

U.S. GEOLOGICAL SURVEY

The following list summarizes and paraphrases many of the authorities that may be useful to U.S. Geological Survey (USGS) in forming partnership arrangements with the public and private sector. Should a particular authority appear helpful, the reader should review the actual text of the statute to ensure that no additional limitations or qualifications exist that may affect USGS's ability to use the authority. Also the list of [Department-level authorities](#) may be consulted.

The Solicitor's Office can help the agency determine the most appropriate way to use these authorities to accomplish its partnership goals. Consultation with the Solicitor's Office early in the initial partnership planning and discussion stages will help facilitate effective, and legally supportable, achievement of those goals

1. **Surveys, Investigations and Research Both Inside and Outside the United States (43 U.S.C. § 31):** The Organic Act establishing the USGS authorizes surveys, investigations, and research, including such activities outside the national domain when the Secretary determines that work abroad is in the national interest.
2. **Cooperative Agreement Authority (Pub. L. 106-291, 114 Stat. 932):** The Department of the Interior Appropriation Act for FY 2001, provides that activities funded by appropriations made in the bill for the USGS may be accomplished through the use of contracts, grants, or cooperative agreements. The USGS therefore has general authority to use cooperative agreements and grants in carrying out its mission. This language is repeated in other years. See, for example, Pub. L. No.106-113, 113 Stat.1501A-145-46; and Pub. L. No.103-332, 108 Stat. 2508 (September 30, 1994).
3. **Interagency Coordination Agreements on Climate-Related Activities (15 U.S.C. §§2901 to 2908):** The National Climate Program Act of 1978 established a national climate program to assist the Nation and the world in understanding and responding to natural and human-induced climate processes and their known and potential effects. The Department of the Interior has a mandated role in this program which is run primarily through the U.S. Commerce Department.
4. **Global Change Research Activities and Agreements (15 U.S.C. §§ 2921-2953, Pub. L. No. 101-606):** The Global Change Research Act of 1990 established the United States Global Change Research Program aimed at understanding and responding to global change, including the cumulative effects of human activities and natural processes on the environment, to promote discussions toward international protocols in global change research, and for other purposes. The Interior Department has responsibilities under this Act.
6. **Agreements Regarding the Landsat Program (15 U.S.C. §5652):** The Land Remote Sensing Policy Act of 1992 assigns responsibility for the "National Satellite Land Remote Sensing Data Archive" to the Department of the Interior. The Act also authorizes and encourages the Department of the Interior and other Federal agencies to carry out research and development programs in applications of these data.

7. **Outdoor Recreation Authority (16 U.S.C. §460J):** The Outdoor Recreation Act of June 23, 1963, authorizes the Secretary of the Interior to sponsor, engage in, and assist in research relating to outdoor recreation, directly or by contract or cooperative agreements and make payments for such purposes; undertake studies and assemble information concerning outdoor recreation; and cooperate with educational institutions and others in order to assist in establishing education programs and activities and to encourage public use and benefits from outdoor recreation.
8. **Fish and Wildlife Resources Related Activities (16 U.S.C. §661 et seq.):** The Fish and Wildlife Coordination Act authorizes the Secretary to prepare plans to protect wildlife resources, to conduct surveys on public lands, and to accept funds or lands for related purposes; authorizes the investigation and reporting of proposed Federal actions that affect the development, protection, rearing, and stocking of all species of wildlife and their habitat in controlling losses, minimizing damages, and providing recommendations to minimize impacts on fish and wildlife resources.
9. **Fish and Wildlife Resources Cooperative Agreements (16 U.S.C. §753 a):** The Fish and Wildlife Improvement Act of 1978, as amended by Pub. L. No. 95-615, authorizes the Secretary of the Interior to enter into cooperative agreements with colleges and universities, State fish and game agencies, and nonprofit organizations for the purpose of developing adequate, coordinated, cooperative research and training programs for fish and wildlife resources.
10. **Agreements to Implement the Convention on Great Lakes Fisheries between the United States and Canada (16 U.S.C. §§ 931-939):** The Great Lakes Fishery Act of 1956 implements the Convention on Great Lakes Fisheries between the United States and Canada; authorizes construction, operation and maintenance of sea lamprey control works; and established the Great Lakes Fisheries Commission.
11. **Agreements and Assistance for Research and Development of Aquaculture (16 U.S.C. §§ 2801-2810):** The National Aquaculture Act of 1980 directs the Secretary of the Interior to participate in the development of a National Aquaculture Development Plan and authorizes research, development, and other activities to encourage the development of aquaculture in the United States.
12. **Agreements for Alaska Mineral Resource Assessment Program (16 U.S.C. § 3150):** Section 1010 of the Alaska National Interest Lands Conservation Act requires the Secretary of the Interior to assess the oil, gas, and other mineral potential of the public lands in Alaska. The Secretary is authorized to consult with and exchange information with Alaska and to contract with public or private entities.
14. **Geothermal Resources Research (30 U.S.C. §1026):** Section 6 of the Geothermal Steam Act Amendments of 1988 requires the Secretary of the Interior to (1) maintain a monitoring program for significant thermal features within units of the National Park System, and (2) establish a research program to collect and assess data on the geothermal resources within units

of the National Park System with significant thermal features in cooperation with the USGS.

15. **Geothermal Energy Resources Cooperative Program (30 U.S.C. §1028):** The Energy Policy Act of 1992 directs the USGS to establish a cooperative Government-private sector program with respect to hot dry rock geothermal energy resources on public lands, to convene a workshop of interested governmental and private parties to discuss the regional potential for hot dry rock geothermal energy in the Eastern United States and to submit a report to Congress containing a summary of the findings and conclusions of the workshop. The USGS may enter into contracts and cooperative agreements with any public or private entity.
16. **Geothermal Resources Inventory and Assessment and Research and Development (30 U.S.C. §§1121 - 1125):** The Geothermal Energy Research, Development and Demonstration Act of 1974 provides that the USGS and other agencies are responsible for the evaluation and the assessment of the geothermal resource base, including the development of exploration technologies. The Act authorizes USGS to participate with Federal and non-Federal entities. The Department of the Interior, as well as other agencies specified in the Act, are authorized to detail or assign, on a reimbursable basis or otherwise, personnel to assist it in carrying out their responsibilities provided by the Act.
17. **Collection, Evaluation and Analysis of Information Concerning Mineral Occurrence, Production, and Use (30 U.S.C. §§1601-1604):** These provisions emphasize the USGS's responsibility to assess the mineral resources of the Nation. The provisions also require the President to coordinate departments' and agencies' promotion of cooperative research and development programs with other nations for the equitable and frugal use of materials and energy; promotion and encouragement of private enterprise in the development of economically sound and stable domestic materials industries; and facilitation of the availability and development of domestic resources to meet critical materials needs.
18. **Marine Minerals Research Cooperative Agreements and Grants (30 U.S.C. §1901 to §1905):** The Marine Minerals Resources Research Act authorizes the Secretary to enter into cooperative agreements and grants to promote research and exploration of marine minerals.
19. **Methane Hydrate Research and Development Program (Pub. L. No. 106-193):** The Methane Hydrate Research and Development Act of 2000 authorizes appropriations for the establishment of a methane hydrate research and development program within the Department of Energy (DOE). DOE is directed to carry out this program in consultation with U.S. Navy, USGS, Minerals Management Service, and the National Science Foundation through grants, contracts, and cooperative agreements with universities and industrial enterprises. The purpose is to study the use of methane hydrate as an energy source. This Act sunsets the methane hydrate research and development program at the end of FY 2005.
20. **Water Quality Planning, Studies and Monitoring (33 U.S.C. §1251 *et seq.*):** The Federal Water Pollution Control Act Amendments of 1972 and its

successors, the Clean Water Act of 1977 and the Water Quality Act of 1987, authorize extensive water quality planning, studies, and monitoring under the direction primarily of the Environmental Protection Agency (EPA). The Geological Survey is called upon to participate in many of these activities, partly by EPA and partly by State agencies in the Federal-State Cooperative Program. The 1987 Act includes water quality work concerning Chesapeake Bay, the Great Lakes, Estuary and Clean Lakes Programs, and studies of water pollution problems in aquifers.

21. **Geohydrologic Research and Technology Regarding Low-level Radioactive Waste (42 U.S.C. §2021b *et seq.*):** The Low-Level Radioactive Waste Policy Act required intra-State or multi-State (regional) arrangements for disposal of low-level radioactive waste by July 1, 1986. The Geological Survey provides geohydrologic research and technology to Federal and State agencies developing plans for low level waste management. The amending Act of 1985 included approval of seven interstate compacts.
22. **Disaster Warnings (42 U.S.C. §5132):** This Act authorizes USGS, to the extent delegated by the Federal Emergency Management Agency, to provide disaster warnings for an earthquake, volcanic eruption, landslide, mudslide, or other geological catastrophes and to provide technical assistance to State and local governments for effective warnings and to enter into other agreements.
23. **Earthquake Hazards Reduction (42 U.S.C. §7701, Pub. L. No. 101-614):** The Earthquake Hazards Reduction Act of 1977 sets as a national goal the reduction in the risks of life and property from future earth quakes in the United States through the establishment and maintenance of a balanced earthquake program encompassing prediction and hazard assessment research, seismic monitoring and information dissemination. The Act authorizes USGS to work with State and local governments and to participate in international cooperation.
24. **Predisaster Hazard Mitigation (Pub. L. No. 106-390):** Section 102 of the Disaster Mitigation Act of 2000 prescribed that “multi-hazard advisory” maps will be developed in consultation with States, local governments, and appropriate Federal agencies (e. g., USGS) and such maps will be made available to the appropriate State and local governments to inform the public about the risks of natural hazards.
25. **Interagency Coordination on Acid Precipitation (42 U.S.C. §8901 *et seq.*):** The Clean Air Amendments of 1990 (Pub. L. No. 101-549) called for continuation of the National Acid Precipitation Assessment Program (NAPAP) that was established under the Acid Precipitation Act of 1980. The Secretary of the Interior is a member of the task force that directs the NAPAP. The USGS is an active participant in the research program and coordinates interagency monitoring of precipitation chemistry. The USGS National Coal Resources Data System is the official data base on coal quality that the EPA, utilities, and coal mining companies use to estimate the amount of air pollution derived from coal combustion.
26. **CERCLA Contamination Investigations (42 U.S.C. §9601 *et seq.*):** The Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA) establishes a superfund to pay in part for the massive cleanup

programs needed at sites that are heavily contaminated with toxic wastes. The USGS is called upon by EPA and State agencies to investigate and determine the extent of contamination and remedial measures at some of these sites.

27. **Water Resources Research Grants (42 U.S.C. §10301):** The Water Resources Research Act of 1984, as amended, provides for water resources research, information transfer, and student training that will assist the Nation and the States in augmenting their science and technology to discover practical solutions to water shortage and quality deterioration problems. This Act authorizes the Secretary to make grants to water resources research and technology institutes at colleges or universities designated by States.
28. **Cooperative Geologic Mapping Program (43 U.S.C. §31c, Pub. L. No. 102-285):** The National Geologic Mapping Act establishes in the USGS a national cooperative geologic mapping program.
29. **Cooperative Activities for Continental Scientific Drilling (43 U.S.C. §31):** Section 4 of the Continental Scientific Drilling and Exploration Act of 1988 requires that "The Secretary of the Department of Energy, the Secretary of the Department of the Interior through the United States Geological Survey, and the Director of the National Science Foundation assure an effective, cooperative effort in furtherance of the Continental Scientific Drilling Program of the United States."
30. **Exchange of Dam Safety Information (43 U.S.C. §506 *et seq.*):** The Reclamation Safety of Dams Act of 1978 requires the Geological Survey to participate in direct interchange of science information with other agencies.
31. **Hydrological Data Collection for Interstate Water Compacts (Pub. L. No. 81-82 and Pub. L. No. 82-231):** Congress has granted its consent to many interstate water compacts. For such compacts, the Geological Survey provides administrative support for the Federal representative, usually appointed by the President. Also, the Geological Survey collects hydrological data for 25 interstate compacts.
- 32-33. **Gift Authority (43 U.S.C. §§36a, 36b, and 36c):** The Department of the Interior Appropriation Act for FY 1987 created authority for USGS regarding the acceptance of contributions from public and private sources, and cooperation with other agencies in prosecution of projects. Section 36c provides "In fiscal year 1987 and thereafter the United States Geological Survey is authorized to accept lands, buildings, equipment, and other contributions from public and private sources and to prosecute projects in cooperation with other agencies, Federal State, or private." Gift authority is also provided for scientific or technical books, manuscripts, maps and related materials for inclusion in the USGS library (§36a), and for lands and interests in lands for stream gaging stations and observation well sites (§36b).
34. **Authority to Vest Title in Tangible Personal Property for Research (31 U.S.C. § 6306):** This Act authorizes federal agencies to vest title to personal property acquired with funds provided under contracts, grant agreements, and cooperative agreements in a nonprofit institution of higher education or in

a nonprofit organization whose primary purpose is conducting scientific research.

35. **Funding of Research Agreements (43 U.S.C. § 1471f):** This title may be used to fund incrementally research work orders for cooperative agreements with colleges and universities, State agencies, and nonprofit organizations that overlap fiscal years provided that such cooperative agreements shall contain a statement that "the obligation of funds for future incremental payments shall be subject to the availability of funds."
36. **Acceptance of Contributions to Prosecute Cooperative Projects (43 U.S.C. §1473a, Pub. L. No. 102-154):** This law provides authority for the Secretary to accept land, buildings, equipment and other contributions and fees, and to use them to prosecute projects in cooperation with other Federal, State, or private agencies.
37. **Payment of Costs Incidental to Services Contributed by Volunteers (43 U.S.C. §1473c):** This law provides authority for the Secretary to pay costs incidental to the utilization of services contributed by individual volunteers in aid of Departmental work.
38. **Payment of Costs Incidental to Services Contributed by Volunteers (43 U.S.C. §50c):** Appropriations made after December 22, 1987, shall be made available for paying costs incidental to the utilization of services contributed by individuals who serve without compensation as volunteers to aid in the work of USGS. USGS may authorize either direct procurement of or reimbursement of the expenses incidental to the effective use of the volunteers such as, but not limited to, training, transportation, lodging, subsistence, equipment and supplies. However, the provision for services or expenses must be in accord with volunteer or cooperative agreements made with such individuals, private organizations, educational institutions, or State or local government.
39. **Services of Students or Recent Graduates (43 U.S.C. §50d, Pub. L. No. 106-113):** Under the Department of the Interior and Related Agencies Appropriations Act for FY 2000, the USGS may contract directly with individuals or indirectly with institutions or nonprofit organizations for the temporary or intermittent services of students or recent graduates who shall be considered "Federal employees" for purposes specified under the laws relating to compensation for travel, work injuries, and tort claims, but not considered "Federal employees" for other purposes.
40. **Promotional Authority (43 U.S.C. §§ 42, 44, 45):** The USGS has the authority to promote the sale of maps, atlases, data, and photographs.
41. **Great Lakes Shoreline Mapping (33 U.S.C. §883a):** The Great Lakes Shoreline Mapping Act of 1987 in Section 3202(a) requires that the Director of the National Oceanic and Atmospheric Administration "... in consultation with the Director of the United States Geological Survey, shall submit to the Congress a plan for preparing maps of the shoreline of the Great Lakes under section 3203." The act further requires in Section 3203 that "... subject to authorization and appropriation of funds, the Director, in consultation with the

Director of the United States Geological Survey, shall prepare maps of the shoreline areas of the Great Lakes."