



USICH Contingency Plan for Possible Lapse in Appropriations

The Anti deficiency Act prohibits all officers and employees of the federal government from entering obligations in advance of appropriations and prohibits employing federal personnel except in emergencies, unless otherwise authorized by law. 31 U.S.C. sections 1341 et seq. In the absence of appropriations:

- Federal officers may not incur any obligations that cannot lawfully be funded from prior appropriations unless such obligations are otherwise authorized by law.
- Federal officers may incur obligations as necessary for orderly termination of an agency's functions, but funds may not be disbursed.

Section 124 of the Office of Management and Budget's (OMB's) Circular A-11 requires all agencies to develop and maintain plans for an orderly shutdown in the event of a lapse in appropriations.

Lapse Plan Summary Overview	
Estimated time (to nearest half day) required to complete shutdown activities:	4 hours (1/2 day)
Total number of agency employees expected to be on board before implementation of the plan:	18
Total number of employees to be retained under the plan for each of the following categories:	
Compensation is financed by a resource other than annual appropriations:	0 FTEs
Necessary to perform activities expressly authorized by law:	0 FTEs
Necessary to perform activities necessarily implied by law:	0 FTEs
Necessary to the discharge of the President's constitutional duties and powers:	0 FTEs
Necessary to protect life and property:	0 FTEs
Brief summary of significant agency activities that will continue during a lapse:	
USICH has no activities continuing during a lapse. Agency employees will have a four-hour window to perform orderly shutdown activities and notifications.	
Summary of significant agency activities that will cease during a lapse:	
All USICH activities will cease including Travel, policy work, and all accounting and administrative functions	

USICH Operations in the Absence of Appropriations

USICH does not conduct excepted services within the Anti-deficiency Act (ADA) and guidance established by the opinions issued by the Department of Justice (DOJ). Therefore, agency operations will cease for the entire period of any shutdown due to a lapse in appropriations, and all USICH employees will cease to work during this period. As of August 1, 2023, USICH has a total of 18 full-time equivalents; 14 onboard staff and 4 vacancies that are in active recruitment:

- Executive Office: (1) Executive Director,
- Communications: (2) Manager of Communications and Communications Specialist
- Administration: (2) Director of Finance and Administration, , and a Senior Admin Services Specialist.
- Policy (3) Director of Policy Initiatives, one Policy Director and one Policy and Program Analyst
- National Initiatives (6): Director of National Initiatives and 5 Regional Coordinators

No USICH employee may be retained under the following exceptions provided by the ADA and guidance established by the DOJ opinions:

- Employees whose compensation is financed by a resource other than annual appropriations;
- Employees necessary to perform activities expressly authorized by law;
- Employees necessary to perform activities necessarily implied by law;
- Employees necessary to the discharge of the Presidential constitutional duties and powers; and
- Employees need to protect their life and property.

The Executive Director (ED) and the Director of Finance and Administration (DFA) will be the agency leads in executing a federal government shutdown at USICH and will be responsible for ensuring agency operations are halted per OMB and OPM guidance, and that the safety and security of agency facilities, IT and other systems are ensured during a shutdown period.

USICH believes that the actions described in this Plan will remain the same during either a short or extended lapse in appropriations. If external circumstances warrant changes to the Plan, the ED and the DFA will consult and come to agreement on the changes. The DFA will amend the plan, obtain the ED's approval, and submit the amended plan to OMB.

Shutdown Activities

USICH estimates that it will need a maximum of 4 hours to shut down its operations. USICH employees will be allowed a maximum of 4 hours work time to shut down operations on the next workday after the shutdown is effective. Shutdown activities will include such activities as: 1) communications to stakeholders, vendors, its Financial Management Line of Business (FMLoB) service provider, and others regarding the shutdown; 2) website, email and voicemail message postings notifying all of the shutdown; 3) issuance of furlough letters to employees; 4) communications with employees and stakeholders regarding any planned travel during the shutdown period, and 5) other necessary activities, including IT and any other operational work necessary to support the agency's orderly shutdown of operations.

USICH believes its main activities if a federal government shutdown occurs would fall under three primary categories – Personnel, Communications, and Travel.

Personnel

Upon announcement of a federal government shutdown, USICH via the ED and/or DFA will notify employees to return to work on the next business day or telework as approved by their supervisor to conduct activities necessary for the orderly termination of USICH's functions. USICH employees may work for a maximum of four hours on agency shutdown activities.

Official furlough notices will be issued electronically to employee's government email accounts on the first day of the lapse in appropriations during the four hours permitted for shutdown activities. The USICH ED and/or DFA will be responsible for disseminating all pertinent information to employees regarding this matter. Such communication will include:

- The legal basis for the shutdown;
- The period of time the shutdown will cover, if known;
- Any pertinent information related to employee pay, benefits, and tenure per OPM guidance;
- Prohibitions against voluntary work during the shutdown;
- Prohibitions against using USICH-issued devices during the shutdown; and
- Guidance for employees to regularly check OPM, OMB, news, and other communication portals for the latest information or for any changes related to the shutdown, such as an early cessation or extension of the shutdown.

To notify employees that the shutdown furlough has ended, the ED and/or DFA will also issue an official notice to employees to return to work on the employees next scheduled workday after the furlough has ended via their personal email address on file or via their personal cell phones as soon as possible after announcement.

If employees have problems returning to work on the date specified by USICH, employees may be granted flexibilities as necessary and as requested by the employee and approved by their supervisor, such as telework, and the use of accrued annual leave or compensatory time.

Communications

During the shutdown period, employee access to the agency's cloud-based platform and internal file servers will be disabled. The DFA may be allowed to return to work earlier than the remainder of the staff once notice that the end of the shutdown has ended is issued, so that Agency IT systems are restored in an expeditious manner to support the Agency's operational restart.

Employees will be requested to submit their personal email addresses and/or phone numbers to the DFA in order to be contacted when official word is announced on when to return to work or for any other applicable updates during the shutdown period.

USICH's website will not be operational during the shutdown period and a message will be posted on the website regarding the shutdown. Additionally, USICH will change its main line's voicemail message to reflect its operational

status. Employees will activate email out-of-office messages, as well as change voicemail messages, to reflect the operational status.

The DFA will contact key contractors and other key agency stakeholders directly, as necessary, to communicate how the shutdown will affect business and ongoing services (if already obligated) with the Agency. The DFA will also contact its FMLoB service provider to ascertain the status of any pending financial transactions to communicate that status with any affected parties, such as affected contractors, and will confirm with the FMLoB service provider, that all financial transactions, including disbursement of funds, will cease during the shutdown period. Once the shutdown period is over, USICH will contact the FMLoB service provider to ensure typical handling of USICH transactions and reporting resumes.

Travel

During a government shutdown, nearly all travel will be cancelled. At this time, all travel plans previously scheduled to occur on or after shutdown should be cancelled. Should you have any questions about how any upcoming travel plans should be handled, please consult your manager.