

THE WHITE HOUSE
WASHINGTON

The Honorable Russell Vought
Assistant to the President and Director of the Office of Management and Budget
Executive Office of the President
Washington, DC 20503

Dear Director:

This letter transmits the Executive Office of the President's Contingency Plan. This plan will be implemented in the event that agency shutdowns and furloughs become necessary due to a lapse in appropriations for Fiscal Year 2026.

Sincerely,

A handwritten signature in black ink, appearing to read 'J. Fisher', with a stylized flourish at the end.

Joshua Fisher
Assistant to the President
Director of White House Management and Administration
Director of Office of Administration

Enclosure

January 30, 2026

EXECUTIVE OFFICE OF THE PRESIDENT
Updated Contingency Plan
For Shutdown Furlough

A. Summary of Contingency Plan

Should Congress not pass a Fiscal Year 2026 (“FY2026”) appropriation or continuing resolution (“CR”) by January 30, 2026, the Executive Office of the President (“EOP”) would be without authority to incur any financial obligations in FY2026, with very limited exceptions, and would therefore implement a contingency plan for shutdown furlough (the “Contingency Plan”). The Contingency Plan entails placing an estimated 172 of the 1,700 EOP staff in furlough status (“Non-Excepted Staff”), while an estimated 1,528 EOP staff would continue to report to duty because they are (i) designated as excepted to perform emergency or excepted functions; (ii) Presidentially Appointed, Senate Confirmed staff; (iii) otherwise exempt from the Antideficiency Act; (iv) alternatively funded during a government shutdown (collectively, the “Excepted Staff”) or fully funded via appropriations. Any EOP personnel that are other government employees (“OGEs” or “Detailees”) would be furloughed or continue to report to duty at the discretion of their respective home agencies.

B. Implementation of Contingency Plan

Once it becomes clear that neither an appropriations bill nor a CR will be enacted prior to January 30, 2026, the White House Office of Management & Administration (“M&A”) will notify EOP components to begin an orderly shutdown of unfunded functions. Non-Excepted Staff will receive shutdown and furlough notices. Detailees will be notified by their home agencies whether they are to be furloughed.

On Monday, February 2, 2026, Excepted Staff will report to duty. Non-Excepted Staff will also report on February 2, 2026, to complete orderly shutdown procedures as instructed, either in person or via telework for no longer than four hours and for the sole purpose of engaging in orderly shutdown activities. Each EOP component will issue instructions to their employees for orderly shutdown.

C. Specifics of EOP Component Contingency Plan

Each EOP component has carefully considered the number of personnel required not only to complete orderly shutdown activities but also to ensure that the emergency or excepted operations of each EOP component can be carried out during shutdown. The chart below summarizes component-by-component the Excepted Staff that will be

required to sustain minimal emergency or excepted operations.

Lapse Plan Summary Overview	
Estimated time (to nearest half day) required to complete shutdown activities:	<i>0.5 day</i>
Total number of agency employees expected to be on board before implementation of the plan:	<i>1,700</i>
Total number of agency employees expected to be furloughed under the plan (unduplicated count)	<i>172</i>
Total number of employees to be retained under the plan for each of the following categories (includes duplicate counts):	
Compensation is financed by a resource other than annual appropriations:	<i>372*</i>
Necessary to perform activities expressly authorized by law:	<i>6</i>
Necessary to perform activities necessarily implied by law:	<i>1,150</i>
Necessary to the discharge of the President's constitutional duties and powers:	<i>0</i>
Necessary to protect life and property:	<i>0</i>
<i>*Includes employees appropriated under the FY 2026 Consolidated Commerce, Justice, Science (CJS), Energy & Water, Interior Appropriations Act (H.R. 6938), which funds USTR, OSTP, and CEO.</i>	
Brief summary of significant agency activities that will continue during a lapse:	
<p>The EOP is made up of several offices and agencies (“components”), which support the President and Vice President of the United States in carrying out their respective duties as the heads of the Executive Branch. In the event of a lapse in appropriations, each component will:</p> <ol style="list-style-type: none"> 1) engage in those functions which are necessary to protect against imminent threats to the safety of human life or the protection of property, including robustly monitoring potential pandemics, developing strategic responses, and providing cybersecurity and information technology services; 2) support the President and Vice President in executing their constitutional responsibilities, including supporting the President’s conduct of foreign relations and advancing national security, reviewing and coordinating legislative proposals pending before Congress that may be presented to the President, and facilitating certain Presidential appointments; 3) carry out activities authorized by law to continue in the absence of an appropriation; and 4) perform functions that may continue by necessary implication of the other excepted activities, including supporting the distribution of mandatory spending under the Inflation Reduction Act and activities by certain Presidential appointees who are exempt from the provisions of the Annual and Sick Leave Act, <i>see</i> 5 U.S.C. 6301 (2)(x)-(xi), 5 C.F.R. §630.211. Within the component-specific sections below, each component provides a summary of significant component activities that will continue upon a lapse in appropriations. 	
Brief summary of significant agency activities that will cease during a lapse:	

To the extent that an EOP component has statutory or regulatory responsibilities that do not implicate the President or Vice President’s constitutional responsibilities, such activities will cease unless it otherwise falls into an excepted category. Within the component-specific sections below, each component provides a summary of significant agency activities that will cease upon a lapse in appropriations.

**Table 1
Numerical Breakdown of Retained and Furloughed Employees**

RETAINED (EXEMPT/EXCEPTED) AND FURLOUGHED EMPLOYEES					
Component	Total On Board	Exempt	Excepted	Total Retained	Total Furloughed
WHO	370	0	370	370	0
EXR	77	0	77	77	0
OVP	17	0	17	17	0
OVP Res	1	0	1	1	0
NSpC	0	0	0	0	0
CEA	21	0	11	11	10
CEQ	22	22**	0	22	0
NSC	27	0	27	27	0
ONCD	33	0	19	19	14
OA	254	0	254	254	0
OMB	518	47	369	416	102
ONDCP	57	0	11	11	46
OSTP	25	25**	0	25	0
USTR	221	221**	0	221	0
DOGE	57	57	0	57	0
Total	1,700	372	1,156	1,528	172

**Appropriated under the FY 2026 Consolidated Commerce, Justice, Science (CJS), Energy & Water, Interior Appropriations Act (H.R. 6938), which funds USTR, OSTP, and CEQ.

Note: “Excepted” category includes officials who are not subject to the provisions of the Annual and Sick Leave Act under 5 U.S.C. § 6301(2)(x) and (xi). See *Authority to Employ White House Officials Exempt from the Annual Sick and Leave Act During Appropriations Lapse*, 36 O.L.C. 40 (2011).