NATIONAL CATTLEMEN'S BEEF ASSOCIATION
CENTER FOR PUBLIC POLICY

Guide to Federal Agency Shutdown Protocols

****All information below is subject to change. NCBA will periodically update this document as new information is obtained.****

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DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

- Beef Quality and Yield Grading: Beef grading will continue uninterrupted as this activity is funded by user-fees.
- Cattle Contract Library Pilot Program: Updates to the Cattle Contract Library will continue.
- Livestock Mandatory Reporting (LMR)/Mandatory Price Reporting: Market news information, as required for commodities and agricultural markets, will continue.
- Research and Promotion Oversight (Checkoff): Checkoff programming will continue uninterrupted as appropriated dollars are not used in their implementation.
- Packers & Stockyards Division: Will cease operations during a lapse.

Animal and Plant Health Inspection Service

- General: Many APHIS activities are funded fully by annual appropriations and will halt during the shutdown. That includes sections of the cattle health program (ex. animal disease traceability), chronic wasting disease activities, and the ongoing review and approval of biologics at USDA APHIS Center for Veterinary Biologics.
- New World Screwworm: Emergency efforts to combat the New World screwworm outbreak in Mexico will continue uninterrupted.
- Animal Diseases: Emergency efforts to combat HPAI, African swine fever, and bovine TB will continue uninterrupted.
- Inspections: Import/export processes, animal quarantine inspections, and phytosanitary certifications are all funded by user fees and will continue uninterrupted.
- Cooperative Agreements: USDA APHIS guidance states that reimbursable agreements with states and other cooperators will continue, funded by user fees.
- Wildlife Services: Wildlife Services is not specifically named in USDA's updated shutdown guidance. Based on other portions of the document, it is possible that any wildlife damage management projects that are conducted as reimbursable cooperative agreements will continue uninterrupted. Beyond that, we must assume that agency activities will halt. Producers should take extra care to thoroughly document, with writing/photos/videos, any depredation losses in case investigations are interrupted or delayed.

Farm Service Agency

- Staffing: On day 1-10 of a shutdown, the only FSA staff on call will be minimal regional leadership and headquarters staff, in case of a natural disaster. From day 10 onwards, if the shutdown continues, each FSA service center will be required to have one farm loan employee and/or one county office farm program employee on call to complete certain loan processing items to protect the security interest of the government and to prevent the loss of security or loss of value to security for the borrower.
- Loan Actions That Will Continue: From day 10 onwards, staff will be able to continue liens, process protective advances, and review a borrower's account to gather the necessary information to respond to a bankruptcy notification.
- Loan Actions That Will Halt: Accepting and processing farm and commodity loans (even if harvest-related), advancing funds on approved loans, obligating loans previously approved, loan closings and issuing guarantee loan conditional commitments, issuing direct loan approval notification letters, and processing any new applications will halt during the shutdown.
- Disaster Assistance: Implementation and processing of weather-related disaster assistance payments – including any remaining Supplemental Disaster Assistance programs like ELRP 2023 and 2024 for Flood and Wildfire – will halt during a shutdown.
- Land Management/Conservation: Processing of annual CRP contract payments will halt during a shutdown, as well as any technical assistance and cost-sharing related to rehabilitating agricultural land after a natural disaster.
- ARC/PLC: Implementation of the adjustment to ARC/PLC base acres authorized by H.R. 1 will halt during a shutdown.

Food Safety and Inspection Service

- Processing Plants: All statutorily required inspections in meat processing plants will continue uninterrupted during a shutdown. That includes inspections of beef for domestic consumption, for export, and ongoing testing/surveillance programs for foodborne pathogens.
- Food Safety: FSIS will also continue uninterrupted with activities necessary to protect the public from foodborne illness, including epidemiological investigations, related lab work, and recalls.
- State MPIs: FSIS currently shares costs with 29 states for their State Meat and Poultry Inspection programs. While federal FSIS inspectors **will** continue their work in plants, it is not clear whether the agency will continue providing funding to the State MPIs during a shutdown. It is possible that some state inspection activities may be interrupted if states do not cover their full program costs.

Agricultural Research Service

- US Meat Animal Research Center: Any work needed to protect animal life, "provide animal care," complete the collection/preservation/analysis of time-sensitive data related to animal research, and prevent harmful or unnecessarily long experimental protocols related to animal research will continue uninterrupted during a shutdown.

That applies to USDA staff as well as contractors, provided contractors are directly implementing/addressing one of the goals above.

- NBAF: The "continuous stand-up" to achieve full functionality/readiness at NBAF will continue uninterrupted during a shutdown.
- Animal Diseases: Current research related to New World screwworm and HPAI will continue uninterrupted during a shutdown.

Forest Service

- General: Approximately 12,000 employees out of 32,000 will be furloughed. The agency will pause non-essential functions.
- Recreation: Public access to recreation sites will be reduced.
- Grazing: Special Use Permits processing will be delayed, if SUPs exist outside existing grazing authorizations.
- Fire: The agency will continue responding to and preparing for wildland fires. Hazardous Fuels Treatments to reduce fire risk, including prescribed fire, will be reduced. State Grants for Forest Management and Wildland Fire Preparedness may be delayed. State and local fire departments' ability to train firefighters and acquire necessary equipment may be delayed and states and other cooperators will not receive reimbursement for ongoing forest management work on non-federal lands.

National Agricultural Statistics Service

- General: Most activities will cease. Nearly all employees will be furloughed except for those necessary to perform activities implied by law.

Risk Management Agency

- General: Limited activities will continue for a period of approximately 180 days in the event of a shutdown. RMA would use mandatory program integrity funds in the amount of $10M that can be transferred to S&E and used to fund staffing. Agency Compliance and oversight activities; Regional Office engagement; and new product development would largely cease in the event of a shutdown.

COMMODITY FUTURES TRADING COMMISSION

- General: Producers should expect significant delays in dealings with the CFTC for the duration of the shutdown. Roughly 5% of the Agency's workforce will remain at work to handle essential work, including several whistleblower and market participant personnel. The CFTC will focus its attentions on enforcement actions.

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

- In the event of a lapse in appropriations, NOAA will suspend regular agency operations, with exceptions for certain functions, consistent with Department and Administration guidance. In addition to the line office-specific excepted functions described below,

NOAA will continue those programs that are financed by a resource other than current year annual appropriations. Continuing activities may also include those funded through reimbursable agreements.

DEPARTMENT OF HOMELAND SECURITY

- General: DHS will maintain a vast majority of personnel.
- Passenger processing and cargo inspections at ports of entry will continue.
- Planning, research, policy functions, auditing, and training will cease.

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

- Shutdown plans have not yet been announced.

Fish and Wildlife Service

- Shutdown plans have not yet been announced.

National Park Service

- Approximately 9,200 employees are expected to be furloughed.
- Parks are expected to remain open, with agency discretion to close if necessary. No visitor services will be provided.
- Special use activities, including those with Special Use Permits, may continue if no NPS staff is required to monitor the activity.

Office of the Solicitor

- 75% of employees will be furloughed, but some shall remain on call. Up to 40 individuals may be retained to provide legal, ethics, and support services.
- Criminal litigation will continue without interruption as an essential function.
- Civil litigation will be curtailed/postponed to the extent that courts will permit such an approach without harm to the interests of the United States.
- DOJ will handle all motions, etc. in civil litigation for which there is an upcoming deadline, unless the court grants motions to stay/delay.
- Office attorneys with responsibility for such matters will be on-call and directed to report for work during a lapse in funding to perform such work as is necessary to support the subject litigation.

U.S. Geological Survey

- Will suspend activities not necessary to protect life/property and activities funded by a non-lapsing, exempt fund source. Disaster related projects funded through no-year supplemental appropriations will also continue.

- Approximately 3,700 employees will be furloughed (almost 50%). Will continue research, monitoring, and technical support agreements.
- Most employees will be furloughed, expect to retain 65 full-time employees and up to 850 part-time employees that could be retained on an as-needed basis to staff locations like the National Earthquake Information Center, the Earth Resources Observation and Science Center, and animal care facilities.

DEPARTMENT OF JUSTICE

- Up to 89% of DOJ employees will be eligible to be retained depending on the length of the shutdown, including U.S. Attorneys.
- Criminal litigation will continue.
- Civil litigation will be curtailed or postponed to the extent that this can be done without compromising to a significant degree the safety of human life or the protection of property.

DEPARTMENT OF LABOR

Wage and Hour Division

Summary of significant agency activities that will continue during a lapse:

- Respond to and investigate any incidents involving child labor violations, including those that involve employment in occupations determined to be hazardous, serious injury or death of a minor.
- Respond to and investigate any transportation accident or allegations of housing safety violations involving serious injury or death of a farm worker.
- Prepare for and/or participate at hearings or depositions scheduled by a court of law Execute search warrants and/or deliver subpoenas and receive records
- Monitor incoming complaints and respond to emergencies in order to prevent irreparable harm.
- Execute search warrants and/or deliver subpoenas and receive records.

Summary of significant agency activities that will cease during a lapse:

- Significant activities that will cease during a lapse in funds include all regulatory work; enforcement activities that do not involve emergencies related to the safety of human life or protection of property; all outreach and education activities; and processing of 14 (c) and farm labor certifications.

Office of Foreign Labor Certification

- No foreign labor certifications will be processed.
- A prolonged lapse of funding will exacerbate processing delays for the Office of Foreign Labor Certification activities, especially temporary labor certification requests under the H2A and H2B Visa programs.

DEPARTMENT OF STATE

Consular operations domestically and abroad will remain 100% operational as long as there are sufficient fees to support operations. This includes passports, visas, and assisting U.S. citizens abroad.

All U.S. embassies and consulates abroad will be operational for national security reasons.

DEPARTMENT OF TRANSPORTATION

Federal Highway Administration

- All operations continue as normal during a lapse in funding, including activities funded by the Infrastructure Investment and Jobs Act.

Federal Motor Carrier Safety Administration

- Federal Motor Carrier Safety Administration: All operations continue as normal with a lapse in annual appropriations, subject to the amount of liquidating cash the Agency has available.
- FMCSA positions are primarily funded by authorized contract authority and paid out of the Highway Trust Fund and liquidated with cash appropriated by annual appropriations.
- Although FMCSA positions are mostly funded from the Highway Trust Fund, FMCSA collects fees under its Licensing and Insurance (L&I) function and Drug and Alcohol Clearinghouse (DACH), which are made available to support the programs, including its L&I and DACH positions.

Office of Railroad Safety:

- FRA staff from the Office of Railroad Safety that manage rail accident/incident investigations across the country would continue working. These investigations become the basis for the agency issuing Emergency Orders, Safety Advisories, railroad safety regulations, and other measures to promote and regulate safety throughout the rail industry.

Summary of significant agency activities that will cease during a lapse:

- FRA would not continue any of its unfunded core agency functions. No contracts, purchase orders, travel authorizations, or other documents obligating funds would be executed.
- FRA would not obligate funds for research and development projects. However, outlays may occur for prior year obligations if they do not require FRA staff oversight.
- FRA would not advance any rulemakings, including those related to railroad safety, unless such regulatory activity was related to the award, administration, oversight, and technical assistance of FRA's financial assistance programs and funded from FRA's Oversight account.
- Exceptions will be made for travel related to critical railroad safety inspections and rail incidents, or activities funded from FRA's Financial Assistance Oversight and Technical Assistance account.

ENVIRONMENTAL PROTECTION AGENCY

- General: The updated Sept 2025 plan permits emergency response, law enforcement and investigations, superfund work (and other work funded by non-discretionary monies), and planning for the FY27 budget to continue.
- Of the 15,166 employees, available, all but 1,734 expected to be furloughed.
- In states where 402 permits are managed by the state, there should be no significant changes.
- 404 applications will be paused.

EXECUTIVE OFFICE OF THE PRESIDENT

United States Trade Representative

- According to USTR staff, most of the agricultural office at USTR will be furloughed except for a couple staff including the Assistant USTR for Agriculture and Chief Agricultural Negotiator.

FARM CREDIT ADMINISTRATION

The Farm Credit Administration is the independent federal agency responsible for regulating and examining the two agricultural government-sponsored enterprises serving agriculture and rural America, namely the Farm Credit System and the Federal Agricultural Mortgage Corporation (Farmer Mac).
FCA operates as a nonappropriated agency with a permanent, readily available, revolving fund. As such, FCA is not reliant on the passage of annual appropriation legislation for its operating expenses or ongoing operations. Because of FCA's nonappropriated status, we do not anticipate that a shutdown will affect the ongoing operations of FCA.

FCA assesses Farm Credit System institutions for the cost of administering the Farm Credit Act of 1971, as amended; for FCA administrative expenses; and for the cost of supervising and examining Farmer Mac under title VIII of the Act. The assessments collected by the agency are deposited in FCA's administrative expense account, which is maintained in the United States Treasury. All amounts in the expense account in excess of those needed for the current expenses of the agency are invested and reinvested by the Secretary of the Treasury at the direction of the agency. As stated in section 5.15(b)(2) of the Act, the funds contained in the expense account "shall not be construed to be Federal Government funds or appropriated moneys."

The agency does not expect any lapse in the service that it provides as a safety and soundness regulator. All employees are expected to report to work.

FARM CREDIT SYSTEM INSURANCE CORPORATION

The Farm Credit System Insurance Corporation (FCSIC) is a government-controlled corporation. FCSIC's purpose is to ensure obligations issued by the Farm Credit System banks under the Farm Credit Act of 1971, as amended. FCSIC, and the insurance fund that it holds, were created in 1988 by the Agricultural Credit Act of 1987. FCSIC is self-supporting and receives no appropriated funds. FCSIC's operations are

entirely funded by user fees (insurance premiums) paid by the Farm Credit System. These fees are deposited into the Farm Credit Insurance Fund.

The Farm Credit System is a nationwide government-sponsored enterprise of cooperatively owned banks and affiliated associations that fund about 44% of all U.S. farm business debt. By protecting investors who purchase insured System debt, FCSIC helps to maintain a dependable source of funds for the farmers, ranchers, and other borrowers of the System.

If Congress fails to pass a federal budget or a continuing resolution, FCSIC would remain open during a government shutdown and its employees would report to work.

FEDERAL TRADE COMMISSION

During the shutdown, the Commission will not process FOIA requests. It does not anticipate engaging in rulemaking; dealing with ethics issues not identified above or, unless required to do so by reason of a court not continuing litigation deadlines, defending EEO or other suits against the agency; engaging in economic research; pursuing its ongoing studies; issuing reports and guides; attending or conducting workshops, roundtables, hearings or conferences; or making its views known through letters or comments to other agencies. Similarly, no staff in its Regional Offices will be available to answer inquiries from the public or do any other work that does not directly support the protection of life and property. The Commission will not work on intergovernmental task forces of which it is a part, provide testimony or engage in consumer protection education and outreach. The Commission will not pursue the vast bulk of its competition and consumer protection investigations and prosecutions funded through its normal appropriations.

INTERNAL REVENUE SERVICE

- All IRS employees will continue to work for 5 days if the government shuts down by using IRA funding.
- IRS will update its contingency plan after the 5-day period expires.

SMALL BUSINESS ADMINISTRATION

Brief Summary of Significant Agency Activities That Will Continue During a Lapse:

- Disaster Preparedness & Response (making and servicing disaster direct loans and disaster planning activities)
- Funded Resources Partners (Small Business Development Centers, Women's Business Centers, SCORE and Veteran Business Outreach Centers continue to provide training and counseling services to small businesses)
- HUBZone (accepting and processing HUBZone applications and other Program operations)
- Certified Development Company (CDC) 504 Loan Program (and certain limited loan servicing and liquidation activities)
- Inspector General (disaster funded activities and limited excepted activities (e.g., court appearances))
- Microloan Intermediaries (Intermediaries continue to make and service microloans)
- Preferred Surety Bond (PSB) Program (Preferred Sureties continue to issue SBA guaranteed surety bonds under delegated authority).

- Native American Outreach (continued services to Native American owned small businesses)
- National Women's Business Council (continuation of NWBC meetings and studies)
- Small Business Investment Company (SBIC) Debenture Program (limited receivership/liquidation activities to continue)
- Procurement Set-Aside (limited number of SBA procurement staff to provide small business set-aside programs support to Federal agencies that remain open during lapse)
- Credit Risk Management (limited activities for imminent loss)
- Small Business Innovation Research Program (SBIR)/ Small Business Technology Transfer Program (STTR) (Funded Participating Agencies may continue to make SBIR/STTR awards)
- Work supporting programs funded under the American Rescue Plan including the Community Navigator Pilot
- COVID-19 Economic Injury Disaster Loan (EIDL) (staff will continue to process and manage the COVID-19 EIDL program to support small businesses' recovery from the COVID-19 disaster's economic impacts) • Paycheck Protection Program (PPP) (staff will continue to manage loan forgiveness activities)
- Shuttered Venues Operators Grant Program (SVOG) (limited number of SBA staff to manage program and provide economic aid to small businesses, non-profits, and venues affected by the COVID-19 pandemic)

Brief Summary of Significant Agency Activities That Will Cease During a Lapse:

- CDC 504 Loan Program (no new loan approvals or Program support)
- 7(a) Loan Program (no new loan approvals or Program support)
- Microloan Program (no new loans to Microloan Intermediaries or technical assistance)
- Entrepreneurial Development (no management and oversight of resource partners)
- Small Business Investment Company Program (SBIC) (no licensing, examination, or approvals of draw requests, or other Program support)
- Unfunded Resources Partners (7(j), State Trade Expansion Program (STEP), Regional Innovation Clusters, Emerging Leaders, PRIME and Boots to Business) (these programs operate on a reimbursable basis and payments would not be processed during a lapse; possible limited activities at grantees' discretion)
- Secondary Market Loan Programs (no Program support)
- 8(a) Business Development (no application processing or Program support)
- All Small Mentor-Protégé (no application processing or Program support)
- Women Owned Small Business Contracting (no application processing or Program support)
- Service-Disabled Veteran-Owned Small Business Contracting (no application processing or Program support)
- National Ombudsman (no processing of small business comments/complaints or Regulatory Fairness Board hearings)
- Surety Bond Program (no new surety bonds approvals/modifications other than PSB Program)
- Co-sponsorships (no cosponsored events; cancellation of scheduled cosponsored events during lapse)
- United States Export Assistance Centers (no small business export counseling)

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

- Drug Reviews: During a shutdown, FDA will continue uninterrupted with some user-fee-funded activities related to the review and approval of animal drugs, but not all. They will halt acceptance of any new animal drug applications.
- Food Safety: Emergency response to any outbreak of foodborne illness will continue uninterrupted during a shutdown (see also: Food Safety and Inspection Service.)