



UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS
U.S. PROBATION & PRETRIAL SERVICES OFFICE
1 COURTHOUSE WAY
BOSTON, MASSACHUSETTS 02210

Ricardo Carter
CHIEF U.S. PROBATION OFFICER

MEMORANDUM

DATE: October 17, 2025

TO: Contracted Vendors

FROM: Andrea Edgar, Supervisory U.S. Probation Officer, Contracting Officer 

RE: FY 2026 Lapse in Appropriations – Clause 7-123 Performance and Obligation in Advance of Funds (Class Deviation)

This message is to notify you that due to the lack of either a Fiscal Year (FY) appropriation or a continuing resolution for the Judiciary and the exhaustion of balances from fees and no-year appropriations, the Judiciary has no available funds to continue operations as of October 19, 2025. Consequently, the Judiciary will enter Phase 2 of a lapse in appropriations effective October 20, 2025. In Phase 2, the Judiciary must reduce operations to perform only excepted activities to avoid violations of the Anti-Deficiency Act, 31 U.S.C. §§ 1341-42. No further financial obligations may be incurred except those related to the orderly suspension of the judiciary's operations or performance of work functions and activities excepted from the Anti-Deficiency Act.

The Judiciary has the authority to enter into or continue contractual actions and to obligate the government in advance of appropriations. However, appropriated funds are not currently available to make payments under contracts to liquidate this obligation. The contractor is authorized to perform under their contract, as specified. When the appropriated funds become available, the government will make payment in accordance with the terms of this contract. This clause supersedes conflicting terms of any other clauses in this contract dealing with contract payment or financing until funds are made available.