

Bureau of Land Management (BLM)

Contingency Plan for a Possible Lapse in Appropriations

March 2018

The Bureau of Land Management (BLM) manages more than 245 million acres of public land, the most of any Federal agency. This land, known as the National System of Public Lands, is primarily located in 12 Western states, including Alaska. The BLM also administers 700 million acres of sub-surface mineral estate throughout the Nation. The BLM's mission is to sustain the health, diversity, and productivity of America's public lands for the use and enjoyment of present and future generations.

General: In the event there is a lapse in current appropriations, many activities of the BLM will cease with the exception of law enforcement, emergency response functions, and operations necessary for the safety of human life or the protection of property. Without appropriated funds, there is no authority to incur obligations, including obligations for salaries, except in situations involving orderly shutdown of the Bureau or to protect human health, life, and property. In the event a government shutdown occurs, the Department will notify bureaus to begin an orderly shutdown of unfunded functions. This will require the furlough of many BLM employees. Voluntary services by employees cannot be accepted. Public lands will, in most cases, remain accessible to the public but most services will not be available during a shutdown. While it is our goal to provide access to visitors to the public lands, we will not be providing visitor services.

The BLM has approximately 9,260 employees and would furlough approximately 6,930 employees. All furloughed employees will spend up to four hours completing shutdown activities, which include securing facilities, completing personnel and financial processes, notifying external partners and customers of the shutdown, and cancelling meetings/events. Employees will be in a furlough status immediately upon completion of shutdown tasks.

Consistent with guidance in OMB Circular A-11, the number of employees who will be retained as "excepted" (i.e., not furloughed) is approximately 1,530 (524 in full-time status and 1,006 in an on-call status). Employees engaged in the following categories will be "excepted" and may continue to work on excepted areas of service:

- law enforcement;
- activities necessary to protect life and property that are not otherwise exempt;
- necessary functions to oversee or support excepted activities, including budget, procurement, communications, and associated finance, acquisition, and information technology (IT) services;
- emergency response;
- inspections and enforcement for oil and gas and logging operations, rights-of-way contracts, and the management of wild horse and burro holding facilities.

There are several groups of employees in the “exempt” category who will continue to report to duty including employees: funded by the Helium Fund; working with the Bureau of Indian Affairs (BIA) on the Buy-Back Program; in Alaska working on the administration and regulation of the Trans-Alaska Pipeline; and working on selected energy, minerals, grazing, and other associated permit activities for which the Bureau charges a processing fee. Other employees may be added to this category subject to the availability of fees, cost reimbursements, or use of prior authorized funding. It is estimated that as many as 800 employees may work in the exempt category, including both full-time and on-call status, subject to available funding and workload requirements.

Non-Appropriated Funding: Although the BLM has “no-year” funding, carryover balances are likely to be insufficient to continue normal operations. The BLM also maintains several reimbursable funds. Subject to the availability of funds in these accounts, priority work may be continued as exempt activities. Such decisions will be made on a site-specific basis, subject to the availability of funds.

New funding obligations cannot be made after the shutdown, except those needed to protect safety, health, and property, such as HAZMAT emergency responses and fire protection. Emergency stabilization and rehabilitation will be handled in the same manner as other potential emergency situations such as hazardous materials incidents (i.e., a limited number of employees will be on-call to deal with emergencies).

Employee Travel: Any employee in travel status will follow the Department-issued guidance on travel.

Visitor Management: The BLM will close and secure visitor centers on public lands unless they are operated by a concessionaire and do not require BLM staff support. The operation of each facility must be evaluated on a site-specific basis and in light of any contractual requirements.

Visitor services including trash collection and toilet cleaning will be suspended. Any emergency work involving the safety of human life or the protection of property will be made on a site-specific basis and are subject to a review of available funds. BLM land will remain accessible to the public and the BLM will post signs, as appropriate, to indicate that no maintenance or other services will be provided.

Special Recreation Permit Authorizations and Concession/Commercial Recreation Leases

Commercial, competitive, and group authorization for events and activities: Leases and some commercial outfitter and guide special recreation permits can continue operations as long as they do not need BLM field monitoring or regulatory oversight in the short term. No new activities or launches will occur unless they meet the exceptions discussed above. A limited number of new permit applications, modifications, and renewals may be processed. This will depend on the proposed timing of the event, whether it is a cost-recovery permit request and subject to the availability of carryover funding. Cost-recovery events scheduled to occur during a shutdown, which would pay BLM staff salary, will be allowed to proceed. Certain events operating under approved special use permits with a cost-recovery provision may continue. If BLM staff support

for the event is required, those employees may temporarily be placed on the exempt list for the duration of the event. Local BLM offices will notify permit holders of any changes.

Other events scheduled to occur during the government shutdown will be canceled, postponed, or suspended. Vendor operations will be suspended.

Individual permits in special areas: Use of permitted areas may continue, however, no maintenance or other services will be provided by the BLM. Any entry onto BLM land is at the visitor's sole risk.

Volunteers

Volunteer activities will be discontinued during the shutdown.

Campgrounds and Other Recreation Sites

Campgrounds, boat ramps, and other recreation sites will be open. However, many facilities will be operationally shut down and posted accordingly, restrooms locked, and water systems shut down. Consistent with other Federal recreation providers, occupied sites would be given 48 hours' notice that services including water, electricity, and restrooms will be turned off and closed. Operational shutdown activities for the sites would be completed within the 48-hour period. Visitors may remain at these sites at their sole risk.

National Recreation Reservation System (NRRS)

NRRS will be shut down. This is consistent with sister agencies that use the system. Refunds for previous reservations will be available through normal NRRS processes.

BLM Agency Technical Representatives will initiate a closure of all BLM Rec.gov facilities under the following procedure:

- a) All BLM facilities will have a message posted at a bulletin board stating the site is closed until further notice.
- b) Recreation.gov will not allow anyone to make reservations for any BLM facility.
- c) The Recreation.gov contractor will be open for business throughout any closure for customer service only and will NOT be taking advance reservations.
- d) Area POCs will be responsible for lifting closures once the shutdown has ended. Because each area may have slightly different reopening plans and time frames, they must notify the Active Network (NRRS contractor) when to resume normal operations specific to their facility.

Cancellations/Refunds: Once notified of the government shutdown, cancellations will be processed according to the following:

1. Any customer that wants to cancel all or part of an upcoming reservation (that falls within any part of the shutdown period) may do so with a full refund by calling the customer service line at (888) 448-1474.

2. Any reservation which starts and finishes within a period of time that the Government is shut down will automatically be refunded in full.
3. Anyone who is in a campground on the day of the closure and is asked to depart will be given a refund of the unused days. (Areas may also authorize a full refund for the entire stay).
4. Extended reservations will not be cancelled or refunded until the end date of their stay has come and gone. If sites reopen and there is still time on a visitor's reservation and the visitor still wants to come for a partial period, the remainder of their reservation will be intact. Refunds will be provided for any unused nights.