

Bureau of Land Management

CONTINGENCY PLAN

November 2023



**Department of the Interior
Bureau of Land Management
Contingency Plan for a Potential Lapse in Appropriations
November 2023**

Overview

In the event there is a lapse in current appropriations, many activities of the Bureau of Land Management (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, including fire suppression. 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. Voluntary services by employees cannot be accepted.

Public lands will, in most cases, remain accessible to the public but not all services will be available during a shutdown. While it is our goal to provide visitors access to public lands, we cannot provide a full range of services at all locations.

The BLM would furlough approximately 4,900 of its approximately 10,700 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.

Orderly Shutdown

The functions and activities described herein are to be executed in accordance with all applicable statutes, regulations, policies, and delegations of authority. OMB provides guidance on how to prepare for and operate during a funding gap in OMB Circular A-11. The circular establishes two policies regarding the absence of appropriations:

- A prohibition on incurring obligations unless the obligations are otherwise authorized by law; and
- Permission to incur obligations as necessary for orderly termination of an agency's functions, but prohibition of any disbursement (i.e., payment).

During a lapse in appropriations, an agency will continue to perform certain functions and activities funded by available appropriations or other sources that do not require further Congressional action in an annual Appropriations Act. Employees performing these funded functions and activities are "exempt" from furlough. An agency may also continue certain unfunded (*i.e.*, lapsed) functions and activities if such functions and activities are justified under an exception to the Anti-Deficiency Act (ADA).

The ADA (<http://www.gao.gov/legal/lawresources/antideficiency.html>) prohibits agencies from incurring obligations in advance of, or that exceed, an appropriation. Thus, with certain limited exceptions, an agency cannot incur obligations when the funding source for the obligation is an appropriation that has lapsed. Any activities that would incur a new obligation must be suspended and are prohibited. Activities that are under way that would lead to an increased obligation or incurred costs must cease.

During a lapse in appropriations, employees may be "excepted" from furlough if performing any of following activities in absence of appropriations:

- Activities expressly authorized by law.
- Activities necessarily implied by law.
- Activities necessary to discharging the President’s constitutional duties and powers.
- Activities that protect life and/or property.

Examples of these “excepted” activities include:

- An orderly shutdown of the bureau when there has been a lapse in appropriations.
- Activities authorized by statute or another legal requirement expressly authorizing an agency to obligate funds in advance of appropriations.
- Activities that address emergency circumstances such that the suspension of the function would imminently threaten the safety of human life or the protection of property.

All employees will communicate with their supervisor to receive assignments of duties or other pertinent information for an orderly shutdown. Communication may be completed in a variety of forums given that some BLM employees are operating under a telework schedule or are remote employees. During a lapse in appropriations, BLM employees are designated in one of four categories that indicate employee responsibilities during shutdown. The four categories are:

1. **Excepted and Excepted On-Call** - Employees who are regularly performing functions related to the protection of life or property, or supporting functions which continue with funding that remains available during the lapse in appropriations where the suspension of the related activity would prevent or significantly damage the execution of the terms of the statutory authorization or appropriation even if those activities are not full time (the employee reverts to furlough status when the activities are complete). This category should represent the minimum number of employees required to implement approved excepted work. Generally, supervisors call on these employees to perform excepted activities on an as-needed basis, then the employees revert to furlough status.
2. **Exempt** - Employees who are fully funded during a lapse in appropriations. Examples of funding sources for exempt employees include available carryover funding, mandatory funding, and advanced collections of reimbursements. These employees continue working during a lapse in discretionary program funding. The BLM has identified specific categories of exempt activities which will continue under a shutdown.
3. **Partially Exempt** - Employees who are funded by multiple funding sources may be partially exempt to the extent their salaries are paid with non-appropriated funding. These employees continue working on exempt activities and then revert to excepted, excepted on call, or furlough status.
4. **Furloughed** - All other employees would be placed on furlough. Furloughed employees are responsible for monitoring OPM and OMB websites regarding when to return to duty.

Lapse Plan Summary Overview

Short-Term Lapse

Short Lapse Plan (1-5 days) Summary Overview	
Estimated time (to nearest half day) required to complete shutdown activities:	0.50
Total number of agency employees expected to be on board before implementation of the plan:	10,700
Total number of agency employees expected to be furloughed under the plan (unduplicated count):	4,900
Total number of employees to be retained under the plan for each of the following categories (may include duplicated counts):	
Compensation is financed by a resource other than annual appropriations:	5,100
Necessary to perform activities expressly authorized by law:	0
Necessary to perform activities necessarily implied by law:	0
Necessary to the discharge of the President’s constitutional duties and powers:	0
Necessary to protect life and property:	700

Brief summary of significant agency activities that will continue during a lapse:

Consistent with guidance in OMB Circular A-11, the number of employees who will be retained as excepted (i.e., not furloughed) is approximately 700. Employees engaged in the following categories will be excepted and may continue to work on excepted areas of service:

- Law Enforcement
- Emergency Response
- Management of wild horse and burro holding facilities
- Activities necessary to protect life and property that are not otherwise exempted
- Necessary functions to oversee or support excepted activities, including budget, procurement, communications, timekeeping, and associated finance, acquisition, and information technology (IT) services

Employees who will continue to report to duty include law enforcement rangers, employees responsible for the care and feeding of wild horses and burros, employees funded by the Helium Fund (as authorized by The Helium Act of 1925, 50 USC 161), employees working on conventional energy inspections, and employees or services authorized working on the administration and regulation of the Trans Alaska Pipeline.

Exempt employees whose salaries are paid from permanent appropriations (receipts) and unobligated balances from prior years may continue to work as directed by their supervisors and subject to the continued availability of funds.

BLM will continue certain permitting and related activities in a limited manner utilizing available fee revenues, including from the Permit Processing Improvement Fund. Program operations will be scaled back to a level commensurate with available funds during the period of the lapse.

BLM may utilize available funds to cover salary costs of exempted employees. Possible sources of funds may include carryover funding from annual operating accounts and Federal Lands and Recreation Enhancement Act, cost recovery (under Service Charges, Deposits and Forfeitures), and reimbursable funds from other agencies. BLM may use the minimal level of FLREA funding necessary to provide critical health, public safety and protection services as an exempt activity in a manner that maintains restrooms and sanitation, trash collection, road maintenance, campground operations, law enforcement emergency operations, and the protection of natural resources.

Fire Management: Fire management staff is designated as exempt based upon the availability of carryover balances in the Wildland Fire Management account. This exempt category includes personnel performing wildfire preparedness, suppression, post-fire response, fuels management, firefighter recruiting, hiring and training. This number is estimated at 3,300 personnel. Once these WFM account carryover balances are exhausted, a reduced number of fire personnel (estimate of 1,000) would continue to work on necessary preparedness and suppression activities for purposes of protecting life and property, as well as assisting with emergency services, and they would become designated as excepted personnel.

Responsibilities of fire management staff include initial attack and extended attack suppression activities on public lands and lands for which BLM has initial attack responsibilities through agreements; post fire response to prevent land degradation and damage to communities; fuels reduction activities to prevent catastrophic fire; procurement of critical firefighting aerial and ground based assets; and recruitment, training and hiring of firefighters. As outlined in the Federal Wildland Fire Management Policy, the safety of firefighters and the public is the first priority. The consequences of ensuring firefighter and public safety and welfare dictate the appropriate response to wildfire, and thus, the continuation of necessary preparedness and suppression activities (as described below) using excepted personnel once WFM account carryover balances are exhausted.

BLM states and districts will retain as necessary, depending upon the local conditions, fire personnel sufficient for initial attack capability. Additionally, this will include necessary dispatch personnel, the minimum overhead personnel and administrative staff to oversee suppression activities and coordinate supplementation of suppression staff as needed. BLM's National Fire and Aviation office will ensure adequate personnel are available to support any ongoing needs of the states and districts.

Lead timekeepers will be available on an excepted, on-call basis to assist non-furloughed supervisors and managers so that hours are tracked correctly in the time and attendance system as exempt, excepted, or furloughed. This helps ensure employees are correctly paid during and after shutdown.

Brief summary of significant agency activities that will cease during a lapse:

Day-to-Day non-critical activities for the Bureau of Land Management.

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

Visitor services including trash collection and toilet cleaning may not be available at all locations. Any emergency work involving the safety of human life or the protection of property will be made on a site-specific basis and is subject to a review of available funds. BLM land will remain accessible to the public and efforts will be made to post signs, as appropriate, to indicate where services are or are not available.

Special Recreation Permit Authorizations and Concession/Commercial Recreation Leases

Commercial, competitive, and group authorization for events and activities: Leases and 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 special recreation permits will be issued. Certain events operating under approved special recreation 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.

Individual Special Recreation in Special Areas: Use of permitted areas may continue, however, only exempted maintenance or other services will be provided by the BLM. Any entry onto BLM land is at the visitor's own risk.

Volunteers: Volunteer activities may be discontinued in cases where appropriate oversight cannot be provided.

Campgrounds and Other Recreation Sites: Campgrounds, boat ramps, and other recreation sites will be open, however, at some facilities the full range of services may not be available including restrooms and water systems. In cases where funds are not available to maintain such services, signs will be posted but visitors may remain at these sites at their own risk.

Recreation.gov: A lapse in funding may impact reservations and travel plans. If customers have an existing reservation during this lapse of funding period, and the location is not fully staffed, the reservation may not be honored. BLM may provide notification with language such as: "We recommend customers contact the local facility to determine if the facility is open or closed. If customers make a reservation during a lapse in funding and the lapse in funding is not resolved by the arrival date, your reservation may not be honored, or others may have occupied the site(s). Refunds will be considered and processed after the lapse in funding resolves and the Federal Government opens."

Leasing and Mineral Activities: Other than activities supported by the exempt employees identified above, BLM would cease offering new oil and gas, geothermal, or renewable energy lease sales, processing new applications to drill (APDs), new Rights of Way applications and assessing new mine plans of operation.

Contracts

Upon the notification of the government shutdown, the Contracting Officer (CO) will issue one of the following notices for each contract:

- Stop Work Notice
- Suspension of Work Notice
- Delay Delivery Notice
- Partial Stop Work Notice
- Partial Suspension of Work Notice
- Continuation of Work Notice

Notification to contractors will be in accordance with Federal Acquisition Regulation Subpart 42.13.

The COs will identify any Federal procurement actions that may expire during a shutdown:

- COs, in conjunction with State/Center Leadership, must make determinations on contracts with options that may need to be exercised before the shutdown occurs, if there are available prior-year appropriations.
- COs must review and identify impacts of a shutdown on any solicitations, bid openings, etc., that will expire, or that are scheduled to be conducted during the potential shutdown period.
- Contracting offices will take the necessary actions to cancel, extend, or delay any of the above actions.

As part of shutdown procedures, COs may be required to complete contract specific spreadsheets including those from the Headquarters (HQ) Office. These must be accomplished prior to departure to ensure that BLM Head of Contracting Activity (HCA) or other designated personnel are able to respond to any inquiries on contracts.

The Contracting Offices must designate the contracting personnel who will facilitate orderly shutdown of the contracting activities, including the drafting and issuing of stop-work orders and other steps outlined in this guidance. These steps may take longer than four hours. COs will notify the BLM HCA via e-mail once all shutdown steps have been completed, including the issuance of all stop work/suspension notices as required.

Financial Assistance

For financial assistance programs that are funded through annual appropriations, a lapse will cause a funding gap and a curtailment of bureau/office activities and services.

During a lapse in appropriations, new program announcements shall not be posted on Grants.gov, new grant or cooperative awards may not be issued, the execution of new agreements may not be conducted, no renewals or amendments to add funds to a program/project are allowed, and staff may not obligate funds. All new discretionary activities must cease until a new appropriation is enacted by Congress.

The Anti-Deficiency Act provides an exception for emergencies involving the safety of human life or the protection of property. However, emergencies involving the safety of human life and the protection of property do not include the ongoing, regular functions of government, the suspension of which would not imminently threaten the safety of human life or the protection of property. See 31 U.S.C. 1342.

Federal financial assistance awards that were previously funded by prior-enacted appropriations may continue as exempt functions financed with other-than-annual appropriations. BLM staff and support

services, including facilities, may be excepted as necessarily implied for these awards to continue if suspension of such BLM staff and support services would prevent or significantly harm the exempt functions. Non-excepted federal involvement and technical assistance activities must cease during the furlough of employees during a federal shutdown unless substantial involvement is necessary to protect the safety of human life and property.

The Grants Management Officer (GMO) will notify the recipients whether they can continue work. The notification should also indicate that until agency employees return, and all operations are fully functional, payments will be delayed; therefore, any actions they take will be at their risk as no certifications, reimbursements, etc., will be conducted or processed. For previously awarded/obligated agreements with local sponsor organizations, who in turn solicit and enter into contracts for conservation work and the support and assistance by agencies is not critical, the notice for the parties to this type of agreement and action will state they could proceed to solicit and award contracts at their own risk, as no technical assistance or administrative actions (e.g., reimbursement) from the agencies can be conducted during shutdown. Only at the time that all Government functions are once again operational would agencies be able to provide assistance and process payments.

Other Acquisitions Guidance

Routine, on-going operational, and administrative activities relating to contract or financial assistance administration (including payment processing) cannot continue when there is a shutdown. Employees who perform activities associated with contract or financial assistance administration (including oversight, inspection, payment, or accounting) should generally not continue work during shutdown, unless performing functions related to an excepted contract.

Depending upon the length of the shutdown, the Bureau may need to issue supplemental guidance around excepted contracts and financial assistance agreements.

Contractors or Recipients Performing Work On-Site at Bureau Offices/Locations

If/when a shutdown occurs, the CO or GMO issues the notice to the contractor/recipient. The Contractor/Recipient will then notify their employees. Once the contractor/recipient employees are notified, they will complete any necessary shutdown actions and then leave the Bureau office/location.

Charge Card

The purchase, travel, fleet, and integrated cards, and cardless products, will all continue to operate normally and the servicing banks will continue to provide service in accordance with the GSA SmartPay Master Contract. Government Charge Cards may only be used to support excepted or exempted functions.

Cardholders should pay particular attention to “automatic” payments they have established with vendors using their purchase cards. In order to prevent purchases that are not permitted under a shutdown from occurring, A/OPCs and cardholders may need to review these scheduled payments and take action to halt them, if appropriate.

Real Property

- All real property owned or leased by a bureau will not be available for use through the furlough unless utilized by an excepted or exempted employee or unless covered by the partner reimbursable agreement exception below.

- All expenses for fuel, utilities, supplies, etc., must be kept to the minimum required to perform excepted work.
- Actions should be taken to keep utility costs to a minimum during shutdown period. Utilities, such as heating, should be maintained at a minimum to prevent property damage (such as frozen pipes).
- Advise employees and, as applicable, the lessor to secure the premises and power down systems (such as HVAC) and lighting as per a federal holiday. Computers and other electronic items should be locked in a secure area.
- In locations where BLM shares space with non-federal partners and BLM bears the costs for the space, partners will be prohibited from entering and using the office during the shutdown. Partners will not be able to use/access any BLM equipment, files, and other property unless stated otherwise from their bureau point of contact/Contracting Officer Representative (COR).
- In locations where the BLM shares space with non-federal partners and the partners space is segregated and separate from DOI space and the partners are paying all costs through a reimbursable agreement with the BLM, their operations may continue. In this situation, the partners will still be prohibited from accessing and using federal files, computers, other equipment, etc. All BLM equipment, files, property and any segregated and/or separate space will be secured and locked for the duration of the shutdown unless stated otherwise by the Plan Administrator.
- In locations where BLM leases space, BLM must notify the lessor about a lapse in funding and reduce support services such as janitorial service (unless there are excepted employees in the building) and ensure trash is removed before lapse begins. Leases will not be terminated in the event of shutdown; however, actions must be taken to secure real and personal property and conserve energy.

Non-fully Serviced Leases

- In some instances, BLM is the lessor for co-location agreements with other federal agencies. Measures should be taken to ensure janitorial services are available in offices where janitorial services are provided directly by the BLM rather than through a third-party lessor.
- Contact utility services to prevent, if possible, the suspension of utility services during the lapse of appropriation.

Personal Property

- All personal property (vehicles, survey equipment, copiers, computers, etc.) owned or leased by BLM will not be available for use through the shutdown unless utilized by an excepted or exempted employee while performing excepted or exempted activities.
- Partners are prohibited from access to or use of BLM equipment, files, and other property. All BLM equipment, files, space, and property (including segregated and separate space) will be secured and locked, for the duration of the shutdown.
- The use of vehicles by non-federal partners or other non-excepted personnel is prohibited.
- Fleet cards will only be available for excepted activities during the shutdown.
- Fleet vehicles should be parked and equipment secured at the designated garage(s) or authorized location(s) to prevent theft and damage, unless required for excepted functions.

Travel

Generally, all BLM employees in travel status or on detail in another location must return to official duty stations as soon as possible once notified to begin shutdown activities. Employee change of duty station actions may be delayed, depending upon the individual circumstances.

Financial Management and Budget

The BLM Budget Office will centrally manage the financial process for excepted and exempt activities where obligations and payments must occur.

- The Budget Office will monitor and report all carryover obligations by fund/sub-activity to leadership daily.
- The Budget Office will receive and maintain a copy of the Lapse of Appropriations Employee List and Data Call. This employee roster is provided by HR and BLM leadership identifying Exempt/Excepted/On-Call Employees. The Budget Office will identify any changes to leadership on the number of excepted and exempted employees.
- The Funds Control team will provide to BLM Leadership the FBMS detailed labor report on Exempt/Excepted/On-Call employees.
- The BLM Chief Financial Officer will decide which carryover sub-activities are appropriate to fund labor obligations during the shutdown.
- The Budget Office will monitor the carryover funding actual obligations daily starting from the beginning of the shutdown period.
- The Budget Office will provide the average cost per employee to calculate the estimated labor costs during the lapse.
- The Budget Office will respond to all financial data requests from the Department during the shutdown period.
- The Budget Office will facilitate all shutdown-related data calls during the shutdown.

Shutdown activities that will not be completed within one-half day:

Acquisition and Financial Assistance notifications to contractors and recipients.

Long-Term Lapse

Extended Lapse Plan (over 5 days) Summary Overview	
Estimated time (to nearest half day) required to complete shutdown activities:	0.50
Total number of agency employees expected to be on board before implementation of the plan:	10,700
Total number of agency employees expected to be furloughed under the plan (unduplicated count):	4,900

Extended Lapse Plan (over 5 days) Summary Overview	
Total number of employees to be retained under the plan for each of the following categories (may include duplicated counts):	
Compensation is financed by a resource other than annual appropriations:	5,100
Necessary to perform activities expressly authorized by law:	0
Necessary to perform activities necessarily implied by law:	0
Necessary to the discharge of the President’s constitutional duties and powers:	0
Necessary to protect life and property:	700

Actions to Resume Orderly Operations

Communications

The BLM has prepared a Plan for continued operations, where appropriate, and an approved shutdown of activities in the event of a lapse in appropriations. These timelines apply across the BLM mission area, however, these timelines are subject to change based on Departmental guidance and expectations that may arise at the time of the shutdown. Bureau specific timelines, instructions, and additional information follows.

The BLM will encourage furloughed employees to sign up for the mass notification tool for updates on operational status and to provide appropriate contact information to supervisory personnel to share information updates as needed. Employees will also be directed to monitor <http://www.opm.gov> and <http://www.whitehouse.gov/omb>. Employees will also receive updates by the DOI Everbridge Emergency Notification System and notifications through supervisory phone tree communications.

Flexibilities Available to Supervisors

If an employee has an issue returning to work, for instance due to leave planned in advance, DOI encourages supervisors to allow employees to use normal leave, such as accrued annual leave, compensatory time, credit hours, etc. Employees should coordinate this approval with their supervisor when notified to return to work.

Resuming Normal Operations

Furloughed employees are expected to monitor public broadcasts and the internet, including but not limited to DOI.gov, for information and public notices relevant to an annual appropriation or a continuing resolution for DOI passed by Congress and signed by the President. Information will be provided to employees through a mass communication tool (Everbridge). Employees are strongly encouraged to input emergency contact information into Employee Express to receive such notifications. Employees will be

expected to return to regular duty on the next workday immediately after the end of the lapse of appropriations.

Contractor/recipient employees should not be addressed or directed individually; the CO/GMO will contact the contractor/recipient and notify them when they can resume performance. The contractor/recipient will then notify their employees of required actions and returning status, and then the contractor/recipient employees will return to the BLM office/location if applicable.

Additional Information

Prior to the shutdown

- One week prior to possible shutdown, BLM senior leadership and the Chief of Staff (or designee) will identify employees proposed for exempt, partially exempt, excepted, and excepted on-call status with written justification. Each State, Center, and Directorate will relay the names of employees and category to the Plan Coordinator who leads execution of shutdown planning for the mission area to obtain approval and confirmation through the DD-OPS. The names of employees who will continue to be paid by other than annual appropriations will be provided to the Budget Officer.
- All proposed exempt and partially exempt employees are to be identified by the following information that is needed to ensure notification as applicable by supervisors and/or BLM Human Capital Management: a) Position/Title/Location, Name of Record, Work Email Address, Supervisor, Supervisor Email Address, Building Access Needs at HQ or MIB, and Whether Activity is fully or partially exempt and related justification; b) Employees should be identified in compliance with applicable human resource regulations and notified of their exempt or partially exempt status only after the list has been approved by the DD-OPS.
- All proposed excepted or excepted on-call employees are to be identified by the following information needed to ensure proper notification: Position/Title/Location, Name of Record, Work Email Address, Supervisor, Supervisor Email Address, Building Access Needs at HQ or MIB, and Activity Level during Days 1-30 (for excepted and excepted on call). Information should also be provided indicating if the employee will be engaged in the protection of life or property, or supporting those activities with funding that remains available during the lapse in appropriations, where the suspension of the related activity would prevent or significantly damage the execution of the terms of the statutory authorization or appropriation or whose presence would be required to perform functions associated with the orderly cessation of agency activities. Employees should be identified in compliance with applicable human resource regulations and notified of their excepted status only after the list has been approved by the DD-OPS.

The BLM Human Capital Management (HCM) will review its internal shutdown procedures and associated guidance, notifications, and other relevant information to ensure appropriateness for specific circumstances for upcoming possible furlough (i.e., timing within payroll cycle for time and attendance, leave guidance, etc.). HCM will provide the Budget Office with the list of non-furloughed employees for labor cost identification and calculation.

Two to three working days prior to possible shutdown:

- When the list of exempt, partial exempt, excepted, and excepted on call employees is confirmed by the DD-OPS, employees are notified of their appropriate status and subsequent expectations

during shutdown. Notifications should be completed by supervisors but may also occur through BLM HCM as they update the status of all employees.

- The Bureau may conduct shutdown preparation meetings with appropriate levels of management and employees. This would include HQ meetings as well as meeting with and/or within States, Centers, and Directorates as appropriate.

When approved by the Department: Notifications will be made to employees advising them to prepare for a possible shutdown. The letter will include reminders regarding cancelling planned travel and meetings, completing timesheets, and providing shutdown checklists that will need to be completed as soon as possible upon arriving at work on the first day of shutdown. This activity should not exceed four hours.

One business day prior to possible shutdown: The BLM may hold a leadership teleconference and meeting where the appropriate senior leadership will review final preparations and responsibilities/expectations and communicate information received and approved for distribution from the Department, OPM, OMB and other relevant sources.

Human Capital Management

In the event of a lapse in appropriations and government shutdown, all BLM supervisors must, in conformance with Departmental directives:

- Ensure notice is provided to all non-excepted and non-exempt employees that they are subject to being placed in furlough status.
- Ensure advance notice to all collective bargaining units is provided, as appropriate, concerning shutdown and furlough related topics. Initiate impact and implementation bargaining as appropriate.
- Cancel annual and sick leave during shutdown for all employees excepted and non-exempt employees including leave already approved/commenced.
- Provide employees on a non-duty day for the first day of shutdown with activities they are required to complete as part of an orderly shutdown.
- Make prior arrangements with employees on telework, alternate work schedules, or leave without pay under Family and Medical Leave Act (FMLA), to complete shutdown activities.
- Inform individuals on detail to the bureau from non-federal organizations (agreements) they are subject to shutdown in the same manner as permanent employees.
- Inform all BLM employees on detail to federal or non-federal organizations they are subject to furlough in the same manner.
- Inform temporary employees and students they must be furloughed in the same manner as permanent employees.
- Communicate with employees who are in temporary quarters or other type of temporary duty about their options for continued travel/housing requirements.

Travel

- Prior to shutdown, all vouchers from previous travel must be submitted and approved to help ensure payment prior to systems being shut down. If travel is taken close to a possible shutdown, payment may not be made until after the shutdown.

- During an extended shutdown event, government issued credit card companies will use a forbearance clause and will work with the government and employees on payments once business operations return to normal. BLM employees whose government issued credit cards are in good standing will not move to delinquent status; however, if an employee was in delinquent status prior to the shutdown, then the account will continue in delinquent status until payment is made.
- Generally, all BLM employees in travel status or on detail in another location must return to official duty stations as soon as possible once notified to begin shutdown activities.
- Employee change of duty station actions may be delayed, depending upon the individual circumstances.

Contracts and Agreements

Determine Excepted Contracts and Agreements

- One week prior to a possible shutdown, BLM State, Center and HQ leadership must work with the appropriate COs/GMOs and CORs/Program Officers to identify all contracts/agreements that are excepted and must remain in full effect to ensure the safety of life and/or property or to support those activities with funding that remains available during the lapse in appropriations where the suspension of the related activity would prevent or significantly damage the execution of the terms of the statutory authorization or appropriation. Once OMB guidance is given, CO/GMOs will notify those contractors/recipients who will continue to perform excepted work.
- Work under any bureau authority requiring the agency's support, oversight, assistance, etc. will cease during the shutdown, unless determined to be an excepted activity by BLM Senior Leadership.
- For previously obligated and awarded contracts, grants, and agreements where it is not critical that BLM provide oversight, supervision, support, or other assistance to the contractors or grantees, those contractors or grantees may continue.
- Contractors and recipients may not continue to work if they use bureau space or any asset owned or leased by BLM unless the use of these asset is necessary to perform excepted activities.
- Identify any federal procurement actions (e.g., solicitations, bid openings) that may expire during a shutdown, and take appropriate action to extend, delay, or cancel those actions.
- States, Centers, and Directorates will notify HQ of excepted contracts that will remain in effect. This notification will be sent to the BLM Head of Contracting Activity. If no format is provided, the following information should be included in the notification:
 - Contract number
 - Contractors contact information
 - Location of work to be performed
 - Brief description of project

Review Contract Clauses

At least one week prior to a possible shutdown, COs should review all contracts to ensure they include the following Federal Acquisition Regulation (FAR) clauses:

- Termination for the Convenience of the Government clause in FAR 52.249-1 through 5, as appropriate; and either
- Suspension of Work clause in FAR 52.242-14 (mandatory in fixed price construction and architect-engineering contracts); or
- Stop-Work Order clause in FAR 52.242-15

Terminations for convenience, stop-work orders, and suspension orders may be issued only if the contracts contain the appropriate clause. When appropriate, stop-work and suspension orders are preferable to terminations because they keep the contract active and avoid termination costs as well as the need for a re-procurement action.

If the above clauses are not already included in the contract, then the contracts should be modified on a bilateral basis to incorporate the appropriate clause(s). This should be done as a precaution to protect the Government's interests regardless of whether the contract supports an exempt or excepted activity.

Time and Attendance

As directed, all BLM employees must submit their timesheet for the pay period in which the shutdown is occurring, timekeepers must verify those timesheets, and managers/supervisors must certify the timesheets. Timesheets will be submitted to IBC for processing.

Human Capital Management will provide employees who are in excepted and excepted on call status and work during shutdown guidance on how to record their hours during the shutdown, as guidance may change for IBC system and support during a shutdown.

Prohibited Activities During Shutdown

Unless determined to be exempt, partial exempt, excepted, or excepted on call, the following are generally prohibited activities for all furloughed employees:

1. Completion of any activities that are mission related.
2. Awarding of contracts and/or small purchases.
3. Hiring of personnel or extending the appointment of personnel whose appointments have expired if doing so would result in unauthorized obligation of funds.
4. Travel of persons and/or transportation of things. Persons in travel status on the first day of shutdown must return to their duty stations as soon as possible.
5. Attending or scheduling meetings, conferences, workshops, and seminars.
6. New or continued employment of experts and consultants - such actions will incur a financial obligation which is prohibited during shutdown.
7. Attending or scheduling training classes and/or other training activities.

8. Use of equipment and utilities not related to exempt or excepted activities where their use creates liabilities for the government beyond those existing on the date of the funding lapse.
9. Use of a government-owned mobile device by furloughed employees is prohibited.
10. The use of vehicles by Agency furloughed personnel or non-federal partners.
11. Volunteering for functions related to official duties.
12. Smartphone usage - Do not respond to any e-mails unless authorized.
13. Laptop usage - Do not use your laptop until authorized.
14. Office Phone Messages - Do not check your office land line phone or your office cell phone for messages until authorized.
15. Furloughed employees are prohibited from performing official duties and will not be compensated for any unauthorized work, unless instructed directly from your supervisor as part of a recall or back to work activity.