify Union Representative of employee release pending shut down | | |
| | Validate all records, keys, sensitive items locked in key control safe and file. | | |
| | Notify Regions, GSA, Department of pending shut down – potential impact of construction projects progress | | |
| | OFD sends message of pending office shut down and security checks | | |
| | Shut down all key access cards and garage passes as of COB | | |
| | Establish and initiate two person team one monitor camera other roving guard | | |
| | Security checks all internal and external doors, vehicles, entrances and exits. | | |
| | Security check all offices the following day | | |
| | Notify FPS of FNS building status and establish and validate a plan of action with POCs if emergency outside of normal. | | |
| | Validate protocol rosters, Director, DAM and AA | | |
| | Validate emergency contact list of building management | | |
| | Maintain security for excepted employees | | |
| | Close out Personal Property Actions | DAM AAROS | |
| | Issue property passes to all employees desiring to take Government property home | | |
| | Clear all pending employees permanently departing FNS, temps, contractors, FTEs | | |
| | Notify vendors to stop deliveries scheduled- rescheduled TBD | DAM AAROS | |
| | Reconcile all expense Credit Card purchases and pending orders | DAM AAROS | |
| | Notify all requestors and vendors of OFD credit card holder's account status. | DAM AAROS | |
| DDAY | Contracts Management | DAM | |
| | Notify Contractors: Complete, Partial, and No Stop Work Orders | | |

Appendix A: Request to Recall Resources

Request to Recall Resource(s)

| | |
|--|---|
| Event: | |
| Date(s) Required: | |
| Length of Time Required Each Day (# hours): | |
| Justification: | |
| Name(s): | |
| Division/Organization: | |
| Contact Information: | |
| Name of Recommending Official: | |
| Signature/Date: | |
| Name of Reviewing Official: | David Burr, Chief Financial Officer |
| Signature/Date: | |
| Name of Approving Official: | Jeffrey Tribiano, Chief Operating Officer |
| Signature/Date: | |

Appendix B: Recall Process



Appendix C: Human Resources Guidance

Appeals

Federal employees have the right to appeal a shutdown furlough to the Merit Systems Protection Board (MSPB) within 30 calendar days after the effective date of the furlough.

Appeal Rights

Employees who have completed a probationary or trial period or one year of current continuous employment in the competitive service under other than a temporary appointment may appeal this action to the MSPB. Employees in the excepted service who have veterans preference may appeal to MSPB if they have completed one year of current continuous service in the same or similar positions as the one they now hold. Employees in the excepted service who do not have veterans preference and who are not serving a probationary or trial period under an initial appointment pending conversion to the competitive service may appeal to MSPB if they have completed two years of current continuous service in the same or similar positions in an Executive agency under other than a temporary appointment limited to two years or less.

Career SES appointees (except reemployed annuitants) who believe the requirements of Title 5, Code of Federal Regulations, Part 359, Subpart H, have not been correctly applied may also appeal to MSPB.

Appeal Process

If you have the right of appeal to MSPB, and wish to appeal this action, you must file the appeal within 30 calendar days after the effective date of your furlough. If you wish to file an appeal, you may obtain information about the appeals process and a copy of the appeals form from the MSPB website at <http://www.mspb.gov/appeals/appeals.htm>. MSPB requires an appeal to be filed with the MSPB regional or field office serving the area where your duty station was located when the action was taken. MSPB also offers the option of electronic filing at <https://e-appeal.mspb.gov/>. Employees have a right to representation in this matter and may be represented by an attorney or other person of their choosing.

Bargaining Unit Employees

Bargaining unit employees may grieve this action in accordance with their applicable negotiated agreement or may appeal to MSPB in accordance with the procedures outlined above, but not both.

Benefits

Federal Employee Health Benefits (FEHB) Program

FNS employee's FEHB coverage will continue even if an agency does not make the premium payments on time. Since the employee will be in a non-pay status, the enrollee share of the FEHB premium will accumulate and be withheld from pay upon return to pay status. The



government contribution continues while employees are in nonpay status. FNS employees in a non-pay status due to a lapse of appropriations (shutdown furlough) will not have the opportunity to terminate or cancel FEHB coverage. The employee will remain covered; the enrollee share of the FEHB premium will accumulate and be withheld from pay upon return to pay status.

New enrollments or changes in enrollment due to a Qualifying Life Event do not take effect until the employee has been back in pay status for any part of the prior pay period.

Federal Employees' Group Life Insurance (FEGLI) Program

Coverage continues for 12 consecutive months in a nonpay status without cost to the employee or to the agency. Neither the employee nor the agency incurs a debt during this period of nonpay.

Flexible Spending Account (FSAFEDS) Coverage

Payroll deductions will cease for any employee that does not receive pay. The employee remains enrolled in FSAFEDS, but eligible health care claims incurred during a non-pay status will not be reimbursed until the employee returns to a pay status and allotments are successfully restarted. The remaining allotments are recalculated over the remaining pay periods to match the participant's election amount.

Eligible dependent care expenses incurred during a non-pay status may be reimbursed up to whatever balance is in the employee's dependent care account—as long as the expense incurred during the non-pay status allows the employee (or spouse if married) to work, look for work or attend school full-time.

Federal Long Term Care (FLTCIP) Program

Payroll deductions will cease for any employee that does not receive pay. Coverage will continue so long as premiums are paid. If Long Term Care Partners does not receive payment for three consecutive pay periods, they will begin to direct bill the enrollee. The enrollee should pay premiums directly billed to him/her on a timely basis to ensure continuation of coverage.

Federal Dental and Vision (FEDVIP) Program

Payroll deductions will cease for any employee that does not receive pay. BENEFEDS will generate a bill to enrollees for premiums when no payment is received for two consecutive pay periods.

Thrift Savings Plan (TSP) (contributions, investments, and loan)

Please see attached for details related to TSP accounts while in nonpay status. Also, FNS employees should refer to the TSP website for more detailed information. Be sure to have your account number or log-in ID and password when accessing your TSP Account on the website. <https://www.tsp.gov/index.shtml>

Processing Disability Benefits

Disability, reconsideration, and appeals employees at OPM will continue working on your case. If the application requires additional information from other agencies, expect delays during a government furlough.

Processing Court Ordered Benefits

OPM employees will continue working to process court ordered benefits. If the application requires additional information from other agencies, delays may occur during a government furlough.

High-3 Average Salary

Generally there will be no effect on the high-3 average salary unless the furlough causes the employee to be in a nonpay status for more than 6 months during the calendar year.

Details

The supervisor of record will be responsible for communicating all start-up guidance to employees on detail, including when he/she will return her his/her detail assignment.

Employee Assistance Program (EAP)

The Sand Creek Employee Assistance Program can be helpful in providing confidential counseling and coaching has experienced, licensed counselors ready to assist all FNS employees and FNS family members, 24 hours a day/7 days a week at 1-800-632-7643. The EAP is a free, confidential counseling service that can assist in helping cope with stressful and challenging situations.

Sand Creek offers assistance and guidance on many life and wellness items including health, financial assistance, managing stress, offerings from the EAP are available online by going to <http://www.sandcreekeap.com/members.aspx> and logging-in under work life wellness: **Username: USDA Password: employee.**

Intergovernmental Personnel Act (IPA)

The specific authority for furloughing personnel who are working under mobility agreements pursuant to the Intergovernmental Personnel Act (IPA), either inside the FNS or with other organizations, will depend upon the nature of individual agreements, the status of the appointments, and/or the funding arrangements for the assignments.

Retirement

If an FNS employees would have retired during the furlough, and submitted notice of their desired retirement date prior to the furlough, HR Specialist should, when the lapse in appropriations ends, make the retirement effective as of the date requested. The retirement request may be informal (such as a letter requesting retirement), and can be either mailed or personally submitted. Any additional required paper work, such as the formal retirement

application form, may be completed when the agency reopens. No time spent by the retiree in such actions after the effective date of the retirement may be considered as duty time, since the individual would no longer be an employee of FNS.

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. However, guidance concerning when furloughed employees should come back to work at the conclusion of the shutdown has to be tailored to the employee's specific situation. FNS will apply a rule of reason in requiring employees to return to work as soon as possible, taking into account the disruption to the lives and routines of furloughed employees that a shutdown has caused.

Time and Attendance

During a furlough all time and attendance must be reported as furlough, even for employees that are considered "excepted" and/or "ad hoc/call-in excepted." Employees must keep track of the number of hours worked while the government is in furlough status.

Steps for coding time in WebTA as furlough are:

1. In the timesheet, click on the "+" in the "Leave Used" section. This will bring up the profile.
2. The "**Changes are for Current Timesheet Only**" radio button should already be selected (default); if not please select it.
3. Scroll down to the "**Timesheet Categories for Leave**" Section and click on the dropdown menu.
4. Select "**Furlough**" and click the "**Add**" radio button.
5. Click "**Save**" at the top.
6. You will be returned to the timesheet.

NOTE: Employees should document furloughed time based on the number of hours they are scheduled to work on the days for which FNS is in furlough status. Employees on the alternative work schedule (AWS) schedule/days should not be changed once the agency is in furlough status.

Employees will be paid for hours work prior to the furlough, if it takes place in the same pay period. However, employees that are considered "excepted or ad hoc/call-in excepted" will not be paid for the hours worked during the furlough status until after Congress passes and the President signs a new appropriation or continuing resolution.

Congress will determine whether furloughed employees receive pay for the furlough period. All employees will be notified once this decision is made.

Transit Subsidy Program

All employees will have received their monthly allowance for transit subsidy when government operations resume. Only excepted employees were authorized to utilize the allowance while in furlough status.

Appendix D: Frequently Asked Questions (FAQs)

General

Q: When am I expected to report for duty after the shutdown furlough ends?

A: The expectation is for employees to report for duty on the next business day. Employees that cannot be contacted through normal notification processes are nevertheless expected to report timely as they were instructed to monitor OPM's website and media outlets in the FNS shutdown plan.

Q: Will a furlough personnel action "look bad" in my Official Personnel Folder?

A: No. A furlough is recognized as a temporary, nonpay status brought about by lack of funds. This action does not negatively reflect upon your individual performance or conduct. In the event that the federal workforce receives back pay for the furlough, FNS is awaiting guidance whether a personnel action will be processed to document the furlough action.

Q: How will employees know when appropriations are passed ending the furlough, so they are to return to duty?

A: Employees should monitor the news on television, radio, and/or OPM's website http://www.opm.gov/Operating_Status_Schedules. Employees should monitor the same communications media that they would follow on the government's operating status for inclement weather.

Pay

Q: When will excepted employees be paid for work performed during a shutdown furlough?

A: Those employees will be paid after Congress passes and the President signs a new appropriation or continuing resolution.

Q: Are employees entitled to unemployment compensation if they also receive back pay for furlough days?

A: If you receive unemployment compensation and are subsequently paid retroactively for furlough time, any unemployment compensation received must be repaid.

Q: When an employee's pay is insufficient to permit all deductions to be made, what is the order precedence for withholdings?

A: This Order of Precedence for federal civilian employees applies **only** when gross pay is not sufficient to permit all deductions; it will be used to determine the order in which authorized deductions from an employee's pay will be processed. More detailed information can be found at: OPM Letter OPM-2008-01, "Order of Precedence When Gross Pay Is Not Sufficient to Permit All Deductions."

1. Retirement
2. Social Security (OASDI) Tax
3. Medicare Tax
4. Federal Income Tax
5. Basic Health Insurance Premium
6. Basic Life Insurance Premium
7. State Income Tax
8. Local Income Tax
9. Collection of Debts Owed to the U.S. Government
 - Continuous Levy under the Federal Payment Levy Program (tax debt)
 - Salary Offsets
10. Court-Ordered Collection/Debt
 - Child Support
 - Alimony
 - Bankruptcy
 - Commercial Garnishment
11. Optional Benefits
 - Health Care/Limited-Expense Health Care Flexible Spending Accounts
 - Dental
 - Vision
 - Health Savings Account
 - Optional Life Insurance Premiums
 - Long-Term Care Insurance Premiums
 - Dependent-Care Flexible Spending Accounts
 - Thrift Savings Plan (TSP)
 - Loan Payments
 - Basic Contributions
 - Catch-up Contributions
 - Other Optional Benefits
12. Other Voluntary Deductions/Allotments
 - Military Service Deposits
 - Professional Associations
 - Union Dues
 - Charities
 - Bonds



Personal Account Allotments
Additional Voluntary Deductions
13. IRS Paper Levies

Q: May an excepted employee be permitted to earn premium pay (e.g., Sunday premium pay, night pay, availability pay) during the furlough period?

A. Yes. Excepted employees who meet the conditions for overtime pay, Sunday premium pay, night pay, availability pay and other premium payments will be entitled to payment in accordance with applicable rules, subject to any relevant payment limitations. Premium pay may be earned but cannot be paid until Congress passes and the President signs a new appropriation or continuing resolution.

Benefits

Q: To what extent does nonpay status affect civil service benefits and programs?

A: Nonpay status (furlough) is credited as follows:

Federal Employee Health Benefits (FEHB)

Enrollment continues for no more than 365 days in a nonpay status. The nonpay status may be continuous or broken by period of less than four consecutive months in a pay status [(5 CFR 890.303(e)]. The government contribution continues while employees are in a nonpay status. The employee will incur a debt for their premium and will be required to pay it upon return to duty. Visit <http://www.opm.gov/insure> for more information.

Federal Employee Dental and Vision Insurance Plan (FEDVIP)

Deductions cease when in the employee is placed in a non-pay status and there are insufficient funds to cover the premium(s). In order for employees to continue FEDVIP coverage, the employee must make payments while in a non-pay status. Visit the FEDVIP website, <http://www.benefeds.com>, for more information.

Flexible Spending Account (FSA)

Deductions will cease for periods of non-pay status where there is insufficient funds to cover the Flexible Spending Account (FSA) premium(s). If the employee is in a non-pay status and has not pre-paid the FSA allotment, their FSA account will be frozen and the employee will not be eligible for reimbursement of any health care expenses incurred during that period until he/she returns to a pay status and allotments are successfully restarted. However, if the employee has a Dependent Care Flexible Spending Account (DCFSA), dependent care expenses incurred during the period in a non-pay status which meet IRS guidelines for eligible expenses (i.e., the employee must incur the expenses in order to allow the employee and his/her spouse to work or attend school) may be reimbursed up to the FSA account balance. When the employee returns to a pay status,



allotments will be recalculated based on the number of pay dates remaining in the Benefit Period. Visit the TSP website, www.fsafeds.com for more information.

Federal Employees Group Life Insurance (FEGLI)

Coverage continues for 12 consecutive months in a nonpay status without cost to the employees (5 CFR 870.401(c)) or to the agency (5 CFR 870.401(d)). The nonpay status may be continuous or it may be broken by a return to duty for periods of less than four consecutive months. Visit <http://www.opm.gov/insurc> for more information.

Federal Long Term Care Insurance Program (FLTCIP)

FLTCIP Partners are working with the Office of Personnel Management (OPM) to put a process in place to handle premium collection. However, this is a unique situation and no hard decisions have been made. Once a process has been put in place information will be available at: www.LTCFEDS.com

Within-Grade Increases

Within-grade and step increases for General Schedule (GS) and Federal Wage System employees are awarded on the basis of length of service and individual performance. Such increases may not be denied or delayed solely because of lack of funds. However, extended periods of nonpay status (e.g., because of a furlough for lack of funds) may affect the timing of such increases. For example, a GS employee in steps 1, 2, or 3 of the grade who is furloughed an aggregate of more than 2 workweeks during the waiting period would have his or her within-grade increase delayed by at least a full pay period. [See 5 CFR 531.406(b)]

Retirement

An aggregate nonpay status of six months in any calendar year is creditable service. Coverage continues at no cost to the employees while in a nonpay status. When employees are in a nonpay status for only a portion of a pay period, their contributions are adjusted in proportion to their basic pay (5 U.S.C. 8332 and 8411). The exception would be an employee who had substantial time in a nonpay status earlier in the year if the furlough causes him or her to have more than six months' time in a nonpay status during the calendar year.

Thrift Savings Plan (TSP)

While you are in a nonpay status you will not be able to contribute to the TSP because employee contributions must be made through payroll deductions. FERS employees will not receive agency matching contributions (which are based on your employee contributions). FERS employees will not receive Agency Automatic (1%) Contributions, which are calculated on basic pay earned each pay period. All employees can continue to manage their TSP account with interfund transfers. You can also make contribution allocation changes that will take effect when you are once again in pay status, or when you make future loan payments to your account. You can transfer or roll over funds into your TSP account from traditional IRAs, SIMPLE



IRAs, and eligible employer plans. You can request financial hardship or age-based service withdrawals if you are eligible. You are not eligible to request a new TSP loan. If you already have a TSP loan when you are placed in a non-pay status, a period without pay may result in a missed payment because TSP loan payments are made through payroll deductions (unless you make payments directly from your own funds). If you go into an approved nonpay status, the Internal Revenue Code (IRC) allows you to suspend TSP loan payment for up to one year of the nonpay period. A suspension of loan payments is not automatic. To suspend your payments, you (or your agency or service) **must** provide the TSP with proper documentation of your nonpay status. For more information, refer to the TSP Fact Sheet- Effect of Non-pay Status on TSP Participation.

The fact sheet can be found at <https://www.tsp.gov/PDF/formspubs/oc95-4>.

Career Tenure

The first 30 calendar days of each nonpay period are creditable service.

Probationary Period

An aggregate of 22 workdays in a nonpay status is creditable service.

Qualification Standards:

There is no requirement to extend qualifying periods by the amount of nonpay status. However, agencies may require such extensions in order to meet training requirements or ability to perform.

Time-In-Grade Requirements

Nonpay status is creditable service

Military Duty or Workers' Compensation

Nonpay status for employees who are performing military duty or being paid workers' compensation counts as a continuation of Federal employment for all purposes upon the employee's return to duty.

Q: If employees are receiving Continuation of Pay (COP) due to job-related injuries, can the COP be terminated or interrupted by furlough?

A: No. According to the Department of Labor, employees would remain on COP status during periods of furlough.

Leave

Q: If an employee is on leave under the Family and Medical Leave Act of 1993 (FMLA) during the furlough, does the leave count toward the 12-week entitlement to FMLA leave?

A: An employee who is on approved Leave without Pay (LWOP) under the FMLA on days that coincide with the period of furlough will continue to be charged LWOP. Consistent with law and regulations, the LWOP taken under FMLA is part of the 12-week entitlement. However, an employee who was scheduled during the furlough to take paid leave under FMLA (i.e., an employee chooses to substitute annual leave or sick leave, as appropriate, for unpaid leave under FMLA) must be placed on furlough instead. Because the paid leave was cancelled, the period of absence may not be used to reduce the 12-week entitlement to FMLA leave.

Q: May employees be furloughed on a holiday?

A: Employees may be furloughed for periods of time that include holidays. However, the selection of the furlough period in question should be justified on programmatic and administrative grounds that are unrelated to the fact that the period includes a holiday. For example, an agency may not properly furlough employees for a 3-day period, the middle of which is a holiday, for the sole purpose of saving 3 days' pay while losing only 2 days of work (Comptroller General Opinion B-224619, August 17, 1987). Neither would it be proper to furlough an employee solely on a holiday (Comptroller General Opinion B- 222836, May 8, 1986).

Q: If employees are furloughed on the last workday before a holiday *or* the first workday after a holiday (but not on both days), will they be paid for the holiday?

A: Yes. The general rule is that an employee is entitled to pay for a holiday so long as he or she is in a pay status on either the workday preceding a holiday or the workday following a holiday. The employee is paid for the holiday based on the presumption that, but for the holiday, the employee would have worked.

Q: If employees are furloughed on the last workday before a holiday *and* the first workday after a holiday, will they be paid for the holiday?

A: No. If a furlough includes both the last workday before the holiday and the first workday after the holiday, the employee is not entitled to pay for the holiday because there is no longer a presumption that, but for the holiday, the employee would have worked on that day (Comptroller General Opinion B-224619, August 17, 1987).

Q: Can excepted employees be required to perform work on a holiday that occurs during a furlough?

A: Yes. Each agency is responsible for determining which excepted activities must

be performed on a holiday in order to carry out functions related to national security, protection of life or property, or the orderly suspension of agency operations. If an excepted employee refuses to report for work on a holiday after being ordered to do so, he or she can be considered absent without approved leave

Q: What pay entitlements will accrue to an excepted employee who performs work on a holiday?

A: The federal government will be obligated to pay an excepted employee who performs work on a holiday according to the normal rules governing pay for work on a holiday. Under these rules, an excepted employee would receive his or her rate of basic pay, plus holiday premium pay at a rate equal to the employee's rate of basic pay. In addition, if such an employee performs officially ordered or approved overtime work on a holiday (i.e., work in excess of his or her basic non-overtime work requirement for that day), the employee would receive overtime pay (or compensatory time off) for that work. Of course, an employee cannot be paid for working on a holiday until an appropriation or a continuing resolution is enacted.

Q: If an employee has properly scheduled “use-or-lose” annual leave before the start of the third biweekly pay period prior to the end of the leave year, but is unable to use some or all of the scheduled leave because of the furlough, does the furlough constitute an “exigency of the public business” that would permit an agency to restore the leave after the beginning of the new leave year?

A. Employees in this situation should make every effort to reschedule “use-or-lose” annual leave for use before the end of the current leave year. However, if this is not possible due to a lapse in appropriations, agency heads (or their designees) are encouraged to use their discretionary authority to restore any lost annual leave by determining that the employee was prevented from using his or her leave because of an exigency of the public business—namely, the need to furlough employees because of the lapse in appropriations.

Q: If an employee has properly scheduled use of “restored annual leave” that is due to expire at the end of the leave year (because it is the end of the 2-year restoration period) but that leave is canceled and lost due to lapse of appropriations, may the employing agency restore that leave again?

A. Unfortunately, no—unless Congress enacts legislation providing otherwise. There is nothing in existing law or regulation that allows restored annual leave to be restored a second time. In fact, the Comptroller General has determined that unused restored annual leave may not be restored after expiration of the 2-year period. (See B-188993, December 12, 1977.)

Q: How does a shutdown furlough impact a separating employee's lump-sum payment for their unused annual leave?

A: Any payments incurred by the agency for an employee's lump-sum leave will be delayed until funds are available after the shutdown.

Time and Attendance

Q: How is a furlough recorded on the Time and Attendance sheet?

A: In WebTA, select "furlough" from the drop down "leave" menu, and code your timesheet accordingly.

Q: How should an agency determine the number of furlough hours for alternative work schedule (AWS) employees during a shutdown furlough? Can an employee reschedule a non-workday that occurred during the furlough?

A: Employees are furloughed based on the number of hours they are scheduled to work on the days for which there is a shutdown furlough. Each agency that has an AWS program should have a policy specifying how flexible and compressed work schedules must be established and when they may be changed. Normally, such schedules are established in advance of the pay period involved. Under such a policy, an AWS non-workday scheduled to occur during a shutdown furlough should not be changed after the pay period begins.

Q: If a continuing resolution is passed requiring employees to report for duty that day, how do I record my time?

A: Unless it is your regularly scheduled non-duty day, you are expected to report for duty as soon as is practical after receiving notice that the agency is open for business. The time between the announcement and your reporting for duty that day should be coded as administrative leave. Any delay in reporting for duty requires a request for leave that must be approved by your supervisor on the day of the announcement.

Travel

Q: What impact does a funding lapse on an employee who is in temporary quarters due to an approved relocation?

A: The relocation agreement between the employer and the employee is considered a contract, and therefore, at the time that the contract is executed, the funds are considered obligated. Additionally, the employee's new duty station is considered their duty station of record, and as such could not "return" to anywhere.

Q: What happens if the time allocated for temporary quarters has expired and the employee needs an extension?

A: Any request for extension of temporary quarters should have been requested and approved in advance of the lapse in appropriations. No additional funds may be obligated during a lapse in appropriations and, without an approval for an extension, the employee may be in jeopardy of not being reimbursed for those expenses.

Q: During and following a shutdown furlough, am I responsible for paying my government travel charge card in a timely manner?

A: Yes. Departmental Regulation 4070-735-001, “Employee Responsibilities and Conduct,” states employees are responsible for “timely payment of claims,” to include their government-issued credit cards. The FNS Chief Financial Officer organization is working with the Department’s Office of the Chief Financial Officer to determine the Department’s policy regarding timely payment of travel card balances due to FNS staff not having access to the travel system during the government shutdown. Once the Department makes its determination, the FNS Chief Financial Officer organization will communicate the Department’s policy and guidance via a Financial Management (FM) Communication and during an FM Conference call. You may also wish to consult the U.S. Bank government credit card website at <https://www.usbank.com/index.html>.

Retirement

Q: What will happen to employees who would have retired while their agencies were shut down?

A: For employees who, on or before the requested retirement date, submitted some notice of their desire to retire, agencies should, when the lapse in appropriations ends, make the retirement effective as of the date requested. The retirement request may have been informal (such as a letter requesting retirement), and either mailed or personally submitted to the agency. Any additional required paperwork, such as the formal retirement application, may be completed when the agency reopens. No time spent by the retiree in such actions after the effective date of the retirement may be considered as duty time, since the individual would no longer be an employee of the agency.

Q: I applied for disability benefits. Will my application still be processed?

A. Disability, reconsideration, and appeals employees at OPM will continue working on your case. If the application requires additional information from other agencies, expect delays until after the government furlough is over.

Performance Management

Q: Should a lapse in appropriations occur, will FY 2013 performance appraisals and FY 2014 performance plans will still be due on October 30, 2013?

A. The Department's Office of Human Resources Management (OHRM) has assured FNS that OHRM will adjust the deadlines as appropriate and necessary following after the shutdown.

Thrift Savings Plan

Q: Does a federal government shutdown affect the TSP?

A: Neither the TSP nor the Federal Retirement Thrift Investment Board receives annual appropriations from the Congress. Since the TSP is not dependent on Congressional appropriations, a government shutdown would not affect the TSP; the TSP would continue to operate "business as usual."

Q: Will my TSP investments be affected? What about disbursements?

A: Investment activity will continue. Share prices and account balances will continue to be updated each business day, and loans and withdrawals will continue to be disbursed.

Q: What happens to my contributions?

A: Because you are not paid during a furlough, your TSP contributions will stop, and, if you are a FERS employee, you will not receive agency contributions during this time.

Q: Can I take a TSP loan while I'm furloughed?

A: Yes. By law, a TSP participant may take a TSP loan any time before separation. The TSP has adopted an administrative rule that provides that TSP participants must be in a pay status in order to take a TSP loan. The TSP adopted this rule because it generally requires TSP participants to agree to repay their loans through payroll deduction. The first payment is due on or before the 60th day following the loan issue date. Because shutdowns are rare occurrences and are typically of short duration, the TSP's Executive Director has determined that it is in the best interest of TSP participants to interpret the requirement that participants be in a pay status to mean that a break in pay due to a government shutdown does not disqualify one from TSP loan eligibility. A short-term break in pay status would still allow participants to commence payment by payroll deduction within the required 60 days of the loan issue date. If a shutdown were to extend beyond 60 days, participants would still be responsible for making loan payments.

Q: What happens to my loan payments while I am furloughed?

A: If you have an outstanding loan and you are furloughed, your loan payments will stop because they are deducted from your pay. Loans are not considered in default until the participant has missed more than 2-1/2 payments. If you miss a loan payment (or two) as a result of the furlough, you always have the option to make direct payments to the TSP using the Loan Payment Coupon available in the Forms & Publications section on the TSP website at <http://www.tsp.gov>. Otherwise, your loan term will be extended or, if you have requested the maximum loan term, you may have a balloon payment at the end of the loan term. If you miss more than 2-1/2 payments, the TSP will notify you by mail that you must mail in a personal check for the "cure" amount to get your loan back on track.

Q: Does my agency have to send in a Form TSP-41 notifying the TSP that I have been furloughed?

A: Your agency should not send a Form TSP-41 to the TSP during a federal government shutdown. A shutdown is a rare occurrence and is typically of short duration. The Form TSP-41 is intended for participants who are being placed on extended leave without pay, e.g., due to illness, military furlough, maternity leave, etc.

It is not practical for the agencies to complete and submit Forms TSP-41 for all of their furloughed employees who have TSP loans (both at the beginning of the furlough and at the end), and it is not practical for the TSP to process these forms.

Q: Can the government take money from the TSP to resolve the financial situation?

A: No, the money in the TSP is held in trust for its participants. Neither Congress nor the Administration can take money from your TSP account.

Further information regarding the impact of a federal government shutdown on your Thrift Savings Plan account is available at www.tsp.gov under the heading "shutdown"

Time-Limited and Term Appointments

Q: What happens to time limited appointments that expired during a furlough?

A: Furloughs do not extend the time limits for temporary and term appointments. The appointment should have been extended prior to the furlough or the individual may be reappointed after the furlough.

Q: Does a shutdown furlough extend an employee's probationary period?

A: No, unless the furlough extends beyond an aggregate of 22 workdays, or the employee has an aggregate of more than 22 workdays of furlough time as well as

other nonpay status time. Otherwise, the 22 workdays of nonpay time counts as creditable service.

Appeals

Q: If an employee decides to challenge a shutdown furlough, from what point would the time for appeal to the Merit Systems Protection Board run?

A. Employees must file an appeal within 30 days after the effective date of their first furlough day, or 30 days after the date of their receipt of the decision notice whichever is later.

Q: As a bargaining unit member, can I file a grievance and an appeal on the furlough action?

A: A bargaining unit employee has the right to file a grievance under an applicable negotiated grievance procedure or file an appeal with the MSPB. As a furlough is a matter appealable to the MSPB, it is *excluded* from coverage from the USDA's administrative grievance system. If a furlough is covered by an applicable negotiated grievance procedure, a bargaining unit member may elect to file a grievance under that procedure OR an appeal to the MSPB, both not both.

**UNITED STATES DEPARTMENT OF AGRICULTURE
 FY 2016
 SUMMARY OF EMPLOYMENT TO BE CONTINUED IN THE EVENT OF A GOVERNMENT SHUTDOWN**

| <u>Agency</u> | Current On-Board Staff | Estimated Employment for Category One | | | | | | Total After Day 20 | Total as % of Staff |
|---|---------------------------------------|--|------------------|------------------|-------------------|-------------------|-------------------|-----------------------------------|------------------------------------|
| | | 2nd Half Day One | Day 2 | Day 5 | Day 10 | Day 15 | Day 20 | | |
| Agency Name: Food and Nutrition Service Not Applicable | | | 2 | 5 | 10 | 15 | 20 | 0 | |

KEY:
 Category I: Military, Law Enforcement and Direct
 Provision of Health

**UNITED STATES DEPARTMENT OF AGRICULTURE
 FY 2016
 SUMMARY OF EMPLOYMENT TO BE CONTINUED IN THE EVENT OF A GOVERNMENT SHUTDOWN**

| <u>Agency</u> | Current On-Board Staff | Estimated Employment for Category Two | | | | | | Total After Day 20 | Total as % of Staff |
|---|---------------------------------------|--|------------------|------------------|-------------------|-------------------|-------------------|-----------------------------------|------------------------------------|
| | | 2nd Half Day One | Day 2 | Day 5 | Day 10 | Day 15 | Day 20 | | |
| Agency Name: Food and Nutrition Service Child Nutrition & WIC Pre-Appropriated Funding | 1704 | 34 | 34 | 34 | 34 | 34 | 34 | 34 | 2.00% |

KEY:
 Category II: Financed from Available Funds

**UNITED STATES DEPARTMENT OF AGRICULTURE
FY 2016
SUMMARY OF EMPLOYMENT TO BE CONTINUED IN THE EVENT OF A GOVERNMENT SHUTDOWN**

| <u>Agency</u> | Current On-Board Staff | Estimated Employment for Category Three | | | | | | Total After Day 20 | Total as % of Staff |
|--|---------------------------------------|--|------------------|------------------|-------------------|-------------------|-------------------|-----------------------------------|------------------------------------|
| | | 2nd Half Day One | Day 2 | Day 5 | Day 10 | Day 15 | Day 20 | | |
| Agency Name: Food and Nutrition Service | | | | | | | | | |
| Safety and Protection of Property | 1704 | 5 | 5 | 5 | 5 | 5 | 5 | 5 | 0.29% |
| Orderly Shutdown | 1704 | 26 | 26 | 26 | 26 | 26 | 26 | 26 | 1.53% |
| Continued Operations of SNAP | 1704 | 19 | 19 | 19 | 19 | 19 | 19 | 19 | 1.12% |
| Continued Operations of Child Nutrition Programs | 1704 | 13 | 13 | 13 | 13 | 13 | 13 | 13 | 0.76% |
| Continued Operations of WIC | 1704 | 15 | 15 | 15 | 15 | 15 | 15 | 15 | 0.88% |

KEY:

Category III: Protect Life and Property; Authorized by Law; Implied by Law; or Constitutional Duties and Powers

**UNITED STATES DEPARTMENT OF AGRICULTURE
FY 2016
SUMMARY OF PROGRAM/ACTIVITIES TO BE CONTINUED IN THE EVENT OF A GOVERNMENT SHUTDOWN
(Dollars in Thousands)**

| Program/Activity | Continuing (Y or N) | Exempt (Y or N) | Funding Source | Amount Available | Days Operating | Total Number of Staff Supported | Total Number of Excepted Employees (Y or N) | Program Impacts | | | |
|--|------------------------|--------------------|---|---|---|--|---|---|---|---|---|
| | | | | | | | | Week | | | |
| | | | | | | | | 1 | 2 | 3 | 4 |
| Supplemental Nutrition Assistance Program (SNAP) | Y | Y | Prior year funds, current year obligations, contingency reserves, or other funding strategies identified by OMB | Variable- depends on timing and circumstances of shutdown | Variable, agency continues to provide funding as available. | | N | Variable depending on time and circumstances. Agency continues to provide funding as available. | Variable depending on time and circumstances. Agency continues to provide funding as available. | Variable depending on time and circumstances. Agency continues to provide funding as available. | Variable depending on time and circumstances. Agency continues to provide funding as available. |
| Child Nutrition Programs | Y | Y | Prior year funds, current year obligations, contingency reserves or other funding strategies identified by OMB | Variable- depends on timing and circumstances of shutdown | Variable, agency continues to provide funding as available. | | N | Variable depending on time and circumstances. Agency continues to provide funding as available. | Variable depending on time and circumstances. Agency continues to provide funding as available. | Variable depending on time and circumstances. Agency continues to provide funding as available. | Variable depending on time and circumstances. Agency continues to provide funding as available. |
| Special Supplemental Nutrition Program for Women, Infants and Children (WIC) | Y | Y | Prior year funds, current year obligations, contingency reserves, or other funding strategies identified by OMB | Variable- depends on timing and circumstances of shutdown | Variable, agency continues to provide funding as available. | | N | Variable depending on time and circumstances. Agency continues to provide funding as available. | Variable depending on time and circumstances. Agency continues to provide funding as available. | Variable depending on time and circumstances. Agency continues to provide funding as available. | Variable depending on time and circumstances. Agency continues to provide funding as available. |
| Food Distribution Program on Indian Reservations (FDPIR) | C* | N | C* | Variable- depends on timing and circumstances of shutdown | Variable, agency continues to provide funding as available. | | 0 N | Variable depending on time and circumstances. |
| Commodity Supplemental Food Program (CSFP) | C* | N | C* | Variable- depends on timing and circumstances of shutdown | Variable, agency continues to provide funding as available. | | 0 N | Variable depending on time and circumstances. |
| Farmers Market Nutrition Program | C* | N | C* | Variable- depends on timing and circumstances of shutdown | Variable, agency continues to provide funding as available. | | 0 N | Variable depending on time and circumstances. |
| Seniors' Farmers Market Nutrition Program | C* | N | C* | Variable- depends on timing and circumstances of shutdown | Variable, agency continues to provide funding as available. | | 0 N | Variable depending on time and circumstances. |
| The Emergency Food Assistance Program (TEFAP) | C* | N | C* | Variable- depends on timing and circumstances of shutdown | Variable, agency continues to provide funding as available. | | 0 N | Variable depending on time and circumstances. |

| | | | | | | | | | | | |
|---|---|---|--|---|---|-----------|---|---|---|---|---|
| Orderly Shutdown | Y | Y | Necessary Implication of Exempt Programs - Obligations accrued in advance of appropriation | Amount necessary to support exempted operations | Variable, agency continues to provide funding as available. | < or = 26 | N | Variable depending on time and circumstances. |
| Safety and Protection of Property | Y | Y | Necessary Implication of Exempt Programs - Obligations accrued in advance of appropriation | Amount necessary to support exempted operations | Variable, agency continues to provide funding as available. | < or = 5 | N | Variable depending on time and circumstances. |
| Continued Operations of SNAP | Y | Y | Necessary Implication of Exempt Programs - Obligations accrued in advance of appropriation | Amount necessary to support exempted operations | Variable, agency continues to provide funding as available. | < or = 19 | N | Variable depending on time and circumstances. |
| Continued Operations of Child Nutritions Programs | Y | Y | Necessary Implication of Exempt Programs - Obligations accrued in advance of appropriation | Amount necessary to support exempted operations | Variable, agency continues to provide funding as available. | < or = 13 | N | Variable depending on time and circumstances. |
| Continued Operations of WIC | Y | Y | Necessary Implication of Exempt Programs - Obligations accrued in advance of appropriation | Amount necessary to support exempted operations | Variable, agency continues to provide funding as available. | < or = 15 | N | Variable depending on time and circumstances. |

*C = Contingent - Program may continue via State management however direct administration by the Federal Government may stop.