

**Department of the Interior  
Contingency Plan for  
Operations in the Absence of FY 2014 Appropriations**

**Introduction**

This summary document provides an overview and of the contingency plans that are in place for the Department of the Interior and its bureaus and offices in order to proceed through an orderly shut-down in the event of a lapse in appropriations.

In a possible scenario where Congress fails to enact full year appropriations or to fund the Department of the Interior via a continuing resolution, the Department and its bureaus and offices will execute contingency plans. The plans provide the detail for each bureau and office and subsidiary entities to continue activities of the Department of the Interior in the following categories:

- Presidential appointees: 9 employees
- Programs financed by other than annual appropriations: 6,306 exempt employees
- Law Enforcement: 3,734 excepted employees
- Necessary activities to protect life and property: 3,749 excepted employees

For the 72,562 employees in the Department of the Interior, this would mean that 58,765 employees would be furloughed.

**Overview**

Based on the plans developed, the Department of the Interior would have 72,562 employees in pay status up until the shutdown. Of these, 58,541 would be furloughed at the outset of a suspension of activities. After a period of one week this would increase to 58,765 employees.

All areas of the National Park and National Wildlife Refuge Systems would be closed and public access would be restricted. The Bureau of Land Management would terminate all non-emergency activities on the public lands. The scientific work of the U.S. Geological Survey would be halted or conducted in a custodial manner. Only those activities needed to respond to emergency situations would be conducted by the Office of Surface Mining. The Bureau of Ocean Energy Management and the Bureau of Safety and Environmental Enforcement would continue to ensure the safety of drilling and production operations and issue drilling and other offshore permits, however renewable activities and five year plan work would be terminated. Most activities at Bureau of Indian Affairs agency, regional and headquarters offices would be suspended. Activities to continue required payments to beneficiaries would continue. The Office of the Special Trustee for American Indians would maintain minimum operations necessary to issue checks to beneficiaries. Bureau of Reclamation activities related to continuing

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to provide for water and power deliveries would be continued, other activities would be suspended.

Approximately 14,021 employees would not be furloughed including 6,306 exempt personnel funded through non-lapsing fund sources. A total of 7,707 personnel would be excepted from furlough in order to protect life and property. This includes 3,734 law enforcement personnel and 3,973 other employees. This number would decrease if the shutdown goes beyond two to three days as facilities are secured and other shutdown activities are completed to a total of 13,797. The majority of the personnel that are excepted are law enforcement, wildland fire, emergency response and security, animal caretakers, maintenance and other personnel that would be focused on the custodial care of lands and facilities and protection of life and property. A limited number of employees providing administrative support for excepted functions, such as budget, IT, finance, and contracting, are included. Some of these employees may be required on an intermittent basis after the initial shutdown activities are completed and would be furloughed but available on call. There would be 836 employees on call that would become excepted if necessary.

A total of 6,306 employees would be exempted from furlough and continued in funded positions. The educational programs at BIE elementary and secondary schools are forward funded through the FY 2013 appropriations for the 2013-2014 school year and would continue to keep educational programs operational. There are some educational programs that would not continue as these are not forward funded. The Bureau of Reclamation would continue to operate non-appropriated, mandatory, or customer funded programs, such as operation of the Hoover Dam. The Interior Business Center would continue to provide shared services to customers and execute existing contracts with clients, the Office of Hearings and Appeals would continue a contingent of employees to work on probate, and the Office of Natural Resources Revenue would make required revenue payments. In addition, the Fish and Wildlife Service would continue to operate several programs that are funded through permanent appropriations, including Sport Fish Restoration, North American Wetlands Conservation Fund, Migratory Bird Conservation Account, and the Natural Resources Damage Assessment Fund.

### **Shutdown Implementation**

As soon as the Department receives direction from the Office of Management and Budget based on the absence of an appropriations bill or a continuing resolution, the Department would notify the bureaus to begin an orderly shutdown.

Shutdown procedures would be implemented at the beginning of the workday following the lapse in appropriations – on October 1, 2013. Employees would report to work on Tuesday, October 1, 2013, unless otherwise notified by their supervisors. Orderly shutdown activities to

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be completed including securing facilities and work stations and cancelling meetings and other previously arranged business. These activities should normally be completed within four hours.

### **Excepted Activities and Employees**

For lapsing appropriations, the Department's bureaus and offices have carefully reviewed staffing needs to complete orderly shutdown activities and to provide for the protection of life and property. The total number of employees would initially be approximately 7,707. After two to three days, the number would decrease to 7,483 as shutdown activities are completed.

The excepted total of 7,483 employees includes 3,734 law enforcement personnel and 3,749 individuals tasked with protection of life and property.

**Orderly Shutdown.** After initial shutdown and the furlough of the majority of employees, it is anticipated that some employees would be continued for a brief period to complete shutdown of operations. Activities would include shutting down computer systems not needed to support essential functions, securing facilities, and completing human resources and financial paperwork. The largest number of employees in this category would be in the National Park Service. The National Park Service will require four days to complete total shutdown. Shutdown will occur in two phases. Phase 1 includes all activities to notify the public of the closure, secure government records and property, and begin winding down operations to essential activities only. Phase 1 will take place over a day and a half. Phase 2 will be initiated by the Director and includes the complete shutdown of all concession facilities and commercial visitor services. Overnight visitors will be given two days to make alternate arrangements and depart the parks. The entire closure process – both phases – will be completed within four days.

**Protection of Life and Property.** After the completion of shutdown activities, the bureaus would continue a limited number of employees to assure protection of life and property. This includes:

- 3,734 employees engaged in law enforcement;
- 3,973 employees that are to be retained to protect health and property. This would be reduced to 3,749 after several days.

The largest single group of such employees would be 3,733 law enforcement personnel, including the U.S. Park Police and Bureau of Indian Affairs police officers, criminal investigators, and detention center staff. Law enforcement personnel would also be continued in the Fish and Wildlife Service, the Bureau of Land Management, and the Office of the Secretary.

The remaining personnel who would continue after completion of shutdown activities would provide for protection and maintenance of facilities, monitoring for emergencies, and similar and related activities. For example, National Park Service and Fish and Wildlife employees would

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be maintained at parks, refuges and hatcheries to protect facilities, maintain the closure of public areas, and care for wildlife. The U.S. Geological Survey would maintain personnel responding to earthquakes and monitoring real-time streamgages that are used by the National Weather Service to forecast floods. Where full-time coverage is not required, employees would be furloughed on a standby basis and called in only when necessary.

**Recall of Employees.** In the event of a prolonged shutdown, furloughed employees may be recalled as necessary to conduct specific shutdown activities or to respond to health and property emergencies.

### **Direction and Guidance**

The Department's contingency planning effort is guided by a set of guidance documents listed below that provide the guidance and history for development of contingency plans. In addition, the Department developed a consistent set of guidance for updating the plans and the framework for specific areas that is based on the following guidance.

- OMB Memorandum M-13-22, Planning for Agency Operations During a Lapse in Appropriations;
- OMB Memorandum M-11-13, Planning for Agency Operations During a Laps in Government Funding, April 7, 2011;
- OMB Circular A-11, Section 124 – Agency Operations in the Absence of Appropriations;
- OMB Memorandum M-96-07, *Planning for Agency Operations in the Absence of Appropriations*, December 14, 1995;
- OMB Memorandum M-96-01, *Planning for Agency Operations*, November 9, 1995;
- OMB Memorandum, *Agency Operations in the Absence of Appropriations*, November 17, 1981;
- Opinion of the Attorney General of the United States, 43 Op. Atty. Gen. 293; January 16, 1981;
- U.S. Department of Justice, Office of Legal Counsel, *Memorandum for Alice Rivlin*, August 16, 1995;
- Congressional Research Service Report for Congress, *Shutdown of the Federal Government: Causes, Processes, and Effects*, August 6, 2013;
- Congressional Research Service Report for Congress, *Shutdown of the Federal Government: Causes, Processes, and Effects*, September 27, 2010;
- Congressional Research Service Report for Congress, *Shutdown of the Federal Government: Causes, Effects, and Process*, September 20, 2004.

### **Specifics of Bureau Plans**

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**Bureau of Land Management.** BLM's plan is consistent with the April 2011 plan. BLM would retain 600 employees for the initial shutdown and then on a continuing basis to protect property and to respond to emergencies. This includes 300 law enforcement personnel and 300 employees to monitor for emergencies, care and feed animals under BLM's immediate control, and for limited inspection and enforcement functions to protect life and property. The total includes firefighting crews, hazardous materials response personnel, and other personnel who would be available on an on-call basis. Also excepted from furlough would be a limited number of administrative personnel, including State Directors, National Operations Center finance and IT staff, and sufficient Directorate staff to provide leadership and liaison for continuing activities. Processing of applications for public lands would be suspended. Visitor centers would be closed. Campgrounds would be closed or posted as closed in areas where public access cannot practically be restricted. A total of 10,200 employees would be furloughed.

**Bureau of Ocean Energy Management.** BOEM would not continue renewable work or work on the five year plan, EIS preparation, or the review of exploration and development plans. BOEM would conduct four excepted functions including support for BSEE permitting operations, emergency response, administrative services, and personnel functions. BOEM would retain 8 employees that are needed for protection of life and property and 64 employees that are funded from non-lapsing sources and furlough 477 employees.

**Bureau of Safety and Environmental Enforcement.** The Bureau of Safety and Environmental Enforcement would continue operation of about 53% of its functions with 403 employees reporting for full time duty. Non-appropriated funds would be used to cover the cost. The major on-going activities that would continue include review and processing of applications for drilling permits and other offshore permits. Inspections would continue to be performed. A total of 369 employees would be furloughed.

**Office of Surface Mining Reclamation and Enforcement.** On a continuing basis, OSM plans to retain 8 employees deemed necessary for the protection of public safety and property and to manage and coordinate essential field operations of the OSM Federal and State AML Emergency programs and State and Federal regulatory programs. Other employees may be called on to respond to emergency situations and conduct inspections, and declare emergency projects submitted by States or OSM staff, as appropriate. Administrative support for these functions, such as contracting, may also be required and employees would be contacted for such support, as needed. OSM would furlough 462 employees.

**Bureau of Reclamation.** Reclamation has identified 1,020 personnel funded using non-appropriated sources that would be retained during a lapse in appropriations. Programs responsible for the delivery of water and power would continue and some visitor facilities, for example Hoover Dam and Grand Coulee Dam would be open as these are funded from non-

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lapsing sources of funds. Before completion of shutdown activities, 920 personnel would be retained for the protection of life and property. After shutdown activities are completed, 746 personnel would be retained for the protection of life and property. Within the Washington Office, employees would be excepted from furlough, including the Commissioner, Deputy Commissioners for External and Governmental Affairs, Operations, Policy, Administration and Budget, and the Director and limited staffing to support budget and other administrative support functions. Employees in Denver would include oversight staffing for security, safety and law enforcement for Reclamation's facilities, financial management, IT, contracting and other administrative support functions. The remaining personnel would be located at Reclamation's five regional offices and area offices would perform essential functions as well as provide support to non-appropriated funded programs that would remain open. In total 3,310 employees would be furloughed.

**Central Utah Project Completion Act Office.** CUPCA has sufficient carryover funding to continue operating and all 4 employees would continue working. CUPCA would monitor funding availability and adjust operating levels as necessary should the lapse in appropriations be for an extended period.

**U.S. Geological Survey.** USGS has identified 93 employees to be excepted from furlough for the orderly suspension of operations and for the protection of life and property during the duration of the shutdown with reduction to 43 employees after 40 hours of shutdown activities. Most employees would be furloughed and those designated as excepted would oversee the protection of life and property. Employees would ensure ongoing operation of sensitive scientific equipment and protection of facilities, monitoring of real-time streamgages to ensure that those that are used by the National Weather Service to forecast floods are functioning, communication with States of significant hydrologic events, protection of classified mapping data and support of Landsat satellite safety and computer support through the EROS Data Center, sustaining fish and animal life, continued operation of earthquake and volcano monitoring systems, and related administrative support. USGS will furlough 8,580 employees.

**Fish and Wildlife Service.** FWS would except from furlough 1,794 employees. This includes 1,294 who are deemed necessary for law enforcement and to protect property and to care for fish and wildlife at refuges and hatcheries. During the period of shutdown, all administrative offices and visitor centers at refuges would be closed. The individuals retained include employees at each hatchery to protect the physical facility and maintain the fish at the hatchery; employees at each staffed national wildlife refuge to protect the physical facility and keep the refuge open for access to public rights-of-way; law enforcement field agents; employees in Budget, Planning and Human Capital, Financial Management, Contracting and Facilities Management, Information and Technology Resource Management, the National Conservation Training Center, and External Affairs to direct orderly shutdown and protect life and property. A total of 499

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employees whose salaries are paid from permanent appropriations and unobligated carryover balances would not be furloughed. Examples of permanent accounts include Sport Fish Restoration, North American Wetlands Conservation Fund, Migratory Bird Conservation Account, and the Natural Resources Damage Assessment Fund. Port inspectors would continue on duty as they are funded from non-lapsing funds. A total of 7,751 employees would be furloughed.

**National Park Service.** In the event of a lapse in appropriations, NPS would close and secure all park facilities. A total of 3,266 employees would be excepted including 2,139 to conduct law enforcement and 1,126 to conduct other activities required to protect life and property. Park facilities would generally not be available to park visitors. Visitor centers would be closed and access to park areas denied, including the Statue of Liberty and Ellis Island, Independence Hall, Alcatraz, and the Washington Monument. Park roads would be closed except when they are necessary as thruways. All concession operated services and facilities would be closed unless they are deemed essential for health and safety reasons, are needed to support on-going excepted NPS activities or are located in urban areas where full NPS law enforcement coverage is continued due to the inability to control visitor access. Visitors using overnight concession accommodations and campgrounds would be notified and given 48 hours to make alternate arrangements and leave the park. Emergency responders, including fire management, emergency management services, and law enforcement personnel, not required for essential activities would be placed on furlough but may be called back to duty if an emergency situation arises.

For the first two or three days of a shutdown, staff would escort visitors from the parks and facilities and secure facilities. Park superintendents would maintain a list of personnel who would be excepted from furlough during a prolonged shutdown. A portion of the initially excepted employees (including the U.S. Park Police) would be continued for the duration of a shutdown. A cadre of employees at the NPS project management support centers in Harper's Ferry, West Virginia and Denver, Colorado, who are necessary for direct project management of ongoing projects funded by multi-year appropriations would remain on duty. NPS would furlough 21,379 employees.

**Bureau of Indian Affairs.** BIA would exempt 473 employees from furlough for the duration of the shutdown as these employees are funded by a non-lapsing source. An additional 1,112 personnel including 666 law enforcement and 446 other employees would be retained to protect life and property. This includes personnel to ensure continued payments to beneficiaries and management of detention centers. A limited number of management and administrative personnel would be deemed excepted from furlough to respond to inquiries from tribal governments; to provide for limited financial management, contracting, human resources, and IT support functions; and to provide child protection services on Indian reservations and provide

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social services in situations where health or safety would otherwise be jeopardized. A total of 2,528 BIA employees would be furloughed.

**Bureau of Indian Education.** BIE would exempt 3,481 employees that are funded from education funds that are forward funded. Funds that were appropriated in FY 2013 are available to operate BIE elementary and secondary schools for the 2013-2014 school year. A number of education programs, including FACE, that are not forward funded would not continue in operation. An additional 154 employees would be excepted from furlough to protect life and safety. BIE would furlough 180 employees.

**Departmental Offices.** Presidential advice-and-consent officials, whose continuance on duty is authorized by law under Department of Justice interpretations, would remain on duty, supported by a limited staff to provide coordination and policy guidance for emergency and funded Department operations. A small number of operational staff would be on duty or on call to coordinate or supervise firefighting, law enforcement, and emergency response and similar activities, to maintain communications and provide budget, financial, information technology, human resources, and contracting support, and to provide for operation and protection of the Stewart L. Udall Main and South Interior Buildings. Of the approximately 4,153 employees of the Departmental Offices 3,529 would be furloughed.

For the 2,855 employees in the Office of the Secretary, 548 would be retained including 300 funded from non-lapsing sources of funds, 4 Presidential appointees, 6 employees with law enforcement duties and 238 employees required to protect life and property. A total of 2,307 would be furloughed. In the Office of Insular Affairs 13 employees would continue to administer required grants and 23 personnel would be furloughed. In the Office of the Special Trustee for American Indians a total of 31 employees would be retained to support trust responsibilities and protect life and property and 554 employees would be furloughed. In the Office of the Solicitor 42 employees would be excepted and 390 would be furloughed. In the Office of the Inspector General no employees are excepted and all 255 would be furloughed.