

“(3) the National Park Service, the Bureau of Land Management, and the United States Fish and Wildlife Service are currently under congressional mandates to maintain sufficient visitor and recreational services in our national parks, campgrounds, and wildlife refuges;

“(4) the Congress has authorized the National Park Service, the Bureau of Land Management, and the United States Fish and Wildlife Service to contract for the provision of certain facilities, accommodations, and services by non-Federal entities, but with certain limitations that reflect the values and appropriate management policies of the various conservation areas, parks, wildlife refuges, and other public lands;

“(5) expansion of the contracting authority of the managers of these conservation areas, parks, wildlife refuges, and lands should be considered only after careful study of the existing management mandates and contracting authorities; and

“(6) management and regulation of natural resources on Federal lands are inherently Government functions and should be performed by Federal employees.

“(b)(1)(A) The provisions of Office of Management and Budget Circular A-76 and any similar provisions in any other order or directive shall not apply to activities conducted by the National Park Service, United States Fish and Wildlife Service, and the Bureau of Land Management which involve ten full time equivalents (FTE) or less.

“(B) For fiscal years 1985 through and including 1988, no contracts, for activities conducted by the National Park Service, United States Fish and Wildlife Service, or the Bureau of Land Management which have been subject to the provisions of Office of Management and Budget Circular A-76 or any similar provision in any other order or directive, shall be entered into by the United States until funds have been specifically provided therefore by an Act of Congress.

“(2) Nothing in this section shall prevent the National Park Service, United States Fish and Wildlife Service, and the Bureau of Land Management from entering into contracts for services and materials under provisions of law and rules, regulations, orders, and policies other than the circular referred to in paragraph (1) or any similar order or directive.”

#### § 1457b. Use of cooperative agreements

For fiscal year 2010, and each fiscal year thereafter, the Secretary of the Interior may enter into cooperative agreements with a State or political subdivision (including any agency thereof), or any not-for-profit organization if the agreement will: (1) serve a mutual interest of the parties to the agreement in carrying out the programs administered by the Department of the Interior; and (2) all parties will contribute resources to the accomplishment of these objectives. At the discretion of the Secretary, such agreements shall not be subject to a competitive process.

(Pub. L. 111-88, div. A, title I, §112, Oct. 30, 2009, 123 Stat. 2928.)

#### CODIFICATION

Section is from the Department of the Interior, Environment, and Related Agencies Appropriations Act, 2010.

#### § 1458. Secretary to exercise certain powers over Territories

The Secretary of the Interior shall exercise all the powers and perform all the duties in relation to the Territories of the United States that

were, prior to March 1, 1873, by law or by custom exercised and performed by the Secretary of State.

(R.S. § 442.)

#### CODIFICATION

R.S. § 442 derived from act Mar. 1, 1873, ch. 217, 17 Stat. 484.

Section was formerly classified to section 486 of Title 5 prior to the general revision and enactment of Title 5, Government Organization and Employees, by Pub. L. 89-554, §1, Sept. 6, 1966, 80 Stat. 378.

#### TRANSFER OF FUNCTIONS

For transfer of functions of other officers, employees, and agencies of Department of the Interior, with certain exceptions, to Secretary of the Interior, with power to delegate, see Reorg. Plan No. 3 of 1950, §§1, 2, eff. May 24, 1950, 15 F.R. 3174, 64 Stat. 1262, set out under section 1451 of this title.

#### EX. ORD. NO. 10967. ADMINISTRATION OF PALMYRA ISLAND

Ex. Ord. No. 10967, eff. Oct. 10, 1961, 26 F.R. 9667, provided:

By virtue of the authority vested in me by section 48 of the Hawaii Omnibus Act (approved July 12, 1960; 74 Stat. 424; P.L. 86-624) [set out as a note preceding section 491 of Title 48, Territories and Insular Possessions] and section 301 of title 3 of the United States Code, and as President of the United States, it is hereby ordered as follows:

SECTION 1. The Secretary of the Interior shall be responsible for the civil administration of Palmyra Island and all executive and legislative authority necessary for that administration, and all judicial authority respecting Palmyra Island other than the authority contained in the Act of June 15, 1950 (64 Stat. 217), as amended (48 U.S.C. 644a), shall be vested in the Secretary of the Interior.

SEC. 2. The executive, legislative, and judicial authority provided for in section 1 of this order (1) may be exercised through such agency or agencies of the Department of the Interior, or through such officers or employees under the jurisdiction of the Secretary of the Interior, as the Secretary may direct or authorize, (2) may be exercised through such agency or agencies, other than or not in the Department of the Interior, or through such officers or employees of the United States not under the administrative supervision of the Secretary, for such time and under such conditions as may be agreed upon between the Secretary and such agency, agencies, officers or employees of the United States, and (3) shall be exercised in such manner as the Secretary, or any person or persons acting under the authority of the Secretary, may direct or authorize.

SEC. 3. The Secretary of the Interior may confer upon the United States District Court for the District of Hawaii such jurisdiction, in addition to that contained in the Act of June 15, 1950 [48 U.S.C. 644a], and such judicial functions and duties, as he may deem appropriate for the civil administration of Palmyra Island.

SEC. 4. The foregoing provisions of this order shall continue in force until the Congress shall provide for the civil administration of Palmyra Island or until such earlier time as the President may specify.

SEC. 5. As used herein, the term “Palmyra Island” means the place of that name, consisting of a group of islets located in the Pacific Ocean approximately at Latitude 5°52’ North and Longitude 162°06’ West, and includes the territorial waters of that place and includes also the reefs surrounding that place or any part thereof.

SEC. 6. To the extent that any prior Executive order or proclamation is inconsistent with the provisions of this order, this order shall control.

SEC. 7. Nothing in this order shall be deemed to reduce, limit, or otherwise modify the authority or responsibility of the Attorney General to represent the

legal interests of the United States in civil or criminal cases arising under the provisions of the Act of June 15, 1950 [48 U.S.C. 644a], or under the provisions of section 3 of this order.

JOHN F. KENNEDY.

#### § 1459. Expenditures of department

The Secretary of the Interior shall sign all requisitions for the advance or payment of money, out of the Treasury, upon estimates or accounts for expenditures upon business assigned by law to his department; subject, however, to adjustment and control by the Government Accountability Office.

(R.S. § 444; June 10, 1921, ch. 18, title III, § 304, 42 Stat. 24; Pub. L. 108-271, § 8(b), July 7, 2004, 118 Stat. 814.)

##### CODIFICATION

R.S. § 444 derived from act Mar. 3, 1849, ch. 108, § 2, 9 Stat. 395.

Section was formerly classified to section 487 of Title 5 prior to the general revision and enactment of Title 5, Government Organization and Employees, by Pub. L. 89-554, § 1, Sept. 6, 1966, 80 Stat. 378.

##### TRANSFER OF FUNCTIONS

For transfer of functions of other officers, employees, and agencies of Department of the Interior, with certain exceptions, to Secretary of the Interior, with power to delegate, see Reorg. Plan No. 3 of 1950, §§ 1, 2, eff. May 24, 1950, 15 F.R. 3174, 64 Stat. 1262, set out under section 1451 of this title.

“Government Accountability Office” substituted in text for “General Accounting Office” pursuant to section 8(b) of Pub. L. 108-271, set out as a note under section 702 of Title 31, Money and Finance, which redesignated the General Accounting Office and any references thereto as the Government Accountability Office. Previously, “General Accounting Office” substituted in text for “proper accounting officers of Department of the Treasury” pursuant to act June 10, 1921, which transferred all powers and duties of Comptroller, six auditors, and certain other employees of the Treasury to General Accounting Office. See section 701 et seq. of Title 31.

#### § 1460. Copies of records, documents, etc.; charges; disposition of receipts

The Secretary of the Interior, or any of the officers of that Department may, when not prejudicial to the interests of the Government, furnish authenticated or unauthenticated copies of any official books, records, papers, documents, maps, plats, or diagrams within his custody and may charge therefore a sum equal to the cost of production thereof, plus the cost of administrative services involved in handling the records for such purpose, as these costs may be determined by the Secretary of the Interior or such subordinate officials or employees as he may designate, and in addition the sum of 25 cents for each certificate of verification and the seal attached to authenticated copies. There shall be no charge for the making or verification of copies required for official use by the officers of any branch of the Government. Only a charge of 25 cents shall be made for furnishing authenticated copies of any rules, regulations, or instructions printed by the government for gratuitous distribution. The money received for copies under this section shall be deposited in the Treasury to the credit of the appropriations then current and charge-

able for the cost of furnishing copies as herein authorized.

(Aug. 24, 1912, ch. 370, § 1, 37 Stat. 497; July 30, 1947, ch. 354, § 1, 61 Stat. 521; Aug. 3, 1950, ch. 526, 64 Stat. 402.)

##### CODIFICATION

Section was formerly classified to section 488 of Title 5 prior to the general revision and enactment of Title 5, Government Organization and Employees, by Pub. L. 89-554, § 1, Sept. 6, 1966, 80 Stat. 378.

##### AMENDMENTS

1950—Act Aug. 3, 1950, included within the price of copies of records furnished by the Department the cost of the administrative expenses involved as well as the cost of production.

1947—Act July 30, 1947, omitted specific charges for copies of books, records, etc., inserted provision that charge for copies would amount to cost of production as determined by the Secretary of the Interior or his designee, and inserted provision relating to deposit of receipts.

##### TRANSFER OF FUNCTIONS

For transfer of functions of other officers, employees, and agencies of Department of the Interior, with certain exceptions, to Secretary of the Interior, with power to delegate, see Reorg. Plan No. 3 of 1950, §§ 1, 2, eff. May 24, 1950, 15 F.R. 3174, 64 Stat. 1262, set out under section 1451 of this title.

#### § 1461. Rules and regulations governing inspection and copying

Nothing in sections 1460 to 1463 of this title shall be construed to limit or restrict in any manner the authority of the Secretary of the Interior to prescribe such rules and regulations as he may deem proper governing the inspection of the records of said department and its various bureaus by the general public, and any person having any particular interest in any of such records may be permitted to take copies of such records under such rules and regulations as may be prescribed by the Secretary of the Interior.

(Aug. 24, 1912, ch. 370, § 2, 37 Stat. 498.)

##### CODIFICATION

Section was formerly classified to section 489 of Title 5 prior to the general revision and enactment of Title 5, Government Organization and Employees, by Pub. L. 89-554, § 1, Sept. 6, 1966, 80 Stat. 378.

##### TRANSFER OF FUNCTIONS

For transfer of functions of other officers, employees, and agencies of Department of the Interior, with certain exceptions, to Secretary of the Interior, with power to delegate, see Reorg. Plan No. 3 of 1950, §§ 1, 2, eff. May 24, 1950, 15 F.R. 3174, 64 Stat. 1262, set out under section 1451 of this title.

#### § 1462. Attestation of copies by official seal

All officers who furnish authenticated copies under section 1460 of this title shall attest their authentication by the use of an official seal, which is authorized for that purpose.

(Aug. 24, 1912, ch. 370, § 4, 37 Stat. 498.)

##### CODIFICATION

Section was formerly classified to section 491 of Title 5 prior to the general revision and enactment of Title 5, Government Organization and Employees, by Pub. L. 89-554, § 1, Sept. 6, 1966, 80 Stat. 378.