

U.S. House of Representatives
Committee on Natural Resources
Washington, DC 20515

October 28, 2025

The Honorable Doug Burgum
Secretary of the Interior
U.S. Department of the Interior
1849 C Street N.W.
Washington, D.C. 20240

The Honorable Brooke Rollins
Secretary of Agriculture
U.S. Department of Agriculture
1400 Independence Avenue
Washington, D.C. 2025

Dear Secretary Burgum and Secretary Rollins:

We write to express serious concern that your agencies have prioritized non-essential activities during the government shutdown to benefit the mining, drilling, and logging industries while curtailing or suspending work that helps protect life, property, and the public interest. Millions of working people face a loss of services upon which they depend every day because of Congressional Republicans' inability to garner the votes to open the government even when they control both houses of Congress.

The U.S. Department of the Interior (DOI) and U.S. Department of Agriculture (USDA) provide essential services that communities across the country rely on, including wildfire and natural disaster planning and response and protection and management of our nation's national parks. Despite this, your agency shutdown plans impede your agencies' ability to fight wildfire, respond to other natural disasters, and protect our national parks. While the U. S. Forest Service (USFS) contingency plan indicates that wildland firefighters will be exempt from furlough, many support staff and "red card" personnel¹ who provide essential operational support during wildland firefighting operations are currently furloughed.² Additionally, the National Park Service (NPS), which had already lost a third of its employees this year because of the Trump administration's previous staff reductions,³ is opening some parks on skeleton crews during the shutdown. In previous shutdowns, this decision resulted in irreparable harm to public lands, trash pileup, and reduced search and rescue capabilities. Furthermore, early earthquake warning systems supported by the U.S. Geological Survey (USGS) that save lives are also at risk because of the shutdown.⁴

¹ "Incident Qualification Cards, commonly known as 'Red Cards,' are essential credentials for wildland firefighters. Issued in alignment with National Wildfire Coordinating Group standards, Red Cards verify that a firefighter has completed the necessary training, met physical fitness requirements, and demonstrated competence for specific wildfire roles. These cards ensure that personnel are qualified and prepared to safely and effectively perform in wildfire and prescribed fire operations." Healthy Forest Alliance. *Incident Qualification Cards "Red Card."* <https://www.nps.gov/subjects/fire/wildland-fire-incident-qualifications.htm>

² Hunter Bassler for Wildfire Today. *How the US government shutdown will affect wildland firefighters.* October 1, 2025. <https://wildfiretoday.com/how-the-us-government-shutdown-will-affect-wildland-firefighters/>

³ Jennifer Yachnin, et al. for Greenwire. *Shutdown plans give window into staffing cuts.* October 2, 2025. <https://subscriber.politicopro.com/article/eenews/2025/10/02/shutdown-plans-give-window-into-staffing-cuts-00591653>

⁴ Kim Passoth for Fox5 KVVU. *Government shutdown impacts earthquake monitoring, early alert system for Nevada.* October 16, 2025. <https://www.fox5vegas.com/2025/10/16/government-shutdown-impacts-earthquake-monitoring-early-alert-system-nevada/>

Meanwhile, your agencies have continued operations supporting the mining, drilling, and logging industries in numerous ways.

Oil and Methane

The Bureau of Land Management (BLM) contingency plans list oil and gas permitting activities among those that will continue during a lapse in appropriations, despite assurances that “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.”⁵ The plan indicates that processing oil and gas permits and leases, as well as coal leases, will be excepted as “such plans are necessary to protect human life and federal property” because they address the “National Energy Emergency.”⁶ The Antideficiency Act imposes strict limitations on how federal agencies can use their appropriated budget to ensure that only those activities that protect human life, federal property, or national security continue without appropriated funds.⁷

As funds run out, some BLM staff working on oil and gas activities have been recategorized as “excepted on-call” so that they can be called to work during the shutdown despite being furloughed.⁸ Though DOI has released conflicting guidance, contingency plans have made clear that drilling and mining in our public lands is to continue. In the Bureau of Ocean Energy Management’s (BOEM) shutdown contingency plan, offshore oil and gas activities will continue while all renewable activities have been ordered to cease during the lapse in appropriations.⁹ As of October 28, 2025, DOI has issued 461 new oil and gas drilling permits on federal lands during the shutdown.¹⁰

Mining

During the lapse in appropriations, this administration has attempted to force through contentious mining projects, including the 211-mile Ambler Road Project through a protected forest to a mine in Alaska and the Libby Mining Project which is adjacent to a critical wilderness area in Montana.^{11,12,13} President Trump’s October 6, 2025 repeal of the Biden administration’s decision

⁵ U.S. Department of the Interior, Bureau of Land Management. *Contingency Plan September 2025*.

<https://www.doi.gov/sites/default/files/documents/2025-10/doi-blm-contingency-plan20250930508.pdf>

⁶ U.S. Department of the Interior, Bureau of Land Management. *Contingency Plan September 2025*.

<https://www.doi.gov/sites/default/files/documents/2025-10/doi-blm-contingency-plan20250930508.pdf>

⁷ Heather Richards for Politico Pro. *National parks open during shutdown are losing money while spending it*. October 8, 2025. <https://subscriber.politicopro.com/article/eenews/2025/10/08/national-parks-open-during-shutdown-are-losing-money-while-spending-it-00598027>

⁸ Scott Streater for Politico Pro. *More BLM shutdown furloughs could be coming soon*. October 8, 2025. <https://subscriber.politicopro.com/article/eenews/2025/10/08/more-blm-shutdown-furloughs-could-be-coming-soon-00598232>

⁹ U.S. Department of the Interior, Bureau of Ocean Energy Management. *Contingency Plan September 2025*.

<https://www.doi.gov/sites/default/files/documents/2025-09/doi-boem-contingency-plan20250930508.pdf>

¹⁰ Center for Western Priorities. *Oil & Gas Government Shutdown Tracker*. October 7, 2025.

<https://westernpriorities.org/2025/10/oil-gas-government-shutdown-tracker/>

¹¹ The White House. *President Trump Revives Ambler Road Project to Unlock Alaska’s Critical Minerals, Boost Economy*. October 7, 2025. <https://www.whitehouse.gov/articles/2025/10/president-trump-revives-ambler-road-project-to-unlock-alaskas-critical-minerals-boost-economy/>

¹² U.S. Forest Service. *October 2025 Libby Exploration Final Environmental Assessment and Decision Notice*. <https://usfs-public.app.box.com/v/PinyonPublic/folder/344051949342>

¹³ Hecla Mining Company. *Hecla Mining Company Announces U.S. Forest Service Advancement of Libby Exploration Project in Montana*. October 6, 2025. <https://ir.hecla.com/News--Media/news-releases/news->

regarding Ambler Road,¹⁴ a finding of no significant impact and approval of the Libby Project,¹⁵ Caldwell Canyon Mine permits,¹⁶ expansion of the Lisbon Valley Copper Mine,¹⁷ and announcement that the federal government will acquire shares in the Canadian mine company Trilogy Metals¹⁸ are examples of this administration's effort to cater to the extractive industries and raise serious questions about administration priorities and the nature of agency work during the lapse in appropriations.

The Bureau of Land Management has held two coal lease sales and continues to work on routine activities for extractive industries. The recent coal lease sales in Montana and Utah garnered bids so far below market value that BLM rejected them and proceeded to postpone an additional lease sale in Wyoming.¹⁹ The opening of over 13 million acres of Federal mineral estate for new coal leasing²⁰ further underscores this administration's prioritization of an industry that has long been in decline and is no longer competitive as utilities turn to cheaper, cleaner energy sources like wind and solar.²¹

Clean Energy Projects

Though you have both cited the President's claims of a national energy production shortfall as a justification for keeping people working for fossil fuel production during the shutdown,²² your departments have simultaneously ordered staff to continue working to halt new renewable energy projects. On October 9, 2025, the Bureau of Land Management appears to have cancelled seven solar projects in Nevada that were set to generate 6.2 gigawatts of energy.²³ The BOEM contingency plan pauses renewable energy activities except for "responding to renewable energy

[details/2025/Hecla-Mining-Company-Announces-U-S--Forest-Service-Advancement-of-Libby-Exploration-Project-in-Montana/default.aspx](https://www.blm.gov/sites/default/files/documents/2025-10/doi-blm-contingency-plan20250930508.pdf)

¹⁴ The White House. *Decision of the President and Statement of Reasons: Alaska Industrial Development and Export Authority Appeal*. October 6, 2025. https://www.whitehouse.gov/wp-content/uploads/2025/10/2025AmblerRoadAppeal.decisionofthepresident.final_rel.pdf

¹⁵ Hecla Mining Company. *Hecla Mining Company Announces U.S. Forest Service Advancement of Libby Exploration Project in Montana*. October 6, 2025. <https://ir.hecla.com/News--Media/news-releases/news-details/2025/Hecla-Mining-Company-Announces-U-S--Forest-Service-Advancement-of-Libby-Exploration-Project-in-Montana/default.aspx>

¹⁶ U.S. Permitting Council. *Calwell Canyon Mine Project Completes Federal Permitting*. October 17, 2025. <https://www.permitting.gov/newsroom/press-releases/caldwell-canyon-mine-project-completes-federal-permitting>

¹⁷ Lisa Friedman for the New York Times. *The Government Is Shut Down. But Not for Fossil Fuels*. October 17, 2025. <https://www.nytimes.com/2025/10/17/climate/trump-government-shutdown-energy.html>

¹⁸ CNN. *Trilogy Metals shares surge as US acquires 10% stake*. October 7, 2025. <https://www.cnn.com/2025/10/07/business/trilogy-metals-us-acquires-stake>

¹⁹ Matthew Brown for the Associated Press. *US rejects bid to buy 167 million tons of coal on public lands for less than a penny per ton*. Updated October 14, 2025. <https://apnews.com/article/trump-coal-lease-sale-montana-penny-ton-8f698701c76e1260518c546c92104758>

²⁰ U.S. Department of the Interior Bureau of Land Management. *Lands made available for Coal Leasing*. <https://www.blm.gov/programs/energy-and-minerals/coal/lands-made-available-coal-leasing>

²¹ Matthew Brown for the Associated Press. *US rejects bid to buy 167 million tons of coal on public lands for less than a penny per ton*. Updated October 14, 2025. <https://apnews.com/article/trump-coal-lease-sale-montana-penny-ton-8f698701c76e1260518c546c92104758>

²² U.S. Department of the Interior, Bureau of Land Management. *Contingency Plan September 2025*. <https://www.doi.gov/sites/default/files/documents/2025-10/doi-blm-contingency-plan20250930508.pdf>

²³ Ella Nilsen for CNN. *Trump administration quietly cancelled the nation's largest solar project*. Updated October 14, 2025. <https://www.cnn.com/2025/10/14/climate/trump-solar-project-nevada-electricity>

related incidents that pose a threat to human life and/or federal property.²⁴ At the same time, BOEM has been ordered to continue offshore oil and gas leasing, planning, permitting, and activities that support oil and gas development in the Outer Continental Shelf. These actions clearly undermine the stated justification of an energy shortfall and show that if we are truly in an energy emergency, it is of this administration's own making.

Timber Production

The U.S. Forest Service's contingency plan designates implementation of Executive Order 14225, Immediate Expansion of American Timber Production as an essential agency activity that will continue during a lapse in appropriations,²⁵ falsely equating it with truly essential activities such as emergency response, law enforcement, and wildland firefighting. Other important functions, such as prescribed burns; recreational access; hazardous fuels treatment; reimbursement for law enforcement, forest management, and fire preparedness grants; permit processing; and forest inventories have been paused, reduced, or significantly delayed.²⁶ An October 3, 2025 letter to USFS partners indicates that logging activities will continue while many visitor centers and other key visitor services are closed, impacting public recreation and safety on National Forest System lands.²⁷

Wildfire Response Capacity

While we appreciate that the USFS has designated critical wildland fire, law enforcement, and emergency response staff as excepted, the contingency plan fails to account for the many support staff who make those operations possible. For example, staff who support logistics, communications, and administrative support for wildland firefighting but are not deployed on the fire line are furloughed, reducing operational effectiveness and increasing danger to personnel. Agency staff were told to reduce and in some cases curtail prescribed burn activities, which represents a significant missed opportunity for fuels management across the National Forest System.^{28,29} By the time the USFS resumed prescribed fire operations October 7, 2025,³⁰ the shutdown pause constituted another setback for an agency already behind on its wildfire prevention and mitigation work. According to recent reports, USFS has only treated 2.2 million acres as of mid-September, well behind the agency's ten-year average and the 4 million acres treated under the Biden administration in 2024.³¹ While many of this year's delays can be attributed to staffing

²⁴ U.S. Department of the Interior, Bureau of Ocean Energy Management. *Contingency Plan September 2025*. <https://www.doi.gov/sites/default/files/documents/2025-09/doi-boem-contingency-plan2025930508.pdf>

²⁵ U.S. Department of Agriculture. *Lapse of Funding Plan as of September 30, 2025*. <https://www.usda.gov/sites/default/files/documents/fy2026-usda-lapse-plan.pdf>

²⁶ U.S. Department of Agriculture. *Lapse of Funding Plan as of September 30, 2025*. <https://www.usda.gov/sites/default/files/documents/fy2026-usda-lapse-plan.pdf>

²⁷ U.S. Forest Service Letter to Partners (File Code 2300). October 3, 2025.

²⁸ Michael Kohn for Bend Bulletin. *Federal shutdown could delay some prescribed burns*. October 9, 2025. <https://bendbulletin.com/2025/10/09/federal-shutdown-extinguishes-some-prescribed-burns/>

²⁹ Kylie Mohr for High Country News. *Shutdown causes 'confusion' across the Forest Service*. October 2, 2025. https://www.hcn.org/articles/shutdown-causes-confusion-across-the-forest-service/?utm_source=wc1&utm_medium=email&utm_campaign=2025-10-03-Newsletter

³⁰ U.S. Forest Service Letter to Partners (File Code 2300) October 8, 2025. [https://www.fs.usda.gov/sites/nfs/files/r06/publication/Updated%20Partner%20Guidance %2020251008 Final.pdf?utm_source=MarketingCloud&utm_medium=email](https://www.fs.usda.gov/sites/nfs/files/r06/publication/Updated%20Partner%20Guidance%2020251008%20Final.pdf?utm_source=MarketingCloud&utm_medium=email)

³¹ Marc Heller for Politico. *Shrinking Forest Service falls behind on wildfire prevention*. October 3, 2025. <https://subscriber.politicopro.com/article/eenews/2025/10/03/shrinking-forest-service-falls-behind-on-wildfire->

shortages after Trump’s attacks on agency staff, the shutdown has compounded USFS challenges regarding wildfire preparedness and prevention. As the shutdown continues, many of our wildland firefighters will also go without pay at a time when USFS is already struggling with firefighter recruitment and retention. Contingency plans such as this increase the likelihood that valuable USFS firefighters and essential support personnel will leave the agency, as many did following the shutdown in 2018 and 2019.³²

Antideficiency Act

During a lapse in appropriations, continuing to prioritize activities benefitting extractive industries over activities supporting the protection of life and property represents an abandonment of basic agency responsibilities and potentially violates the Antideficiency Act.³³ The Antideficiency Act prohibits federal agencies from incurring obligations or accepting voluntary services during a lapse in appropriations except in narrowly defined emergencies involving the safety of human life or the protection of property. Congress amended section 1342 of the Act in 1990 to clarify that the exception “does not include ongoing, regular functions of government the suspension of which would not imminently threaten the safety of human life or the protection of property.”³⁴ The Government Accountability Office (GAO) has also held that only those activities narrowly necessary to prevent imminent harm to federal property are permissible under the emergency exception, making clear that agency operations “for regular, ongoing functions” during a lapse are unlawful and must be reported to Congress.

GAO precedent defines “property” as that “in which the government has an immediate interest or in connection with which it has some duty to perform,”³⁵ which does not extend to the actions connected to the facilitation of development by private entities, such as oil and gas permitting. Moreover, the emergency exception cannot be expanded beyond its intent to cover “ongoing, regular functions” of government administration.³⁶ Rendering service to overcome mere inconvenience or even to avoid a potential future emergency is not enough to overcome the statutory prohibition.³⁷ GAO precedent emphasizes that agencies cannot lawfully direct staff to perform routine work in the absence of appropriations or authorization. By law, agencies must report Antideficiency Act violations to Congress.³⁸

To assist with our oversight responsibilities, please provide the following documents by no later than November 11, 2025:

1. Documents sufficient to describe in detail which activities and services your agency and subagencies have been required to continue during the lapse in appropriations beginning October 1, 2025;

[prevention-00592982?utm_source=1500+CWP+List+Daily+Clips+and+Updates&utm_campaign=37d686ff61-EMAIL_CAMPAIGN_2025_10_05_10_11&utm_medium=email&utm_term=0_-37d686ff61-84285513](https://www.usfs.gov/press-releases/2025/10/05/USFS-Press-Release-2025-10-05-10-11-12-13-14-15-16-17-18-19-20-21-22-23-24-25-26-27-28-29-30-31-32-33-34-35-36-37-38-39-40-41-42-43-44-45-46-47-48-49-50-51-52-53-54-55-56-57-58-59-60-61-62-63-64-65-66-67-68-69-70-71-72-73-74-75-76-77-78-79-80-81-82-83-84-85-86-87-88-89-90-91-92-93-94-95-96-97-98-99-100-101-102-103-104-105-106-107-108-109-110-111-112-113-114-115-116-117-118-119-120-121-122-123-124-125-126-127-128-129-130-131-132-133-134-135-136-137-138-139-140-141-142-143-144-145-146-147-148-149-150-151-152-153-154-155-156-157-158-159-160-161-162-163-164-165-166-167-168-169-170-171-172-173-174-175-176-177-178-179-180-181-182-183-184-185-186-187-188-189-190-191-192-193-194-195-196-197-198-199-200-201-202-203-204-205-206-207-208-209-210-211-212-213-214-215-216-217-218-219-220-221-222-223-224-225-226-227-228-229-230-231-232-233-234-235-236-237-238-239-240-241-242-243-244-245-246-247-248-249-250-251-252-253-254-255-256-257-258-259-260-261-262-263-264-265-266-267-268-269-270-271-272-273-274-275-276-277-278-279-280-281-282-283-284-285-286-287-288-289-290-291-292-293-294-295-296-297-298-299-300-301-302-303-304-305-306-307-308-309-310-311-312-313-314-315-316-317-318-319-320-321-322-323-324-325-326-327-328-329-330-331-332-333-334-335-336-337-338-339-340-341-342-343-344-345-346-347-348-349-350-351-352-353-354-355-356-357-358-359-360-361-362-363-364-365-366-367-368-369-370-371-372-373-374-375-376-377-378-379-380-381-382-383-384-385-386-387-388-389-390-391-392-393-394-395-396-397-398-399-400-401-402-403-404-405-406-407-408-409-410-411-412-413-414-415-416-417-418-419-420-421-422-423-424-425-426-427-428-429-430-431-432-433-434-435-436-437-438-439-440-441-442-443-444-445-446-447-448-449-450-451-452-453-454-455-456-457-458-459-460-461-462-463-464-465-466-467-468-469-470-471-472-473-474-475-476-477-478-479-480-481-482-483-484-485-486-487-488-489-490-491-492-493-494-495-496-497-498-499-500-501-502-503-504-505-506-507-508-509-510-511-512-513-514-515-516-517-518-519-520-521-522-523-524-525-526-527-528-529-530-531-532-533-534-535-536-537-538-539-540-541-542-543-544-545-546-547-548-549-550-551-552-553-554-555-556-557-558-559-560-561-562-563-564-565-566-567-568-569-570-571-572-573-574-575-576-577-578-579-580-581-582-583-584-585-586-587-588-589-590-591-592-593-594-595-596-597-598-599-600-601-602-603-604-605-606-607-608-609-610-611-612-613-614-615-616-617-618-619-620-621-622-623-624-625-626-627-628-629-630-631-632-633-634-635-636-637-638-639-640-641-642-643-644-645-646-647-648-649-650-651-652-653-654-655-656-657-658-659-660-661-662-663-664-665-666-667-668-669-670-671-672-673-674-675-676-677-678-679-680-681-682-683-684-685-686-687-688-689-690-691-692-693-694-695-696-697-698-699-700-701-702-703-704-705-706-707-708-709-710-711-712-713-714-715-716-717-718-719-720-721-722-723-724-725-726-727-728-729-730-731-732-733-734-735-736-737-738-739-740-741-742-743-744-745-746-747-748-749-750-751-752-753-754-755-756-757-758-759-760-761-762-763-764-765-766-767-768-769-770-771-772-773-774-775-776-777-778-779-780-781-782-783-784-785-786-787-788-789-790-791-792-793-794-795-796-797-798-799-800-801-802-803-804-805-806-807-808-809-810-811-812-813-814-815-816-817-818-819-820-821-822-823-824-825-826-827-828-829-830-831-832-833-834-835-836-837-838-839-840-841-842-843-844-845-846-847-848-849-850-851-852-853-854-855-856-857-858-859-860-861-862-863-864-865-866-867-868-869-870-871-872-873-874-875-876-877-878-879-880-881-882-883-884-885-886-887-888-889-890-891-892-893-894-895-896-897-898-899-900-901-902-903-904-905-906-907-908-909-910-911-912-913-914-915-916-917-918-919-920-921-922-923-924-925-926-927-928-929-930-931-932-933-934-935-936-937-938-939-940-941-942-943-944-945-946-947-948-949-950-951-952-953-954-955-956-957-958-959-960-961-962-963-964-965-966-967-968-969-970-971-972-973-974-975-976-977-978-979-980-981-982-983-984-985-986-987-988-989-990-991-992-993-994-995-996-997-998-999-1000)

³² Kylie Mohr for High Country News. *Shutdown causes ‘confusion’ across the Forest Service*. October 2, 2025.

<https://www.hcn.org/articles/shutdown-causes-confusion-across-the-forest-service/>

³³ 31 U.S.C. §§ 1341–1342

³⁴ Principles of Federal Appropriations Law, 3rd ed., vol. II at 6-95.

³⁵ Principles of Federal Appropriations Law, 3rd ed., vol. II at 6-112; 9 Comp. Gen. 182, 185 (1929).

³⁶ Principles of Federal Appropriations Law, 3rd ed., vol. II at 6-151; 9 Comp. Gen. 182 (1929); 10 Comp. Gen. 248 (1930).

³⁷ 10 Comp. Gen. 248 (1930), Principles of Federal Appropriations Law, 3rd ed., vol. II at 6-111.

³⁸ U.S. Government Accountability Office. *Letter: Department of the Interior – Activities at National Parks during the Fiscal Year 2019 Lapse in Appropriations*. April 22, 2020. <https://www.gao.gov/assets/b-330776.pdf>

2. Documents sufficient to describe the criteria your agency and subagencies used to make those determinations;
3. All documents and communications related to the Ambler Road Project, the Libby Mine Project, Lisbon Valley Copper Mine, the failed coal lease sales in Montana and Utah that were created or modified during the lapse in appropriations beginning October 1, 2025;
4. All communications between and among Presidential Appointments with Senate confirmation, Presidential Appointments not requiring Senate confirmation, and Noncareer Senior Executive Service personnel at the Department of the Interior and its bureaus, the Office of Management and Budget, and the Office of Personnel Management relating to the designation of personnel or activities as essential or excepted during the lapse in appropriations beginning October 1, 2025;
5. All communications between and among Presidential Appointments with Senate confirmation, Presidential Appointments not requiring Senate confirmation, and Noncareer Senior Executive Service personnel at Department of Agriculture, the Office of Management and Budget, and the Office of Personnel Management relating to the designation of personnel or activities as essential or excepted during the lapse in appropriations in beginning October 1, 2025; and
6. Documents sufficient to determine the statutory authority for designating personnel or activities such as oil and gas permitting and leasing, coal leasing, mine approvals, and timber production as “emergencies involving the safety of human life or the protection of property” under 31 U.S.C. § 1342.

We look forward to hearing from you.

Sincerely,



Jared Huffman
Ranking Member
U.S. House Committee on Natural
Resources



Yassamin Ansari
Ranking Member
Subcommittee on Energy and Mineral
Resources

Cc: Tom Schultz, Chief of the U.S. Forest Service