Federal Agencies Shutdown Plans

All federal agencies are required to develop and maintain plans for an orderly shutdown in the event of a lapse in federal appropriations. A list of each agencies plan can be found here: https://www.whitehouse.gov/omb/information-for-agencies/agency-contingency-plans/

Please note that some of the plans have not been updated for the 2023 possible shutdown. We encourage you to continue reviewing this list for any updates.

From the agency plans, we extracted information from the most common agencies.

U.S. Department of Defense (DOD) – Sept. 12, 2023

A contractor performing under a contract (or contract option) that was awarded prior to the expiration of appropriations may continue to provide contract services, whether in support of excepted activities or not, up to the limit of the funds obligated on the contract prior to the lapse in appropriations. However, new contracts (including contract renewals or extensions, issuance of task orders, exercise of options) may not be executed, nor may increments of funding be placed on incrementally funded contracts or to cover cost overruns, unless the contractor is supporting an excepted activity. No funds will be available to pay such new contract or place additional increments of funding on contracts until Congress appropriates additional funds. The expiration of an appropriation does not require the termination of contracts (or issuance of stop work orders) funded by that appropriation unless a new obligation of funds is required under the contract and the contract is not required to support an excepted activity. In cases where additional funding is required and/or oversight, engagement, or inspection by Federal employees who have been furloughed is critical to successful performance under the contract and the contract is not required to support an excepted activity, the issuance of a stop work order or the termination of the contract may be required.

U.S. Department of Education (Sept. 27, 2021)

During a lapse, the Department of Education would pause most of its grantmaking activities, including the development of grant announcements, review of grant applications, and awarding of grant funds. T

U.S. Department of Energy (Sept. 6, 2023)
https://www.energy.gov/articles/department-energy-implementation-activities-plan-case-lapse-appropriations

The performance of contracts and financial assistance instruments continue in accordance with their terms, including any provisions about limitations of funding. However, depending upon the length of the lapse of the appropriations, whether Government oversight is needed, and the availability of prior-year funding, the Department may need to review the activities of its contractors and only those activities where the suspension of the function of the contract
would imminently threaten the safety of human life or the protection of property would be permitted to continue.

U.S. Department of Health and Human Services (Sept. 21, 2023)
HHS will continue any necessary activities in the event of a lapse in appropriation. As appropriate, each of the operating divisions will continue to support activities with advance appropriations, carryover balances including carryover user fee funds, emergency supplemental balances, or third-party funding.

The information below provides specific detail regarding which activities will continue or not continue during a lapse in appropriation, by HHS Operating Division.

FY 2024 Lapse Plan Administration for Children and Families (ACF)
FY 2024 Lapse Plan Administration for Community Living (ACL)
FY 2024 Lapse Plan Agency for Healthcare Research and Quality (AHRQ)
FY 2024 Lapse Plan Advanced Research Projects Agency for Health (ARPA-H)
FY 2024 Lapse Plan Administration for Strategic Preparedness and Response (ASPR)
FY 2024 Lapse Plan Center for Disease Control and Prevention (CDC)
FY 2024 Lapse Plan Center for Medicare and Medicaid Services (CMS)
FY 2024 Lapse Plan Food and Drug Administration (FDA)
FY 2024 Lapse Plan Health Resources and Services Administration (HRSA)
FY 2024 Lapse Plan Indian Health Services (IHS)
FY 2024 Lapse Plan National Institutes of Health (NIH)
FY 2024 Lapse Plan Office of the Secretary (OS)
FY 2024 Lapse Plan Substance Abuse and Mental Health Services Administration (SAMHSA)
During a federal funding hiatus, or lapse in appropriations, the Department of Homeland Security (DHS) must be able to cease its government operations in an orderly fashion. Only those functions and activities that are exempt or excepted from the work restrictions specified in the Anti-Deficiency Act (ADA) may continue during a lapse in appropriations. The ADA essentially codifies the Constitutional requirement that “No Money shall be drawn from the Treasury, but in consequence of appropriations made by Law.” Federal officials are prohibited from incurring obligations, to include entering into contracts or grants, or performing activities in the absence of a currently available appropriation, unless authorized by law. The Act further restricts acceptance of voluntary services or personal services beyond authorized levels “except for emergencies involving the safety of human life or the protection of property.” As a result, only activities that are exempt or qualify as excepted may continue to operate during a lapse in appropriations.

Summary of significant agency activities that will cease during a lapse:
- Planning (such as strategic, business, or budgetary activities)
- Research and development activities
- Most policy functions, administrative, as well as programmatic, unless those functions are justified by an exception
- Auditing
- Most regulatory, legislative, public affairs, and intergovernmental affairs unless those functions are justified by an exception
- Training and development not deemed an excepted activity

The following are prudent steps taken by NASA to minimize the incurrence of costs by contractors (including Jet Propulsion Laboratory (JPL) and its subcontractors), grantees, and partners in cooperative agreements performing excepted activities:

- New contracts, grants, cooperative agreements, task orders, change orders, and other actions would not be issued during a funding hiatus, except those critical to meeting the requirements for excepted activities under this policy—and then only to the extent and amount necessary to meet those requirements.
- Contract personnel may perform excepted activities, provided all the requirements governing excepted activities are met. For example, NASA contracts for most emergency
services support and installation security services. Contractors may perform these excepted services, but only to the extent necessary.

- Contractors may continue to perform under contracts for work for which funds were properly obligated prior to the lapse in appropriations, provided performance does not require the use of shutdown NASA facilities or other Government support which would be funded by a lapsed appropriation, including administrative, oversight, or other actions required of civil servants. For example, work on certain missions in development may continue if performance does not require the use of NASA civil servant or technical resources or other Government support. Contractors continuing to work under these circumstances will be instructed to preserve resources and limit contractual expenditures. When contract work on these projects reaches a point at which civil servant participation becomes necessary (e.g., inspections or funding actions), or past which continuation without civil servant participation would be imprudent (e.g., milestones or decision points), contractors will be instructed to suspend performance.

- Contractors continuing to work under the provisions above will be instructed to preserve resources and limit contractual expenditures. Supplies that are not immediately needed to carry out the essential operations under this policy, overtime not critical to meeting the tasks still permitted under this policy, and similar costs should not be incurred.

**National Endowment for the Arts (September 29, 2022)**

Grants and Cooperative Agreements: In most cases, if grant or cooperative agreement funds have been obligated, and continued federal government supervision or support is not critical to the grantees or cooperator’s continued performance during the period, the work supported through the award may continue. The Agency’s Grants Office will provide specific guidance to award recipients if a determination is made that work may not continue during the shutdown period. Awardees should not expect to receive any payments from the Agency during the shutdown period.

**National Endowment for the Humanities (September 29, 2022)**

- During a shutdown, all the agency's core functions will be halted, including but not limited to application processing, application review, issuing awards, award closeout staff travel, staff training, and procurement activity.

- Public NEH web sites such as [www.neh.gov](http://www.neh.gov) will remain up but may be updated only as necessary.
The online government-wide System for Award Management (SAM), Grants.gov application portal, and Federal Funding Accountability and Transparency Act Subaward Reporting System (FSRS) administered by other agencies will continue to function during a shutdown.

Access to all other automated, NEH-hosted web services, such as eGMS and eGMS Reach will remain available.

Technical support for the website, eGMS Reach and other NEH-hosted web services will be limited to those problems which are remediable by an excepted employee from the Office of Information Resources Management. There will be no helpdesk or contact support for recipients, panelists, or the public.

National Science Foundation (September 26, 2022)

Brief Summary of significant agency activities that will continue during a lapse: NSF will use available carryover balances to continue daily operations. Once those balances are exhausted, NSF systems for proposal preparation and submission will remain open during a lapse in appropriations (Research.gov and FastLane). The Awards Cash Management Service (ACM$) and the Invoice Processing Platform (IPP) will remain open for the submission and processing of valid payments for awardees and contractors. Awardees may continue performance under their NSF awards during a lapse in appropriations, to the extent funds are available, and the period of performance of the grant or cooperative agreement has not expired. In the event of a lapse, more detailed information on NSF operations for awardees, panelists, and employees will be posted at www.NSF.gov, and will be updated as necessary during a lapse.

Brief Summary of significant agency activities that will cease during a lapse: In general, no new grants, continuing grant increments, or cooperative agreements will be awarded. No new funding opportunities (Dear Colleague Letters, program descriptions, announcements or solicitations) will be issued. Responses to any inquiries received regarding upcoming deadlines will be deferred until normal operations resume. All panels (including virtual panels) scheduled to occur during a lapse in appropriations will be cancelled and will likely be rescheduled to a later date.

Frequently Asked Questions During a Lapse in Appropriations