

U.S. Geological Survey
CONTINGENCY PLAN
September 2023



**Department of the Interior
U.S. Geological Survey
Contingency Plan for a Potential Lapse in Appropriations
September 2023**

Overview

The U.S. Geological Survey (USGS) is the Earth and natural science bureau for the Department of the Interior (DOI) and the only integrated natural resources science agency in the Federal Government. The USGS research and data products support the DOI resource and land management needs, and also provide the water, biological, energy, and mineral resources information needed by other Federal, State, Tribal, and local government agencies. Emergency response organizations, natural resource managers, land use planners, and other customers use this information to protect lives and property and to make informed decisions based on the application of science.

The officials responsible for implementing and adjusting the plan to respond to the length of appropriations hiatus and changes in external circumstances are the Director, the Deputy Director for Administration and Policy, and the Associate Director for Administration.

Orderly Shutdown

In the event there is a lapse in appropriations, the DOI will notify bureaus to begin an orderly shutdown of non-expected and non-exempt operations. The USGS will suspend its activities with the exception of those functions to protect life/property and the reimbursable portfolio (a non-lapsing, exempt fund source). The USGS will also continue working on natural disaster related projects funded through no-year supplemental appropriations, as appropriate. The USGS assumes the timeframe for this shutdown will be up to approximately 30 calendar days or 22 workdays. Should circumstances of the shutdown change, the USGS will reassess its shutdown plan and activate the minimum number of employees necessary to protect life and property. USGS does not expect significant changes if the lapse extends beyond 5 days.

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:	8,250
Total number of agency employees expected to be furloughed under the plan (unduplicated count):	4,335
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:	3,000

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:	0
Necessary to the discharge of the President’s constitutional duties and powers:	0
Necessary to protect life and property:	915

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

Exempt

The USGS will continue its research, monitoring, and technical support activities that are funded by interagency, cooperative, and similar funding agreements with outside organizations (“reimbursable activities”). These reimbursable activities are funded by non-lapsing appropriations. In many cases, these agreements are funded by State or local governments not subject to the annual Congressional appropriations process. Work on Federal agreements will only continue if and to the extent the Federal partner can confirm the funding source is not lapsed unless the work can otherwise be performed on the basis of the protection of life and property as explained below. In a typical year, the work that would continue under signed reimbursable agreements covers the activities of approximately 3,000-4,900 employees. The USGS also has supplemental funding (i.e., Bipartisan Infrastructure Law, Inflation Reduction Act, etc.) that may be used as appropriate to continue the projects specific to those legislations. Additionally, USGS may use carryover funding (second year availability) to continue operations to the extent balances are sufficient at the time of a lapse.

Excepted

The Anti-Deficiency Act prohibits agencies from incurring obligations that are in advance of, or that exceed, an appropriation. The Department of Justice recognizes three exceptions to this rule: a statute or other legal requirement expressly authorizes an agency to obligate funds in advance of appropriations; the function is necessary to the discharge of the President’s constitutional duties and powers; and/or the function addresses emergency circumstances, such that the suspension of the function would imminently threaten the safety of human life or the protection of property.

The USGS identified approximately 65 employees needed for the protection of life and property to be retained full-time and approximately 850 employees part-time in the event of a lapse in appropriation. These excepted duties will provide executive leadership and mission/administrative support of those operations necessary to protect life and property.

Where full-time services are not required, excepted employees will work only those hours required to respond to the situation. The National Earthquake Information Center (NEIC) and the Earth Resources Observation and Science Center (EROS) are two excepted activities where this will occur. The NEIC has identified less than one-half of its staff as excepted. Additional employees are on-call as necessary to respond in the event of a natural disaster. EROS has identified the minimal necessary contingent to ensure

24-7 Mission Operation Center coverage to sustain computer support, antenna operations, and command and control of the LandSat satellites. This coverage is required to ensure Government direction in case of spacecraft or other system emergency (e.g. anomaly, predicted spacecraft collision, etc.) as well as protect the Government investment in the data sensors on board the spacecraft(s) by maintaining operations. This would enable the data to be collected and stored, to be processed in the event of an emergency (flooding, earthquake, landslide, fire) and/or when normal Government operations resume.

Contracting Officer Representatives are included where contract support has been deemed excepted and/or where the contract is obligated and is in support of excepted operations that are retained under this plan to avoid potential harm to life and/or property. The Contracting Officer Representative support will be as needed for oversight (and not necessarily full-time). The Contracting Officer Representatives are identified for EROS in conjunction with operations of the LandSat satellite (protection of property) and for enterprise information functions to support critical science information such as water streamgauge information for the National Weather Service, operations of earthquake and volcano monitoring networks, and other mission-critical activities.

Excepted employees may call others back to work to respond to a natural hazard or other emergency as needed. On-call furloughed employees may be called back to protect life and property, especially to respond to a natural disaster for which the USGS is mandated to respond or assist in managing water, biological, geological, geographical, and other natural resources. Mostly, we anticipate these personnel would be at volcano observatories, geologic hazard science centers, water science centers, and EROS, however they may include other personnel, such as support staff, depending upon the natural hazard event. The streamgauge network and related data processing systems can operate with little human involvement for short durations in the absence of major flooding, and the USGS has automated processes in place for flagging and prioritizing streamgauge malfunctions. If a malfunction arises, we will activate the minimum number of on-call employees necessary to respond to the situation. On-call employees will be deemed excepted when reporting for duty.

Additional on-call furloughed employees will be activated as needed to protect Federal assets at our laboratories and support animal care. They will work the hours necessary to protect property (including intellectual property) or sustain life. We would expect most of these activations, should they occur, to be intermittent. This protection of our Federal assets also extends to ongoing experiments that cannot be stopped without irreversible harm to our scientific investments.

Human Resources

Servicing HR offices should except sufficient HR staff during shutdown to ensure benefits, insurance, payroll data is moving forward as necessary.

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:

The following services and programs would cease during a lapse in appropriation to the extent they are not excepted or supported with exempt funding:

- Collecting, monitoring, analyzing, and providing scientific understanding about natural resource conditions, issues, and problems.

- Carrying out large-scale, multi-disciplinary investigations to provide impartial scientific information to resource managers, planners, and other customers.
- Online access to publications, maps, and data will be limited.
- Landsat data dissemination from the United States government, which affects emergency response, agriculture, and many other sectors of the global economy.
- Water quality data will not be received, analyzed or disseminated to the public.
- A majority of science support functions will cease except for those needed to support excepted/emergency activities or those that are funded with reimbursable or otherwise exempt funds.

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

The USGS expects furloughed employees to participate in the orderly shutdown process. The majority of furloughed employees can accomplish these activities within a 4- to 6-hour window. Approximately 100 employees will require roughly up to 40 hours to complete the shutdown process including termination of scientific, information technology, and/or laboratory projects, closing out existing sales orders in the USGS store, providing human resources support to furloughed employees, and the determination of and issuance of stop work orders and notifications to contractors and grantees supporting non-excepted and non- exempt activities. The USGS will issue furlough notices to all impacted employees and process applicable pay records.

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:	8,250
Total number of agency employees expected to be furloughed under the plan (unduplicated count):	4,335
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:	3,000
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:	915

Actions to Resume Orderly Operations

Communications

DOI will notify furloughed employees that it is permissible to take home computers and check emails periodically (e.g., twice a day) noting Shutdown Update in the subject line. This can provide valuable information to staff, such as, you are being called back as exempt or excepted status; info on benefits and pay; when the shutdown may end; time period of furlough is being extended; etc.

Flexibilities Available to Supervisors

Supervisors have flexibilities available to them if employees have difficulties returning to work on the specified day, including the use of the employees accrued leave, compensatory time off, or credit hours; alternative work schedules; and telework. Employees should coordinate this approval with the supervisor when notified of the return to work.

Resuming Normal Operations

Employees are encouraged to monitor www.opm.gov and media outlets to learn about the operating status of the Government. Additionally, the USGS will utilize its employee alert system to notify employees via phone call, email, and/or text message that the shutdown furlough has ended and when to return to work.

Employees, in conjunction with guidance from leadership, will take steps specific to individual projects and work environments to ensure an orderly start-up of normal operations. The Office of Accounting and Financial Management will ensure an orderly start-up of financial operations including catch-up of processing of payments/disbursement of funds and billings/collections.