

April 8, 2011

Foreign Agricultural Service

2011

Contingency Shutdown Plans in Preparation for Potential Absence of Appropriations (Funding Hiatus)

Agency Shutdown Contingency Plans

For Internal Use Only:

Updated FAS plan, with the following changes since the last, approved version:

- a. Added one staff detailed to Department of State Special Representative for Afghanistan and Pakistan at State's request (Quintin Gray)
- b. Removed one excepted staffer from Office of Country and Regional Affairs whose duties can be covered in another way.
- c. Added language for start-up plan
- d. Changed Office of Foreign Service Officers section to align with guidance recently received from State
- e. Office of Global Analysis and Office of Trade Programs – removed details specific to current contracts and negotiations, which were not appropriate for the internet
- f. Added a Civilian Response Corps member currently in training and scheduled to deploy to Iraq shortly.
- g. Updated numbers in charts based on changes listed above.
- h. Discrepancies have been changed. On position had been double counted and not included in the OGA narrative.
- i. OFSO section on managing locally employed staff overseas was edited for clarity.

April 8, 2011

Foreign Agricultural Service Agency Shutdown Procedures

Introduction:

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 we intend to follow this instruction in making our 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.

Assumptions:

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 below);
 - b. Travelers who may be in 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;
 - g. Securing and storing records, files or work in progress.
2. Staff members posted overseas, including those in TDY status are to follow the direction of the Ambassador/ Chief of Mission. PRT members are also considered to be under the direction of the Ambassador/Chief of Mission. However, designation of our staff members posted overseas as excepted personnel is the decision of the Foreign Agricultural Service. Particular conditions at post at the time of a shutdown may lead to additional or fewer staff being designated as excepted. [See special provisions under OFSO section p. 14.]
3. Travelers on short term travel should make plans to return to home of record by NLT the last day of the continuing resolution ending.

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 an advance of funds from FAS appropriated funds (reimbursable agreements, 632b) are not exempted and would not continue during a lapse in annual appropriation. Activities funded by 632a funds are exempted however. Carryover funds for program purposes such as those used for the Cochran Fellowship Program may be used.
6. Excepted 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 HRD or OPM.
7. Announcements relating to shutdown including return to work notifications would be available on the OPM web site and other determined Department or USG wide web-accessible site.
8. Official telephone communications by excepted personnel are allowable. Non-excepted personnel are not to use government phones, PDAs, computers while in shutdown furlough status.

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 pertaining to ITD with ITS and OCOO with MSD, but can pertain to specialized equipment that is FAS-owned in lieu of an actual physical inventory, the location of electronically held inventory could be identified and listed.
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 (OCOO will be generating a list to provide each office). 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.

Activities:

Category	Office	Activity	Legal Authority	Action	Staffing Requirement
III	OA	Management		Administrator, COO, and GSM, needed to carryout agency decision-making during shutdown. Administrator has full delegated authority, AA/GSM has CCC-related authority	4 people
II	OASA	Emerging Markets Program Team Visits	Food, Agriculture, Conservation, and Trade Act of 1990	EMP teams already travelling in the U.S. would require staff oversight to provide any needed administrative support to this team while travelling in the United States.	1 person On-Call
II	OCBD	Food Aid, Food for Progress		Excepted functions are food aid, funded through CCC funding (i.e., Food for Progress and Local and Regional Pilot Purchase Program) and reimbursable resources	6 people
III	OCOO	Management		Associate Chief Operating Officer required to coordinate multiple services provided by OCOO.	1 person
III	OCOO	Travel		Travel facilitation needed to cover seas emergencies, travelers funded with other than appropriations; return to duty station travel.	1 person
III	OCOO	Grant Management		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. Since this protection is ongoing, and requires immediate action when a need occurs.	1 person
II	OCOO	Budget		Budget Certification and administrative control requirements continue for non-appropriated funding. The budget office staff supporting reimbursable agreements and other funds not subject to a lapse in appropriation and supported by those agreements would continue working during the shutdown.	5 people
III	OCOO	Compliance		Security Officer: The agency requires instant access to internal, Departmental, and Government-wide information and contacts to respond to any and all security and clearance issues that may arise during a temporary shutdown. Emergency Preparedness Officer: The agency requires immediate response to coordinate services during a shutdown event.	1 person
III	OCOO	Information Systems		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.	2 people 1 on-call
II	OCRA			N/A	N/A

III	OFSO	Support overseas foreign service personnel officially assigned to U.S. Embassies or U.S. Consulates	All FAS Foreign Service Officers and Locally Employed Staff (LES) fall under Chief of Mission Authority	FAS Foreign Service Officers currently serving overseas are under the authority of the Chief of Mission (COM) authority. However, FAS/OFSO determines those individuals excepted from furlough at post. Instructions for all LES will also be issued by FAS/OFSO based on local labor laws and needs at post. There is not a single standard operating procedure for a shutdown. Some FAS personnel may be asked to report to work. As such, some FAS/Washington support staff will need to report to work	5 OFSO Washington staff will be required for support of 79 overseas excepted staff
III	OGA	IPAD		The OGA International Production and Assessment Division (IPAD) is provides for the assessment of the global agricultural production outlook and conditions that affect world food security. Contractor staff (technical) need FTP oversight.	2 people 1 On-Call
III	OTP	GSM-102	Agricultural Trade Act 1978	GSM guarantees, preservation of claims, contracts and MOUs, and defaults	4 people

SUMMARY OF ACTIVITIES IN THE EVENT OF A GOVERNMENT SHUTDOWN

Agency	Current On-Board Staff	Excepted Staff by Category				Total as % of Staff
		I	II	III	Total	
Foreign Agricultural Service	992	0	11	101	112	11.3%

Key:

Category I:	Law Enforcement, Health and Safety
Category II:	Financed from Available Funds
Category III:	Protect Life and Property

Procedures

Prior to the Shutdown:

The Administrator will issue a memo to employees and/or forward a Department memo, if available, reporting the status of funding. If a shutdown appears to be imminent, any remaining travelers will be instructed to return to their duty station.

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

1. All employees are directed to report to their supervisors to receive assignments of duties or other pertinent information for an orderly closedown. For those employees teleworking, “reporting-in” may be done by telephone.
2. 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.
3. Managers and supervisors will coordinate the following activities intended to terminate Agency’s operations:

- a) Communicate close down instructions and procedures to all employees.
 - b) Contact any employees on leave and communicate that their leave is cancelled.
 - c) 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.
 - d) Ensure all employees to be released complete timesheet entry and submit to approving official.
 - e) Ensure all records; personal property and real property are secured.
 - f) Cancel all meetings, hearings and previously arranged business.
 - g) Validate existing communication strategy and employee contact information for future communication need.
 - h) 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. [Employees serving overseas are to follow the direction of the Chief of Mission.]
4. The Office of the Chief Operating Officer will contact external service providers to ensure continuance of communication, network and human resource services.

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

1. The Human Resources Division will provide instruction to employees for distribution by FAS supervisors and managers informing them of shutdown furlough status and providing advice on the appropriate source of information on when to return to work.
2. Additional work needed to secure property including files will continue as needed into the second half of day 1.
3. Employees, supervisors, managers and office heads should contact their immediate supervisor prior to leaving to ensure that location, condition and disposition of staff, activities and property are known. After this check is completed those individuals who are not excepted can be released.

Subsequent Workdays of Shutdown [Days 2-5]:

1. Only excepted employees so notified will report to work.
2. Employees will engage in approved activities only.
3. 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.
4. There will be daily communications by the FAS on the status of the close down procedures with the Department contacts previously identified.

Start-up Plans:

Following a resumption of funding for the Foreign Agricultural Service, the agency will resume regular business activities in all headquarters, and overseas posts. This will include the resumption of all program activities.

Specific Program Activities: Excepted Functions Personnel and Ongoing Activities

OA

Excepted Functions

Management: required to carryout agency decision-making during shutdown. The Administrator has full delegated authority; General Sales Manager has specific statutory delegations relating to GSM 102 (Commodity Credit Corporation) requirements; Chief Operating Officer has oversight responsibility for coordinating shutdown procedures.

Excepted Personnel

Administrator

Associate Administrator / General Sales Manager

Associate Administrator / Chief Operating Officer

Agricultural Advisor on Afghanistan (SRAP)

Office of the Chief Operating Officer

Excepted Functions:

Oversight and managerial controls are required to coordinate multiple services provided by the staff offices of the OCOO

Grant Management: The Grants Management Officer 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.

Specific to the prospective/pending furlough, the VEGA award has approximately \$1.6 million that requires a current review/accounting associated with an advance payment, which will continue into the projected furlough period. It is necessary and excepted to continue this review in a timely manner to fully protect USG property/resources. The VEGA award activities, which include the development of a grants management unit and change management initiative, are

Security Officer: The agency requires instant access to internal, Departmental, and Government-wide information and contacts to respond to any and all security and clearance issues that may arise during a temporary shutdown. **Emergency Preparedness Officer:** The agency requires immediate response to coordinate emergency services during a shutdown event.

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. Functions identified as “excepted” are: Email and BlackBerry, Citrix and RSA, Applications – PSD, IPATTS, OASIS, and ESR.

Budget: Budget Certification and administrative control requirements continue for non-appropriated funding. Budget Division staff currently working on and funded by reimbursable agreements or other types of non- appropriated funding are not impacted by the lapse of appropriation and would continue to work during the shutdown. Excepted Functions for budget execution include:

- a. Ensure funds available for incurring commitments, obligations or expenditures in the financial system,
- b. Provide proper accounting codes for use by personnel in program areas, overseas activities,
- c. Create FMMI elements needed for reimbursable/cooperative agreements, provide to program area or DCBOB,
- d. Provide reports on spending and funds availability to program areas and management,

- e. Provide information to management, OBPA, OCFO, OSEC/USEC and OMB if requested,
- f. Serve as system liaison to WebTA for accounting codes,
- g. RSFME program funds oversight and reporting.

For Grants & Agreements (formerly DCBOB handling reimbursable agreements and similar instruments) excepted functions include:

- a. Serve as system liaisons for GovTrip, SmartPay, IAS, IFTS, FMMI assisting program areas with accounting, vouchers, reconciliation issues,
- b. Provide pipeline analyses, reconciliations, service to reimbursable customers' agreements/cooperatives,
- c. Assist in preparing billing analyses and provide accounting service provider agreement information,
- d. Coordinate collection and preparation of checks received from refunds/returns and send to NFC for processing,
- e. All other activities necessary for administration of the funds oversight for reimbursable/cooperative agreements.

Excepted Personnel:

Associate Chief Operating Officer
 Emergency Preparedness Officer
 Communication/Information Systems
 Communication/ Applications On Call
 Travel
 Grants Management Officer
 Budget Analyst
 Budget Analyst
 RSFME Analyst

Following staff funded by reimbursable agreements or outside funding.
 Grants & Agreements FMMI,
 Grants & Agreements Supervisor

Activities Funded by Resources Other Than Appropriated

RSFME - funds available from appropriations (USDA), 2 year State funds, multiple year State reimbursable funding (Washington, Afghanistan, Pakistan, Iraq, Haiti)

AEECA - funded by 2 year State funds, OCBD programs in Georgia, Serbia, Armenia, and others in region

Cochran Fellowship - 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)

OASA

Excepted Functions:

There are no excepted functions pertaining to the office.

Excepted Personnel:

OASA/DA to support traveling teams

Activities Funded by Resources Other Than Appropriated

Team trips, supported by the Emerging Market Programs, travel throughout the U.S. and are common throughout the year. These team trips may coincide with a period of shutdown. They are typically accompanied by an FAS Locally Employed Staff member. EMP is excepted due to funding source, but require support from appropriated staff.

OCBD

Excepted Functions: OCBD excepted functions are food aid, funded through CCC funding (i.e., Food for Progress and Local and Regional Pilot Purchase Program) and some reimbursable agreements

Excepted Personnel:

OCBD/ODA	Authorizer
OCBD/ODA	Certifying Officer
OCBD/FAD	Food Aid Agreements
OCBD/DRDAD	Reimbursable Agreements
OCBD	Program Analyst
OCBD	CRC Active Member

Activities Funded by Resources Other Than Appropriated: OCBD operates two food aid programs, Food for Progress and Local and Regional Pilot Purchase Program, funded through CCC Section 11 are authorized by law. Funding for these programs would not be affected by an appropriations lapse. OCBD also administers a number of programs and activities covered by the Foreign Assistance Act, multi-year and no-year reimbursable agreements. Consequently, a significant level of OCBD operations is covered by funding other than appropriations, some of which would need to continue through a possible lapse in appropriation funding.

OCRA

Excepted Functions

There are no excepted functions in OCRA except the oversight of cooperative agreements, grants and financial management personnel may be needed (these reside in OCOO).

Excepted Personnel

None

Activities Funded by Resources Other Than Appropriated

Persons funded by reimbursable agreements (either from DM or FAA 632 (a)):

OFSO Overseas Operations

Excepted Functions

Activity: Support overseas Foreign Service personnel officially assigned to U.S. Embassies or U.S. consulates

Authorizing Law: All FAS Foreign Service officers and Locally Employed Staff (LES) fall under Chief of Mission Authority

Funding source: General authorization

FAS Foreign Service Officers currently serving overseas in U.S. missions come under the authority of the Chief of Mission (COM) authority. However FAS will determine excepted personnel at a U.S. Embassy, Consulate or other U.S. facility. Should any of our Officers be listed as excepted personnel, FAS/Washington will be required to support their operations including payroll and other administrative service.

In countries where local laws do not prohibit furloughs, locally employed staff will be placed on furloughs. If local laws prohibit furloughs, State Department may supervise locally employed staff. Where State Department is not willing or able to supervise locally employed staff who cannot legally be furloughed, they will be placed on administrative leave and will not report to work.

There is no standard operating procedure for a shutdown. In some cases FAS personnel will be asked to report to work. As such, a certain number of support staff in FAS/Washington will need to report to work. 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 travel, e.g., medical evacuation, or other travel. Additionally, to ensure proper ongoing management of these operations, OFSO must monitor budgets and expenditures from the general authorization as well as International Cooperative Administrative Support Services (ICASS) budgets.

FAS operations in Afghanistan and Iraq are expected to continue during a government shutdown. If a shutdown continues for a protracted period, specific duties for the deployment of additional personnel to Afghanistan might need to be executed which will require the services of additional personnel (2).

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.

Excepted Personnel 84 in total including overseas posts

Supervisor, ICASS, State Department interlocutor

Deputy, ICASS

Supervisor, International Services Branch, GA expenditures Medevac

Deputy Director, International Services

One Area Director Supervisor

All USDA personnel (including PRT members) in Iraq and Afghanistan

FAS/OFSO will make decisions on all staff at post including LES

(Director of Mission Support Staff for Iraq and Afghanistan is on the roles of OGA and appears and is counted there)

Activities Funded by Resources Other Than Appropriated (OFSO)

American Institute of Taiwan - Reimbursable Agreement for U.S. office in Taiwan

Iraq Office of Agricultural Affairs: Support required due to life threatening placements.

Afghanistan Office of Agricultural Affairs: Support required due to life threatening placements.

OGA

Excepted Functions:

There are no excepted functions in the office. All OGA staff salaries are funded by appropriations with the exception of three staff which are paid from CCC Section 11 (see below).

Excepted Personnel:

OGA Deputy Administrator	for contractor oversight
Assistant DA Ag Economist	currently serving as Director of Mission Support in OFSO

Activities Funded by Resources Other Than Appropriated

The OGA International Production and Assessment Division (IPAD) is the focal point within FAS and USDA for assessing the global agricultural production outlook and conditions that affect world food security. The Division has a team of eleven on-site Contractor employees (ASRC/ARTS), supported by CCC Section 11/4 Remote Sensing budgets. There are contracts that may require action during shutdown period.

OTP

Excepted Functions

GSM-102 PROGRAM.

The following presumes no new applications or allocations under the GSM-102 Program and 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.

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)

Certain actions could be needed on any day for outstanding guarantees and presentation of claims.

Excepted Personnel

Director, Credit Programs Division

Deputy Director, Credit Programs Division

Ag Marketing Specialist, Credit Programs Division

Financial Management Specialist, Credit Programs Division

Activities Funded by Resources Other Than 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)

SUMMARY OF ACTIVITIES IN THE EVENT OF A GOVERNMENT SHUTDOWN

Agency

Foreign Agricultural Service.....

Current On-Board Staff	Estimated Employment by Category						Total After Day 5	% of Staff Post Day 5
	I	II	III 2nd Half Day One	III Day 2	III Day 5	III Day 5		
992	0	11	101	101	101	112	11.3%	

KEY:

- Category I: Military, Law Enforcement and Direct Provision of Health
- Category II: Financed from Available Funds
- Category III: Protect Life and Property

Summary of Category I Activities:

No FAS Activities in this Category

Summary of Category II Activities:

A exchange group funded with outside resources may be on travel during a period of shutdown. Certain food aid functions, budget functions, and contract and grant functions pertaining to activities supported by available funding.

Summary of Category III Activities

Functions required for the safety of life and property including travel services for those sponsored with outside funding through FAS, communications capabilities including email needed for the safety of staff posted overseas, those needing to administer programmatic requirements such as those in GSM-102, negotiations and agreements and staff needed for authorizing and executing necessary activities.