

REFERENCES IN TEXT

The effective date of this amendment, referred to in text, probably means the date of enactment of act Aug. 10, 1939, which was approved Aug. 10, 1939.

CODIFICATION

"Section 3129 of title 31" substituted in text for "the indefinite appropriation 'Expenses of loans, Act of September 24, 1917, as amended and extended' (U.S.C., 1934 edition, title 31, secs. 760, 761)" on authority of Pub. L. 97-258, § 4(b), Sept. 13, 1982, 96 Stat. 1067, the first section of which enacted Title 31, Money and Finance.

Section was formerly classified to section 134b 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

1970—Pub. L. 91-375 substituted "insofar as such loss, destruction, or damage relates to property of the United States Postal Service chargeable to its officers or employees" for "insofar as such loss destruction, or damage may be adjusted by the Postmaster General under the provisions of the Act of March 17, 1882, as amended" in third proviso.

1939—Act Aug. 10, 1939, amended generally proviso dealing with securities trust fund established under authority of sections 760 and 761 of title 31.

EFFECTIVE DATE OF 1970 AMENDMENT

Amendment by Pub. L. 91-375 effective within 1 year after Aug. 12, 1970, on date established therefor by the Board of Governors of the United States Postal Service and published by it in the Federal Register, see section 15(a) of Pub. L. 91-375, set out as an Effective Date note preceding section 101 of Title 39, Postal Service.

TRANSFER OF FUNCTIONS

Section 1(a) of Reorg. Plan No. III of 1940 established Bureau of Public Debt in Fiscal Service of Treasury Department, and consolidated into such agency the Public Debt Service. See section 306 of Title 31, Money and Finance.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 722 of this title; title 31 section 3126.

§ 724. Government evidences of indebtedness held by United States Postal Service while agent for Treasury Department

All losses or destruction of, or damage to, internal revenue or other stamps, United States securities, or other obligations of the United States, and funds, occurring heretofore or hereafter, but not prior to February 4, 1935, while such stamps, securities, obligations, or funds were in the custody or possession of, or charged to, the United States Postal Service while it was acting as agent for, or on behalf of, the Treasury Department for the sale of such stamps, securities, or obligations and for the collection of such funds, irrespective of the manner in which such loss, destruction, or damage occurred, shall be replaced out of the fund under such regulations as the Secretary of the Treasury may prescribe.

(July 8, 1937, ch. 444, § 3a, as added Aug. 10, 1939, ch. 665, § 2, 53 Stat. 1358; amended Pub. L. 91-375, §§ 4(a), 6(m)(5), (o), Aug. 12, 1970, 84 Stat. 773, 783.)

CODIFICATION

Section was formerly classified to section 134b-1 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

1970—Pub. L. 91-375 struck out proviso requiring joint determination by Postmaster General and Secretary of the Treasury that loss or destruction of or damages to government evidences of indebtedness in custody or possession of any postmaster, Navy mail clerk, or assistant Navy mail clerk resulted from no fault or negligence on part of such employee to relieve him of liability to the United States or to authorize receipt of credit in his accounts.

CHANGE OF NAME

"United States Postal Service" substituted in text for "Post Office Department or Postal Service" pursuant to Pub. L. 91-375 which abolished Post Office Department, transferred its functions to United States Postal Service, and provided that references in other laws to Post Office Department or Postal Service shall be considered a reference to United States Postal Service.

EFFECTIVE DATE OF 1970 AMENDMENT

Amendment by Pub. L. 91-375 effective within 1 year after Aug. 12, 1970, on date established therefor by the Board of Governors of the United States Postal Service and published by it in the Federal Register, see section 15(a) of Pub. L. 91-375, set out as an Effective Date note preceding section 101 of Title 39, Postal Service.

§ 725. Agreements of indemnity

The Secretary of the Treasury is hereby authorized to execute and deliver, on behalf of the United States, such binding agreements of indemnity as he may deem necessary and proper to enable the United States to obtain the replacement of any instrument or document received by the United States or any agent of the United States in his official capacity which, after having been so received, became lost, destroyed, or so mutilated as to impair its value: *Provided, however*, That no such agreement of indemnity shall operate to obligate the United States in any case in which the obligee named therein makes any payment or delivery not required by law on the original of the instrument or document covered thereby. The fund shall be available for the payment of any obligation arising out of any agreement executed by the Secretary of the Treasury under this section.

(July 8, 1937, ch. 444, § 3b, as added Aug. 10, 1939, ch. 665, § 2, 53 Stat. 1359.)

CODIFICATION

Section was formerly classified to section 134b-2 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.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 729 of this title.

§ 726. Purchase of insurance

On and after the effective date of the regulations prescribed under section 721 of this title, no executive department, independent establishment, agency, wholly owned corporation, officer, or employee shall expend any money, or incur any obligation, for insurance, or for the payment of premiums on insurance, against loss, destruction, or damage in the shipment of valuables except as specifically authorized by the Secretary of the Treasury. The Secretary of the Treasury may give such authorization if he

shall find that the risk of loss, destruction, or damage in such shipment cannot be adequately guarded against by the facilities of the United States or that the circumstances are such that adequate replacement cannot be provided under this chapter.

(July 8, 1937, ch. 444, § 4, 50 Stat. 480.)

CODIFICATION

Section was formerly classified to section 134c 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.

§ 727. Presumption of lawful conduct

Every officer and employee of the United States and every person acting on behalf of a wholly owned corporation who makes a shipment of valuables in good faith pursuant to and substantially in accordance with the regulations prescribed under section 721 of this title shall be deemed, insofar as there may be concerned the propriety with respect to such shipment of any act or omission governed by such regulations, to be acting in faithful execution of his duties of office and in full performance of the conditions of his bond and oath of office, if any.

(July 8, 1937, ch. 444, § 5, 50 Stat. 480.)

CODIFICATION

Section was formerly classified to section 134d 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.

§ 728. Rules and regulations

The Secretary of the Treasury shall have power, with the approval of the President, to make such rules and regulations as may be necessary for the execution of the functions vested in him by this chapter, and may for such purpose require persons making shipment of valuables or making claims for replacement to make such declarations or to furnish him with such other information as he may deem necessary.

(July 8, 1937, ch. 444, § 6, 50 Stat. 480.)

CODIFICATION

Section was formerly classified to section 134e 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.

DELEGATION OF FUNCTIONS

For delegation to Secretary of the Treasury of authority vested in President by this section, see section 2(a) of Ex. Ord. No. 10289, eff. Sept. 17, 1951, 16 F.R. 9409, set out as a note under section 301 of Title 3, The President.

§ 729. Definitions

For the purposes of this chapter—

(a) The term “valuables” means any articles or things or representatives of value in which the United States has any interest, or in connection with which it has any obligation or responsibility, direct or indirect, and which are declared to be valuables within the meaning of this chapter by the Secretary of the Treasury. No articles or things shall be declared to be valuables by the Secretary of the Treasury unless

he determines that replacement thereof in accordance with the procedure established herein, in the event of loss, destruction, or damage in the course of shipment, would be in the public interest. The term “United States” as used in this subsection and in section 725 of this title means the United States, its executive departments, independent establishments, and agencies, including wholly owned corporations, and officers and employees of any of the foregoing while acting in their official capacity.

(b) The term “shipment” means the transportation, or the effecting of transportation, of valuables, without limitation as to the means or facilities used or by which the transportation, is effected or the person to whom it is made, and includes, but is not limited to, shipments made to any executive department, independent establishment, agency, wholly or partly owned corporation, officer, or employee of the United States, or any person acting on his or its behalf or at his or its direction;

(c) The term “wholly owned corporation” means any corporation, regardless of the law or laws under which it is incorporated, the capital of which is entirely owned, directly or indirectly, by the United States, and includes the duly authorized officers, employees, and agents thereof;

(d) The term “replacement” means payment, reimbursement, replacement, or duplication or the expenses incident thereto.

(July 8, 1937, ch. 444, § 7, 50 Stat. 480; Aug. 10, 1939, ch. 665, § 3, 53 Stat. 1359.)

CODIFICATION

Section was formerly classified to section 134f 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

1939—Subsec. (a). Act Aug. 10, 1939, amended definition of “valuables”.

CHAPTER 16—GENERAL SERVICES ADMINISTRATION

Sec.

751.

General Services Administration.

(a) Establishment.

(b) Administrator of General Services; appointment.

(c) Deputy Administrator of General Services; appointment; duties.

(d), (e) Omitted.

(f) Authority to prescribe regulations.

752.

Transfer of functions.

(a) Bureau of Federal Supply.

(b) Office of Contract Settlement.

(c) Retention by Treasury Department of certain functions of Bureau of Federal Supply.

753.

Transfer of affairs of Federal Works Agency; abolition of agencies.

754.

Redistribution of Administrator's functions.

755.

Transfer of funds.

755a.

Transfer of unobligated GSA funds; major equipment acquisitions.

756.

General Supply Fund.

(a) Creation and composition of Fund; availability; overhead costs.

(b) Payments by requisitioning agencies; fixing of prices; advance of funds.

(c) Credits to Fund.