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National Park Service: Government Shutdown Issues

Like other federal agencies, the National Park Service (NPS) has halted most operations during occasional government shutdowns resulting from lapses in appropriations. In the past three decades, such shutdowns occurred in 1995/1996, 2013, early 2018, late 2018/early 2019, and most recently from October 1, 2025, to November 12, 2025. Although government shutdowns have affected many agencies and programs, public and congressional attention has focused particularly on certain impacts, one of which is the effect of a shutdown on the National Park System.

Agency actions during a shutdown are governed by the Antideficiency Act (31 U.S.C. §§1341-1342, §§1511-1519) and related guidance, including Circular No. A-11 from the Office of Management and Budget (OMB). One OMB requirement is for agency heads to develop and maintain shutdown plans, known as *contingency plans*, detailing how each agency is to prepare for and operate during a funding gap. NPS has updated its shutdown contingency plan several times in the past decade.

The most recent contingency plan released by NPS is dated September 2025. The plan addresses visitor access and related topics during a shutdown, including staffing levels and funding for limited visitor services. NPS contingency plans have had differing provisions on these topics over time. During previous shutdowns, NPS's policies were debated in Congress and among stakeholders. Issues have included, on the one hand, concerns about economic losses to states, localities, and job sectors dependent on park tourism when parks were inaccessible; and, on the other hand, concerns about damages to park resources and threats to visitor health and safety when parks were accessible but not fully staffed. Other topics of debate have related to the availability of funding outside of annual discretionary appropriations to enable limited staffing and visitor services during a lapse.

NPS Staffing Levels in a Shutdown

NPS's September 2025 plan indicates that approximately 64% of its workforce would be furloughed in a shutdown. This projection is lower than in some earlier NPS contingency plans. For instance, plans executed in the October 2013 shutdown and the December 2018-January 2019 shutdown identified approximately 87% of NPS employees for furlough. Actual numbers of furloughed employees in the October-November 2025 shutdown and previous shutdowns are not readily available. The plan separately states that volunteer activities must be discontinued if staff are not available to oversee them.

Accessibility of Park Units in a Shutdown

NPS's September 2025 plan states that parks with accessible areas that collect fees under the Federal Lands Recreation Enhancement Act (FLREA; 16 U.S.C. §§6801-

6814) "will utilize available retained recreation fees balances to provide basic visitor services." Further, "park roads, lookouts, trails, and open-air memorials will generally remain accessible to visitors." This differs from NPS's approach during some shutdowns, for instance in October 2013, when all parks were "closed to public visitation and use." To implement the closures in 2013, NPS required all visitors to leave the parks. Where possible, park roads were closed and access was denied. According to a 2014 NPS report, the 16-day shutdown in 2013 resulted in an overall loss of 7.88 million visits to the parks and a loss of \$414 million in NPS visitor spending in gateway communities across the country. No such assessments are available for subsequent shutdowns.

With regard to park accessibility, the September 2025 plan appears more similar to NPS's approach in the shutdown of December 2018-January 2019. As in that shutdown, the September 2025 plan states that parks are generally to remain accessible except in the case of facilities or areas that would typically be locked during non-business hours, which in general are to be "locked or secured for the duration of the shutdown." Because some park units (such as some national historic sites) consist solely of buildings and areas that would be locked in non-business hours, such units would be fully closed in a shutdown.

Limited Visitor Services in a Shutdown

NPS's September 2025 contingency plan states that certain agency activities would continue in a shutdown, including both *excepted* activities (necessary to protect life and property or otherwise authorized or implied by law) and *exempted* activities (funded from permanent appropriations, eligible unobligated balances, or other available sources). The *excepted* activities identified in the plan include, for example, law enforcement, border surveillance, fire suppression, and emergency response. The *exempted* activities include, among others, "basic" visitor services at park areas accessible to the public, such as restroom and road maintenance, trash collection, and campground operations. Department of the Interior (DOI) officials may also determine on a case-by-case basis whether concessioner-run services such as hotel and food services may continue in accessible areas.

Under the September 2025 plan, certain funding sources could be used for specified visitor services and operations at parks during a shutdown. Two of these sources are (1) recreation fees collected under FLREA; and (2) if received, donations from states and other entities to support services at individual parks.

Recreation Fees

NPS charges, collects, and retains recreation fees under FLREA. The agency had an estimated unobligated balance of \$348 million in FLREA fees at the end of FY2024, and it

estimated collections of \$380 million in FY2025. According to a multiagency report with 2023 data, 157 of (at that time) 429 NPS units charged an entrance fee and/or “expanded amenity” fee. Under FLREA and NPS policy, generally 80%-100% of fees are retained by the collecting unit, with the remaining collections available agency-wide. NPS has broad discretion in using fee revenues for purposes specified in FLREA, which include interpretation, visitor services, and facility maintenance, repair, and enhancement related to visitor access and health and safety. In recent years, NPS policy has directed park sites to use 55% of fees for deferred or preventative maintenance.

NPS’s September 2025 contingency plan states that during a shutdown, at publicly accessible park areas, “FLREA may only be used to provide basic visitor services in a manner that maintains restrooms and sanitation, trash collection, road maintenance, campground operations, law enforcement and emergency operations, and staffing entrance gates as necessary to provide critical safety information and excepted activities where appropriate.” Staff levels necessary to provide these services would vary by park. Parks must obtain DOI approval of daily cost estimates of activities to be supported by FLREA fees. Parks that do not collect recreation fees or have “insufficient balances” must obtain approval to use certain fee balances retained by NPS for “regional or national” use.

NPS first used FLREA recreation fees for similar visitor services during the December 2018-January 2019 shutdown. Beginning partway through that shutdown, NPS used revenues from recreation fees for certain activities in park units, including maintaining restrooms, collecting trash, operating campgrounds, providing law enforcement and emergency services, maintaining roads, and staffing entrance gates to provide critical safety information. After the 2018-2019 shutdown ended, NPS officials stated that the agency would “fully restore” the FLREA recreation fee account to pre-shutdown levels, by moving obligations made in the shutdown from the FLREA account to NPS’s main discretionary account.

Some Members of Congress questioned the legality of using FLREA fees for operations during the 2018-2019 shutdown and restoring the account thereafter. On September 5, 2019, the Government Accountability Office (GAO) issued a legal opinion (B-330776) stating that DOI violated the purpose statute (31 U.S.C. §1301(a)) and the Antideficiency Act when it obligated FLREA fees during the shutdown for expenses normally charged to NPS discretionary appropriations. GAO stated that DOI should report its violation of the Antideficiency Act as required by 31 U.S.C. §1351 and take actions to prevent future violations. On September 6, 2019, DOI responded, disputing the GAO opinion in part on the grounds that NPS had used FLREA fees in the past for operating expenses similar to those the fees covered in the shutdown. In February 2020, the Office of Management and Budget reconfirmed agreement with DOI’s reasoning in its use of FLREA fees. The extent to which and the purposes for which FLREA fees could be available in any government shutdown may remain in debate. The September 2025 plan does not clarify whether FLREA funds used by NPS during the October-November 2025 shutdown would be “restored”

to the FLREA account, for instance by moving obligations to NPS’s main discretionary account.

Donations

NPS has authorities to accept monetary donations and in-kind services for park system purposes (e.g., 54 U.S.C. §101101). The agency’s September 2025 plan authorizes parks to accept donations from states and other entities to support operations in a shutdown. Such donations can fund the full operation of a park unit or specified services, and can be of funds and/or “in-kind services for the third party to conduct the work.”

In NPS shutdowns at least since 1995, some nonfederal entities (primarily states) have donated money to NPS to operate selected parks or park activities, with the aim of fostering public access and ameliorating economic losses to communities from reduced park tourism. For example, during the 2013 shutdown, Arizona, Colorado, New York, South Dakota, Tennessee, and Utah donated varying sums to reopen national park units using state funding. Following a model used in 1995-1996, these states developed agreements with NPS to donate calculated amounts for park operating costs for a certain number of days, during which time the parks would be open to the public and staffed by NPS employees. In the October-November 2025 shutdown, several states (such as Colorado, Utah, and West Virginia) similarly donated funds for certain operations at individual parks for specified periods. Some localities and park partner groups also made donations for park operations or specific activities or services within parks.

The September 2025 plan states that NPS will not reimburse third parties for donations, but that the agency will refund unused monies at the end of a funding lapse. Agreements between NPS and donors in shutdowns have typically provided that NPS would refund to donors any unobligated balances at the end of a shutdown. However, any funding actually used for park operations could be reimbursed only through an act of Congress. For example, after the 2013 shutdown, multiple bills were introduced to reimburse the states for their shutdown donations. These bills were not enacted, so the states were not reimbursed. Some Members of Congress, along with the states themselves, contended that state reimbursement should be prioritized, given that federal appropriations were ultimately provided (retroactively) for the shutdown period. Others took the view that the states had accepted the uncertainty of reimbursement when they agreed to make the donations. Some bills in previous Congresses would have required the Secretary of the Interior to repay states for any funds used to operate NPS units in a shutdown.

For Further Reading

For more information, see CRS In Focus IF10151, *Federal Lands Recreation Enhancement Act: Overview and Issues Related to Recreation Fees*; CRS Report R47693, *Government Shutdowns and Executive Branch Operations: Frequently Asked Questions (FAQ)*; CRS Report R41759, *Past Government Shutdowns: Key Resources*; and CRS Report RL34680, *Shutdown of the Federal Government: Causes, Processes, and Effects*.

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