

**§ 32. Omitted****Editorial Notes**

## CODIFICATION

Section, act July 1, 1898, ch. 545, §1, 30 Stat. 595, required Indian agents to account for funds received and to be responsible for such funds under their official bonds. The services of Indian agents have been dispensed with since 1908. See section 64 of this title and note set out thereunder.

**§ 33. Superintendents in charge of reservations; administration of oath of office**

Superintendents and acting superintendents in charge of Indian reservations, schools, irrigation and allotment projects are authorized and empowered to administer the oath of office required of employees placed under their jurisdiction.

(June 30, 1913, ch. 4, §1, 38 Stat. 80.)

**Editorial Notes**

## CODIFICATION

Section is from the Indian Appropriation Act, 1914.

**Executive Documents**

## 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.

**§§ 34, 35. Repealed. Pub. L. 89-554, § 8(a), Sept. 6, 1966, 80 Stat. 632, 642, 650**

Section 34, acts Aug. 24, 1912, ch. 355, §8, 37 Stat. 487; June 6, 1939, ch. 185, 53 Stat. 810, authorized the superintendent, acting superintendent, and principal clerks of the different Indian superintendencies or Indian agencies to administer oaths to expense accounts.

Section 35, R.S. §2064, authorized Indian Agents to take acknowledgements of deeds and to administer oaths.

**§ 36. Special agents and other officers to administer oaths**

Each special agent, supervisor of schools, or other official charged with the investigation of Indian agencies and schools, in the pursuit of his official duties shall have power to administer oaths and to examine on oath all officers and persons employed in the Indian Service, and all such other persons as may be deemed necessary and proper.

(Mar. 1, 1899, ch. 324, §1, 30 Stat. 927.)

**Statutory Notes and Related Subsidiaries**

## INDIAN AGENTS

The services of Indian agents have been dispensed with. See note set out under section 64 of this title.

**Executive Documents**

## TRANSFER OF FUNCTIONS

For transfer of functions of other officers, employees, and agencies of Department of the Interior, with cer-

tain 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.

**§ 37. Repealed. Pub. L. 89-554, § 8(a), Sept. 6, 1966, 80 Stat. 633, 641**

Section, acts Mar. 3, 1875, ch. 132, §10, 18 Stat. 450; Mar. 3, 1909, ch. 263, 35 Stat. 784, related to keeping of books by Indian agents and penalties for the falsification thereof.

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 Repealed.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

Section, R.S. §2061, related to visits to Washington, D.C., by agents in California.

**§ 39. Repealed. Pub. L. 89-554, § 8(a), Sept. 6, 1966, 80 Stat. 632**

Section, R.S. §2063, related to compensation for extra services rendered by Indian Agents.

**§ 40. Limits of superintendencies, agencies, and subagencies**

The limits of each superintendency, agency, and subagency shall be established by the Secretary of the Interior, either by tribes or geographical boundaries.

(R.S. §2066.)

**Editorial Notes**

## CODIFICATION

R.S. §2066 derived from acts June 30, 1834, ch. 162, §7, 4 Stat. 736; Mar. 3, 1847, ch. 66, §1, 9 Stat. 203.

**Executive Documents**

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**§ 41. Special agents and commissioners**

All special agents and commissioners not appointed by the President shall be appointed by the Secretary of the Interior.

(R.S. §2067.)

**Editorial Notes**

## CODIFICATION

R.S. §2067 derived from act Mar. 3, 1863, ch. 99, §1, 12 Stat. 792.

**Statutory Notes and Related Subsidiaries**

## INDIAN AGENTS

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**Executive Documents**

## TRANSFER OF FUNCTIONS

For transfer of functions of other officers, employees, and agencies of Department of the Interior, with cer-

tain 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.

#### § 41a. Indian inspectors

Indian inspectors shall on and after March 4, 1909 be termed inspectors, and shall be included in the classified service.

(Mar. 4, 1909, ch. 297, §1, 35 Stat. 888.)

#### Executive Documents

##### TRANSFER OF FUNCTIONS

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#### § 42. Repealed. Pub. L. 89-554, § 8(a), Sept. 6, 1966, 80 Stat. 632

Section, R.S. §2068, provided for interpreters for Indian agencies under Department of the Interior.

#### § 43. Persons paid for other services not paid for interpreting

No person employed by the United States and paid for any other service shall be paid for interpreting.

(Apr. 4, 1910, ch. 140, §2, 36 Stat. 272.)

#### § 44. Employment of Indians

In the Indian Service Indians shall be employed as herders, teamsters, and laborers, and where practicable in all other employments in connection with the agencies and the Indian Service. And it shall be the duty of the Secretary of the Interior and the Commissioner of Indian Affairs to enforce this provision.

(Aug. 15, 1894, ch. 290, §10, 28 Stat. 313.)

#### Executive Documents

##### TRANSFER OF FUNCTIONS

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#### § 45. Preference to Indians qualified for duties

In all cases of the appointments of interpreters or other persons employed for the benefit of the Indians, a preference shall be given to persons of Indian descent, if such can be found, who are properly qualified for the execution of the duties.

(R.S. §2069.)

#### Editorial Notes

##### CODIFICATION

R.S. §2069 derived from act June 30, 1834, ch. 162, §9, 4 Stat. 737.

#### Executive Documents

##### TRANSFER OF FUNCTIONS

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#### § 46. Preference to Indians in employment of clerical, mechanical, and other help

Preference shall at all times, as far as practicable, be given to Indians in the employment of clerical, mechanical, and other help on reservations and about agencies.

(May 17, 1882, ch. 163, §6, 22 Stat. 88; July 4, 1884, ch. 180, §6, 23 Stat. 97.)

#### Executive Documents

##### TRANSFER OF FUNCTIONS

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#### § 47. Employment of Indian labor and purchase of products of Indian industry; participation in Mentor-Protege Program

##### (a) Definitions

In this section:

##### (1) Indian economic enterprise

The term “Indian economic enterprise” has the meaning given the term in section 1480.201 of title 48, Code of Federal Regulations (or successor regulations).

##### (2) Mentor firm; protege firm

The terms “mentor firm” and “protege firm” have the meanings given those terms in section 831(c) of the National Defense Authorization Act for Fiscal Year 1991 (10 U.S.C. 2302 note; Public Law 101-510).

##### (3) Secretaries

The term “Secretaries” means—

- (A) the Secretary of the Interior; and
- (B) the Secretary of Health and Human Services.

##### (b) Enterprise Development

##### (1) In general

Unless determined by one of the Secretaries to be impracticable and unreasonable—

- (A) Indian labor shall be employed; and
- (B) purchases of Indian industry products (including printing and facilities construction, notwithstanding any other provision of law) may be made in open market by the Secretaries.

##### (2) Mentor-protege program

##### (A) In general

Participation in the Mentor-Protege Program established under section 831(a) of the National Defense Authorization Act for Fis-