



Washington, D.C. 20505

10 February 2022

John Greenewald, Jr.  
[John@greenewald.com](mailto:John@greenewald.com)

Reference: F-2017-00484

Dear Requester:

This letter is a final response to your 13 December 2016 Freedom of Information Act (FOIA) request for what we interpreted as a request for **a copy of records, electronic or otherwise, of the contingency plan, for your agency, if a government shutdown were to occur.** We processed your request in accordance with the FOIA (5 U.S.C. § 552, as amended, and the CIA Information Act, 50 U.S.C. § 3141, as amended).

We determined that the enclosed two documents can be released in segregable form with deletions made on the basis of FOIA exemptions (b)(1) and/or (b)(3). Additional material was determined to be properly classified and must be denied in its entirety on the basis of FOIA exemptions (b)(1) and (b)(3). Please note that exemption (b)(3) pertains to information exempt from disclosure by statute. The relevant statutes are Section 6 of the Central Intelligence Agency Act of 1949, as amended, and Section 102A(i)(1) of the National Security Act of 1947, as amended.

As the Acting CIA Information and Privacy Coordinator, I am the CIA official responsible for this determination. You have the right to appeal this response to the Agency Release Panel, in my care, within 90 days from the date of this letter. Please explain the basis for your appeal.

Please be advised that you may also seek dispute-resolution services from the CIA FOIA Public Liaison or from the Office of Government Information Services (OGIS) of the National Archives and Records Administration. OGIS offers mediation services to help resolve disputes between FOIA requesters and Federal agencies.

To contact <b>CIA</b> directly with questions or to appeal the CIA's response to the Agency Release Panel:	To contact the <b>Office of Government Information Services (OGIS)</b> for mediation or with questions:
Information and Privacy Coordinator Central Intelligence Agency Washington, DC 20505 TEL: (703) 613-1287 FAX: (703) 613-3007	Office of Government Information Services National Archives and Records Administration 8601 Adelphi Road – OGIS College Park, MD 20740-6001 TEL: (202) 741-5770 FAX: (202) 741-5769 / <a href="mailto:ogis@nara.gov">ogis@nara.gov</a>

Sincerely,

A handwritten signature in black ink, appearing to read "Andra Barker". The signature is written in a cursive style with a large initial 'A'.

Andra Barker

Acting Information and Privacy Coordinator

Enclosures

This document is made available through the declassification efforts  
and research of John Greenewald, Jr., creator of:

# The Black Vault



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~~SECRET//NOFORN~~

# OPA Notices

12/09/2016

From the EXDIR:Planning for a Possible Funding Lapse (U/FOUO) You may have heard the news about a possible lapse in funding for government operations, which would take effect at midnight tonight. Although this is something we certainly hope to avoid, we have to plan accordingly.



(b)(3)  
(b)(1)

However, you should not come into or remain at work over the weekend to perform functions such as completing on-line training, catching up on e-mail, or completing PARs.

(U/FOUO) If there is a lapse in appropriations, all employees should still come to work on Monday; your supervisors will have more specific guidance then. If you have any questions about your status or weekend work plans, please talk with your manager. If you are a contractor and are scheduled to come to work over the weekend, please contact your COTR.

--Meroë

~~SECRET~~

## Notification to Employees of Furlough Status

(U//~~FOUO~~) There is the possibility that effective midnight on Friday, 16 December, the Continuing Resolution which provides our funding will expire. Should this occur, all employees should report to work as usual on Monday, 19 December for an Orderly Shutdown. It is anticipated that the Orderly Shutdown will take up to four hours to complete. Depending on Congressional action, we hope to be able to compensate all employees for the Orderly Shutdown period when our funding resumes. NOTE: Employees on Leave Without Pay (LWOP) are not required to report for the Orderly Shutdown and should record LWOP for this period. Similarly, those with pre-scheduled annual or sick leave during the period of the Orderly Shutdown are not required to report unless they have been determined to be emergency personnel and have been requested to report to work by their management.

(U//~~FOUO~~) At the conclusion of the Orderly Shutdown period, all non-emergency personnel will be released by their supervisors and enter into a furlough status. At the end of this note, there is a list of personnel designated as emergency for the funding hiatus. If your name does not appear on the list below, you are considered non-emergency at this time. This does not mean that your service to our mission is not important. Rather, it means that your job function does not fit into the legal definition of "emergency services" we may accept during a funding hiatus. You may, however, be converted to an emergency status during the funding hiatus if management requires you to perform an "emergency services" function.

(U//~~FOUO~~) The following are important reminders to address prior to the end of the Orderly Shutdown:

1. (U//~~FOUO~~) Update your Locator information via the Locator page on CIALink (add a link) so we can contact you to pass on information or recall you to duty if needed.
2. (U) Advise your management if you plan to leave the area and will have alternate contact information during this time.
3. (U//~~FOUO~~) Complete your T&A by 5pm on Friday, 16 December. The Agency will issue paychecks on 29 December, and your time needs to be recorded and certified to insure you receive your pay in a timely manner.
4. (U//~~FOUO~~) Non-emergency personnel should report on their first regularly scheduled workday (Saturday, Sunday, or Monday) for an Orderly Shutdown. Up to four hours can be worked during the Orderly Shutdown.

5. (U//AIUO) Remember that only emergency employees scheduled to work the weekend (17/18 December) should report to work. Non-emergency employees scheduled to work 17/18 December may report for an Orderly Shutdown.
6. (U//AIUO) Make a note of black line numbers for your office and the HR Contact Center so you can ask questions or check the status of the funding situation. The HR Contact Center can be reached at [REDACTED]  
[REDACTED] (b)(3)
7. (U//FOUO) Check the Agency's external website periodically for updates: [www.CIA.gov](http://www.CIA.gov). In addition to news reports, the website will note when furloughed employees may return to work.
8. (U//AIUO) What's News published a dedicated issue of furlough facts to include questions and answers. You cannot take the document with you but should review it before leaving on 19 December.

(U//AIUO) As a reminder, no employee, including those designated as emergency, is guaranteed to be paid during a funding hiatus and will not be paid for the time beyond 16 December until Congress has appropriated funding. It is also important to note that, once released by their managers as part of the Orderly Shutdown, employees may not volunteer their services. This means that non-emergency personnel may not enter Agency buildings for any reason unless reactivated [REDACTED] (b)(3)

[REDACTED] We recognize that many of you are willing and anxious to continue our important mission. Nevertheless, we must abide by the Anti-Deficiency Act, which prohibits voluntary services.

(U)We are hopeful that this situation will be resolved very soon and that we will all return quickly and safely. (Name)

(C) Emergency personnel as of 19 December:

## Questions and Answers

**(U//FOUO) If I typically work Saturday/Sunday but am not designated as Emergency, should I still report to work as scheduled?**

(U//AIUO) Unlike employees designated as emergency who should report to work and complete their weekend shift, non-emergency personnel who are regularly scheduled to work Saturday or Sunday may report to work but only to carry out an orderly shutdown (no more than four hours). In the case of an unplanned event that requires personnel to report, a manager could recall additional emergency personnel. Please note that if a non-emergency employee performs an orderly shutdown during the weekend (17/18 December), they cannot report on Monday, 19 December.

**(U//FOUO) Because Saturday, 17 December is the end of pay period 26, if I am scheduled to work this day or get called in for an emergency, will I get paid as it is part of the pay period?**

(U//FOUO) No. Unless or until Congress passes an appropriation, we cannot pay employees for time past 16 December. However, you should record your time for Saturday as EF (Emergency Furlough) or OS (Orderly Shutdown) and if Congress approves pay for those designated as emergency and/or the Orderly Shutdown, you will be paid retroactively for your time on Saturday, 17 December.

**(U//FOUO) If I am designated non-emergency, do I have to actually report to work for an Orderly Shutdown? What if it's my flex day?**

(U//AIUO) Employees should check with their manager to determine if they must report or if they can complete any required turnover prior to close of business on 16 December. No employee will be paid for time past 16 December until Congress passes an appropriation and that wording is reviewed to determine if it includes the Orderly Shutdown. Employees on an Alternate Work Schedule who would normally have 19 December as a non-workday, would not be required to report to work on 19 December. However, these employees should consult with their manager to ensure they complete any required turnover prior to close of business on 16 December.

**(U) Can I report to a building closer to my home for the Orderly Shutdown?**

(U) Managers may approve an alternate work location as they can on any other business day.

**(U) Is there a set time to report for the Orderly Shutdown such as 8 a.m. – 12 p.m.?**

(U//AIUO) There is no Agency-wide mandated time, and employees should report according to their normal work hours unless their manager requests a change. The Orderly Shutdown period should not exceed four hours.