Economy Act of 1932

appropriation charged under subsection (a) of this section shall be appropriately credited.

(Pub.L. 97-258, Sept. 13, 1982, 96 Stat. 933.)

Historical and Revision Notes

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
1534(a)	31:628a (1st sentence)	June 29, 1966, Pub.L. 89-473, § 1, 80 Stat. 221.
1534(b)	31:628a (last sentence)	

Explanatory Notes

In subsection (a), the words "Subject to limitations applicable with respect to each appropriation concerned" are omitted as surplus. The words "or any bureau or office thereof" are omitted as being included in "agency". The words "to pay costs" are substituted for "for the purpose of financing the procurement of materials and services, or financing other costs" to eliminate unnecessary words.

In subsection (b), the words "amounts paid under this section" are substituted for "such expenses so financed", and the words "appropriations charged under subsection (a) of this section" are substituted for "financing appropriation", for clarity.

Library References

United States ⟹85.

C.J.S. United States § 123.

§ 1535. Agency agreements

(a) The head of an agency or major organizational unit within an agency may place an order with a major organizational unit within the same agency or another agency for goods or services if—

(1) amounts are available;

(2) the head of the ordering agency or unit decides the order is in the best interest of the United States Government;

(3) the agency or unit to fill the order is able to provide the ordered goods or services; and

(4) the head of the agency decides ordered goods or services cannot be provided as conveniently or cheaply by a commercial enterprise.

(b) Notwithstanding subsection (a)(3) of this section, the Secretary of Defense, the Secretary of a military department of the Department of Defense, the Secretary of Transportation in carrying out duties and powers related to aviation and the Coast Guard, the Secretary of the Treasury, the Administrator of General Services, and the Administrator of the Maritime Administration may place orders under this section for goods and services that an agency or unit filling the order may be able to provide or procure by contract.

(c) Payment shall be made promptly by check on the written request of the agency or unit filling the order. Payment may be in advance or on providing the goods or services ordered and shall be for any part of the estimated or actual cost as determined by the agency or unit filling the order. A bill submitted or a request for payment is not subject to audit or certification in advance of payment. Proper adjustment of amounts paid in advance shall be made as agreed to by the heads of the agencies or units on the basis of the actual cost of goods or services provided.

(d) An order placed or agreement made under this section obligates an appropriation of the ordering agency or unit. The amount obligated is deobligated to the extent that the agency or unit filling the order has not incurred obligations, before the end of the period of availability of the appropriation, in—

(1) providing goods or services; or

(2) making an authorized contract with another person to provide the requested goods or services.

(e) This section does not—

(1) authorize orders to be placed for goods or services to be provided by convict labor; or

(2) affect other laws about working funds.

(Pub.L. 97-258, Sept. 13, 1982, 96 Stat. 933.)

Amendment of Predecessor Provisions After April 15, 1982, As Superseding This Section

Section 4(a) of Pub.L. 97-258 provided in part that: "Laws enacted after April 15, 1982, that are inconsistent with this Act [which revised, codified, and enacted this title into positive law] supersede this Act to the extent of the inconsistency."

Pub.L. 97-332, Oct. 15, 1982, 96 Stat. 1622, amended the predecessor provision of this section [section 7(a) of Act May 21, 1920, c. 194, 41 Stat. 613] by substituting language authorizing the placing of orders for goods and services from agencies "in a position or equipped to supply, render, or obtain [those goods or services] by contract" for former provisions authorizing the placing of orders for goods and services only from agencies "in a position to supply or equipped to render [the goods and services]", struck out provisions authorizing the Secretary of Defense, the Secretary of a military department of the Department of Defense, the Secretary of Transportation in carrying out duties and powers related to aviation and the Coast Guard, the Secretary of the Treasury, the Administrator of General Services, and the Administrator of the Maritime Administration to place orders under this section for goods and services that an agency or unit filling the order may be able to provide or procure by contract, substituted provisions authorizing the letting of work by contract if the work or services could be as conveniently or more cheaply performed by private agencies for provisions formerly requiring that such work be let by competitive bids, and added provision that any condition or limitation applicable to the procurement funds