

Pre-Lapse in Appropriations Notice to Contractors

To All Judiciary Contractors:

The Administrative Office of the U.S. Courts is issuing this notice to apprise the Judiciary contractor community of Judiciary-wide plans regarding contract actions that may be necessary if contract funding is affected by a lapse in appropriations, better known as a federal government shutdown.

Unless notified in writing by a contracting officer, all Judiciary contractors must continue to fulfill their contractual obligations to the Judiciary in the event of a government shutdown, i.e., contractors must continue to comply with all terms, conditions, and delivery and performance requirements specified in their contracts during the period covered by a lapse in appropriations.

The Judiciary will not provide a separate notification or communication for contracts that will not be affected by the lapse in appropriations.

The budget for the upcoming fiscal year has not yet been enacted, which could result in a temporary loss of funding for contracted supplies and services and limit the Judiciary's ability to manage its contracts. While Congress still has time to act, current government funding is set to expire at midnight on Sept. 30.

If a government shutdown occurs, non-excepted government activities will cease and performance under contracts may be affected. A shutdown, a sovereign act of the government, may prevent contractors and the Judiciary from fulfilling their contractual obligations to each other due to circumstances beyond their control. In other cases, the government may cancel planned procurements, reduce the scope of contracts, stop work under contracts, or terminate contracts.

Should Judiciary contracting officers determine that any of these actions is necessary, or that contractors or the Judiciary will be unable to fulfill their obligations due to a shutdown, a contracting officer will provide contractors with prompt notice and instructions for each affected contract.

Thank you for your continued support and business with the federal Judiciary, and for your cooperation as we work together to manage a potential lapse in appropriations.