

Contracts Decision Tree

Sept 2013

Is the contract fully funded using FY 13 appropriations or are other funds available to fund it (no year or multi-year)?

If **YES**, will contract require government supervision?

If **NO**, contract can continue if contract is a sensible use of taxpayer funds.

If **YES** and an excepted individual will be available to oversee it in between excepted activities (and overseeing the contract does not interrupt, interfere with, or delay the individual's performance of an excepted function), the contract may continue during the furlough, provided the furlough is brief.

If **NO**, is the contract necessary to support one of the following excepted functions?

- A. A statute or other legal requirement expressly authorizes an agency to obligate funds in advance of appropriations; or
- B. The function addresses emergency circumstances, such that the suspension of the function would imminently threaten the safety of human life or the protection of property; or
- C. The function is necessary to the discharge of the President's constitutional duties and powers (e.g., Commander-in-Chief or conducting foreign relations).

If **NO**, contract cannot continue.

If **YES**, will contract require government oversight?

If **NO**, contract can continue.

If **YES**, there must be excepted individuals available to oversee it, so the contract may continue during the furlough.