

Bureau of Safety and Environmental Enforcement

CONTINGENCY PLAN

September 2023



**Department of the Interior
Bureau of Safety and Environmental Enforcement
Contingency Plan for a Potential Lapse in Appropriations
September 2023**

Overview

The Bureau of Safety and Environmental Enforcement (BSEE) regulates and enforces the responsible development of energy and mineral resources on the Outer Continental Shelf to protect the environment and enhance safety. The headquarters office for BSEE is in the Main Interior Building in Washington, DC, with technical and administrative support offices in Sterling, VA, and regional offices in New Orleans, LA; Camarillo, CA; and Anchorage, AK.

Orderly Shutdown

BSEE will provide Program Office Chiefs access to a shared document where the duty status of each employee in their program area must be identified for reporting and emergency/facility use purposes. Supervisors are responsible for updating this document for the duration of the lapse, should the duty status of an employee(s) change. Dependent upon guidance from the Departmental Human Capital Office, the BSEE HR Office will issue notification templates to all supervisors for their use in informing employees of their duty status during the lapse in appropriations. BSEE HR will issue an all-employee email informing employees of their responsibilities based on duty status: orderly shutdown timeframe, impact on benefits, coding of timecards, call-back requirements, etc. The BSEE HR Office will plan for the purposes of ensuring all timecards are completed and submitted in a timely manner where employees and/or timekeepers are unavailable to perform this 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:	851
Total number of agency employees expected to be furloughed under the plan (unduplicated count):	515
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:	336
Necessary to perform activities expressly authorized by law:	0

Short Lapse Plan (1-5 days) Summary Overview	
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:	336

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

During the shutdown BSEE will continue critical permitting, oversight, preparedness verification, and related activities that are necessary to protect workers and the environment from operations associated with conventional and renewable energy development on the Outer Continental Shelf. Approximately 40% of the 851 BSEE employees will be retained to accomplish these activities and will be designated as exempt, as their salaries will be funded from non-lapsing prior year carryover. Should an extended shutdown occur, exhausting current funding sources, all the exempt personnel would be designated as excepted as they are essential for life and safety.

Offshore inspections would be the primary continuing activity in the event of a shutdown, as those are critical to safe and environmentally sustainable operations offshore. Without safety inspections, incidents could occur at any time. Offshore oil and gas and renewable industry workers rely on BSEE to ensure regulations and safety are met by operators for their protection; therefore, inspections are critical to that function. Personnel would be available to process critical permit modification applications only if such modifications are needed to ensure drilling safety or occupational health and safety. Private-sector operators conducting existing drilling, oil and gas production, and renewable energy development may require approvals that are critical to ensuring worker safety or to avoiding environmental harm. Environmental oversight needed for National Environmental Policy Act compliance documentation for only critical permitting actions and responding to reported environmental incidents would continue. Oil spill preparedness verification activities would also continue to ensure offshore owners and operators can adequately address critical capability and resource issues specific to an imminent oil spill response. Investigations would also continue on an as-needed basis if there was an imminent or reported safety or environmental incident. These ongoing major activities will require support from the Department of the Interior Office of the Solicitor, the Bureau of Ocean Energy Management, and the Office of Natural Resources Revenue. These efforts have been coordinated and are addressed by these entities in their contingency planning.

Administrative activities that support critical permitting and inspections functions (as described above) will also continue on an as-needed basis. Contracting officers will be retained to process essential contracting actions that support the critical permitting and inspections functions (e.g., helicopter contract administration for inspector flights). Personnel associated with human resources will notify employees who are furloughed, secure personnel records, and call back personnel as needed during the shutdown and when the government shutdown ends. Computer and information technology personnel will maintain equipment and electronic data in support of BSEE, BOEM, and ONRR (through shared service agreements). Facilities staff will be retained to manage the day-to-day operations of facilities remaining open for retained staff.

Lead timekeepers will be available 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:

- OHMSETT: National Oil Spill Response Research & Renewable Energy Test Facility non-essential BSEE sponsored testing, and continued support of external testing activities
- Training Programs for non-essential training
- Non-critical regulation drafting and promulgation
- Scientific studies that are not related to major on-going activities
- Administrative activities not in direct support of retained workforce

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

N/A

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:	851
Total number of agency employees expected to be furloughed under the plan (unduplicated count):	515
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:	336
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:	336

In the event the lapse extends beyond 1-5 days, or if any changes in external circumstances should occur, the above numbers may fluctuate. Should an extended shutdown occur, exhausting current non-appropriated funding sources, all of the exempt personnel would be designated as excepted as they are essential for life and safety. The Associate Director, Administration will be responsible for implementing and adjusting the plan to respond to the length of the lapse or any changes to operational need.

Actions to Resume Orderly Operations

Communications

To resume orderly operations at the end of the furlough, BSEE will utilize its electronic notification system to alert employees, utilizing both their official and personal contact information, that they should report back to work.

Flexibilities Available to Supervisors

Supervisors will utilize pre-established phone trees. Human Resources will work with supervisors to ensure they are aware of all flexibilities available to those employees who are not able to report back, and that flexibilities are applied to the maximum extent needed.

Resuming Normal Operations

Upon return to work, each component within BSEE will perform an analysis of work backlog. This will vary among component based on the length of the shut-down. All disbursement of funds will be subject to regular use of funds and disbursement controls.