

Bureau of Ocean Energy Management

CONTINGENCY PLAN

November 2023



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

Overview

The Bureau of Ocean Energy Management (BOEM or Bureau) manages the environmentally and economically responsible development of offshore energy and mineral resources on the U.S. Outer Continental Shelf. The Bureau functions include offshore leasing, resource and economic evaluation, review and administration of oil and gas exploration and development plans, renewable energy development, National Environmental Policy Act analysis, and environmental studies. Underlying the Bureau management and regulatory activities is a commitment to rigorous environmental reviews and study and science-based decision-making.

The Bureau’s main office is in the Main Interior Building in Washington, District of Columbia, with program offices in Sterling, Virginia, and regional offices in New Orleans, Louisiana; Camarillo, California; and Anchorage, Alaska. The number of employees currently working for the Bureau is 596.

Orderly Shutdown

The Bureau is prepared for a lapse in appropriations. The Director and Chief of the Office of Budget and Administration (OBA) will be responsible for implementing and adjusting the plan to respond to the length of the appropriations lapse and changes in external circumstances. Assuming the shutdown will be 30-calendar days or less, one-half day will be required to complete the orderly shutdown. Activities that will take place include: providing and signing furlough notices; verifying contact information; completing time and attendance inputs; updating out of office messages on email and voicemail; collecting personal belongings; and securing the work area.

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:	603
Total number of agency employees expected to be furloughed under the plan (unduplicated count):	455
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:	148

Short Lapse Plan (1-5 days) Summary Overview	
Necessary to perform activities expressly authorized by law:	0
Necessary to perform activities necessarily implied by law:	3
Necessary to the discharge of the President’s constitutional duties and powers:	0
Necessary to protect life and property:	45

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

In the event of a short-term shutdown (5 days or less), BOEM will have 8 employees available to conduct emergency response activities and essential administrative support functions, such as finance, funds transfer, contracting, personnel, information technology, and building and property security.

Although BOEM receives offsetting collections, obligations against offsetting collections cannot be made until enactment of the appropriations bill and transfer of collections from the Office of Natural Resources Revenue to BOEM’s accounts. As a result, the number of exempted personnel will be limited.

The Director, Deputy Director, and Regional Directors are considered excepted to protect life and property. The Director, Deputy Director, and Regional Directors are required to coordinate and oversee emergency operations on an as-needed basis. The Chief, Administration and Compliance serves as the Emergency Management Coordinator to coordinate emergency related activities with the Department’s Office of Emergency Management on an as-needed basis. The Chief, Office of Budget and Administration, Budget Officer, and Chief, Administration and Compliance are excepted as necessarily implied by law. These positions perform activities necessary for the continuation of exempt and excepted activities and are necessary for the orderly cessation and management of exempt functions during a lapse in appropriations. BOEM receives administrative services from the Bureau of Safety and Environmental Enforcement (BSEE) through a reimbursable support agreement. The Chief, OBA, Budget Officer, and Chief, Administration and Compliance will be available for coordination and communication between BOEM and BSEE pertaining to essential administrative support functions, such as finance, funds transfer, contracting, human resources, information technology, and building and property security. The Chief, Administration and Compliance will also work with Human Resources to communicate with furloughed employees and call back personnel as needed during the shutdown and when the government shutdown ends. The performance of these support functions will be on an as-needed basis.

In addition to the 5 employees performing emergency response activities necessary to protect human life and Government property and 3 employees necessarily implied by law to support those activities, BOEM will have 40 excepted personnel available on an on-call, as-needed basis to assist BSEE with permitting operations to protect life and property. BOEM will process or review certain oil and gas exploration and development plans, including revised plans if they are related to the ongoing permitting work performed by BSEE. On many occasions, a permit will include a revision to the underlying plan to reflect a change in the design of the well since the plan was submitted (e.g., a different drilling rig or modified location). BOEM will review those revisions as part of the Bureau’s support for the permitting process and

protecting the Government’s property interests. The performance of these functions will be performed on an as-needed basis.

BOEM will have 148 exempt employees available, funded through carryover or other funding sources, to work on high-priority projects as needed. The performance of these functions will be on an as-needed basis, only to perform work related to time sensitive projects.

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:

Other than time sensitive activities supported by the exempt employees identified above, BOEM will cease all offshore conventional energy and marine mineral activities, including resource and economic evaluation; review and administration of oil and gas exploration and development plans; National Environmental Policy Act analysis, and environmental studies under the Outer Continental Shelf (OCS) Lands Act, 43 U.S.C. 1331 et seq; activities associated with the preparation of the National OCS Oil and Gas Leasing Program; notice of sale and sale record of decision activities, and the processing and reviewing of geological and geophysical permits. However, BOEM will process and review certain revised plans if they are related to the ongoing permitting work performed by BSEE. BOEM also will cease renewable energy activities other than time-sensitive activities supported by the exempt employees identified above.

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

All activities will be completed within one-half day.

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:	603
Total number of agency employees expected to be furloughed under the plan (unduplicated count):	455
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:	148
Necessary to perform activities expressly authorized by law:	0

Extended Lapse Plan (over 5 days) Summary Overview	
Necessary to perform activities necessarily implied by law:	3
Necessary to the discharge of the President’s constitutional duties and powers:	0
Necessary to protect life and property:	45

In addition to the 5 employees needed for emergency response activities and 3 employees necessarily implied by law to support those activities, BOEM will have 40 excepted personnel available on an on-call, as-needed basis to assist BSEE with permitting operations to protect life and property. BOEM will have 148 exempt employees available to work on high-priority projects as needed. The performance of these functions will be on an as-needed basis, only to perform work related to time sensitive projects. Support from the Office of the Solicitor, BSEE, and other BOEM and DOI personnel may be required to continue work.

In the event the lapse in appropriations extends beyond 5 days, this plan will remain in effect. The Director, Deputy Director, and Regional Directors will determine if adjustments to this plan are necessary, and which furloughed employees should have their status changed to excepted or exempt. BOEM will use unspent funds from prior year appropriations to work on excepted and exempted activities while funding is available. As available funding is diminished, adjustments will be made to limit the work of excepted and exempt employees to time-sensitive matters. This adjustment process will continue through the duration of the shutdown.

Actions to Resume Orderly Operations

Communications

Once a new appropriations bill is signed, BOEM will notify employees to return to work on the next business day via its Safety and Emergency Alert (SEA) Notification System, an automated system that has the capability to contact employees using email, text messaging, and phone calls. BOEM leadership expects that employees will keep abreast of status updates related to the shutdown. The external BOEM website will be updated to announce return to work.

Flexibilities Available to Supervisors

BOEM leadership expects managers to work with employees who may have difficulties returning to work the next business day by utilizing schedule flexibilities (annual leave, compensatory time, credit hours, telework, flexible work schedules, etc.) and other means approved by Human Resources.

Resuming Normal Operations

Each manager and supervisor are responsible to ensure procedures for an orderly return to Bureau operations and program activities, including appropriate oversight and disbursement of funds (as applicable), are followed.