

## SUBCHAPTER I—PURCHASE OF SUPPLIES

**§§ 91, 92. Omitted**

## CODIFICATION

Section 91, R.S. §2083, related to purchase of goods pursuant to any Indian treaty.

Section 92, R.S. §2084, related to purchase of goods by Office of Indian Affairs.

## PROCUREMENT FUNCTIONS

Effective Jan. 1, 1947, Procurement Division of Department of the Treasury changed to Bureau of Federal Supply by regulation issued by Secretary of the Treasury under authority of section 301 of Title 5, Government Organization and Employees. Functions of Bureau of Federal Supply transferred to Administrator of General Services by section 102 of act June 30, 1949, ch. 288, title I, 63 Stat. 380, which was repealed and reenacted as section 303(a) of Title 40, Public Buildings, Property, and Works, by Pub. L. 107-217, §§1, 6(b), Aug. 21, 2002, 116 Stat. 1062, 1304. Section 303(a) of Title 40 was amended generally by Pub. L. 109-313, §2(a)(1), Oct. 6, 2006, 120 Stat. 1734, and, as so amended, no longer relates to the Bureau of Federal Supply. See Historical and Revision Notes and 2006 Amendment note under section 303 of Title 40.

Function of determination of policies and methods of procurement, warehousing, and distribution of property, facilities, structures, improvements, machinery, equipment, stores, and supplies exercised by any agency transferred to a Procurement Division in Department of the Treasury by Ex. Ord. No. 6166, June 10, 1933, set out as a note under section 901 of Title 5.

**§ 93. Repealed. Oct. 10, 1940, ch. 851, § 4, 54 Stat. 1112**

Section, acts June 25, 1910, ch. 431, §23, 36 Stat. 861; May 18, 1916, ch. 125, §1, 39 Stat. 126; Jan. 12, 1927, ch. 27, 44 Stat. 936, related to purchase of Indian supplies and services.

**§ 94. Repealed. Dec. 16, 1930, ch. 14, § 1, 46 Stat. 1028**

Section, act Apr. 30, 1908, ch. 153, 35 Stat. 71, related to purchase of supplies, advertisement therefor, and supplies for irrigation works.

**§ 95. Repealed. Mar. 27, 1939, ch. 18, 53 Stat. 551**

Section, acts June 22, 1874, ch. 389, §6, 18 Stat. 176; Mar. 3, 1875, ch. 132, §9, 18 Stat. 450; May 18, 1916, ch. 125, §1, 39 Stat. 129, referred to bids under advertisements for goods or supplies.

**§ 96. Repealed. Pub. L. 104-316, title I, § 112(a), Oct. 19, 1996, 110 Stat. 3833**

Section, acts Mar. 3, 1875, ch. 132, §7, 18 Stat. 450; July 31, 1894, ch. 174, §§3, 7, 28 Stat. 205, 206; June 10, 1921, ch. 18, title III, §304, 42 Stat. 24, directed that copies of contracts made by Commissioner of Indian Affairs, or any other officer of Government for the Indian Service, be furnished to General Accounting Office prior to payment.

**§ 97. Proposals or bids for contracts to be preserved**

In all lettings of contracts in connection with the Indian Service, the proposals or bids received shall be filed and preserved..<sup>1</sup>

(Aug. 15, 1876, ch. 289, §3, 19 Stat. 199; June 21, 1906, ch. 3504, 34 Stat. 328; Pub. L. 104-316, title I, § 112(b), Oct. 19, 1996, 110 Stat. 3833.)

<sup>1</sup> So in original.

## AMENDMENTS

1996—Pub. L. 104-316 substituted a period for “; and an abstract of all bids or proposals received for the supplies or services embraced in any contract shall be attached to, and filed with, the said contract when the same is filed in the office of the Second Comptroller of the Treasury”.

## 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 in the Appendix to Title 5, Government Organization and Employees.

Effective Jan. 1, 1947, Procurement Division of Department of the Treasury changed to Bureau of Federal Supply by regulation issued by Secretary of the Treasury under authority of section 301 of Title 5. Functions of Bureau of Federal Supply transferred to Administrator of General Services by section 102 of act June 30, 1949, ch. 288, title I, 63 Stat. 380, which was repealed and reenacted as section 303(a) of Title 40, Public Buildings, Property, and Works, by Pub. L. 107-217, §§1, 6(b), Aug. 21, 2002, 116 Stat. 1062, 1304. Section 303(a) of Title 40 was amended generally by Pub. L. 109-313, §2(a)(1), Oct. 6, 2006, 120 Stat. 1734, and, as so amended, no longer relates to the Bureau of Federal Supply. See Historical and Revision Notes and 2006 Amendment note under section 303 of Title 40.

Function of determination of policies and methods of procurement, warehousing, and distribution of property, facilities, structures, improvements, machinery, equipment, stores, and supplies exercised by any agency transferred to a Procurement Division in Department of the Treasury by Ex. Ord. No. 6166, June 10, 1933, set out as a note under section 901 of Title 5, Government Organization and Employees.

**§ 98. Purchase of supplies without authority**

No claims for supplies for Indians, purchased without authority of law, shall be paid out of any appropriation for expenses of the Office of Indian Affairs, or for Indians.

(R.S. §2085.)

## CODIFICATION

R.S. §2085 derived from act July 15, 1870, ch. 296, §2, 16 Stat. 360.

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**§ 99. Contracts for supplies in advance of appropriations**

The Commissioner of Indian Affairs is authorized to advertise in the spring of each year for bids, and enter into contracts, subject to the approval of the Secretary of the Interior, for goods and supplies for the Indian Service required for the ensuing fiscal year, notwithstanding the fact that the appropriations for such fiscal year have not been made, and the contracts so made shall be on the basis of the appropriations for the preceding fiscal year, and shall contain a clause that no deliveries shall be made under the same and no liability attach to the United States in consequence of such execution if Con-

gress fails to make an appropriation for such contract for the fiscal year for which those supplies are required.

(Aug. 15, 1894, ch. 290, § 4, 28 Stat. 312.)

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#### § 100. Repealed. Oct. 31, 1951, ch. 654, § 1(48), 65 Stat. 703

Section, acts Mar. 3, 1877, ch. 101, § 1, 19 Stat. 291; July 7, 1898, ch. 571, § 1, 30 Stat. 676, related to transportation of Indian goods and supplies under contract or in open market.

#### § 101. Payment for wagon transportation

All wagon transportation from the point where delivery is made by the last common carrier to the agency, school, or elsewhere, and between points on the reservation or elsewhere, shall be paid from the funds appropriated or otherwise available for the support of the school, agency, or other project for which the supplies to be transported are purchased.

(June 30, 1913, ch. 4, § 1, 38 Stat. 79.)

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equipment, stores, and supplies exercised by any agency transferred to a Procurement Division in Department of the Treasury by Ex. Ord. No. 6166, June 10, 1933, set out as a note under section 901 of Title 5, Government Organization and Employees.

#### § 102. Payment of costs for furnishing coal for Indian Service

The cost of inspection, storage, transportation, and so forth, of coal for the Indian Service shall be paid from the support fund of the school or agency for which the coal is purchased.

(Feb. 14, 1920, ch. 75, § 1, 41 Stat. 412.)

#### TRANSFER OF FUNCTIONS

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Functions of Archivist transferred to Administrator of General Services by section 104(a) of act June 30, 1949, ch. 288, title I, 63 Stat. 381. See text of, and Historical and Revision Notes under, section 2102 of Title 44, Public Printing and Documents. Transfer of functions effective July 1, 1949, see section 605, formerly § 505, of act June 30, 1949, ch. 288, 63 Stat. 403; renumbered Sept. 5, 1950, ch. 849, § 6(a), (b), 64 Stat. 583.

#### § 103. Repealed. Dec. 16, 1930, ch. 14, § 1, 46 Stat. 1028

Section, act Apr. 30, 1908, ch. 153, 35 Stat. 73, related to maintenance of warehouses for goods of the Indian Service.

#### § 104. Purchase of articles manufactured at schools

The Secretary of the Interior is authorized, whenever it can be done advantageously, to purchase for use in the Indian Service, from Indian manual and training schools, in the manner customary among individuals such articles as may be manufactured at such schools, and which are used in the Indian Service. Accounts of such transactions shall be kept in the Indian Bureau and in the training schools, and reports thereof made from time to time.

(May 11, 1880, ch. 85, § 1, 21 Stat. 131.)

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