

**TITLE 30 - MINERAL LANDS AND MINING**  
**CHAPTER 15 - SURFACE RESOURCES**  
**SUBCHAPTER I - DISPOSAL OF MATERIALS ON PUBLIC LANDS**

**§ 602. Bidding; advertising and other notice; conditions for negotiation of contract**

(a) The Secretary shall dispose of materials under this subchapter to the highest responsible qualified bidder after formal advertising and such other public notice as he deems appropriate: Provided, however, That the Secretary may authorize negotiation of a contract for the disposal of materials if—

- (1) the contract is for the sale of less than two hundred fifty thousand board-feet of timber; or, if
- (2) the contract is for the disposal of materials to be used in connection with a public works improvement program on behalf of a Federal, State or local governmental agency and the public exigency will not permit the delay incident to advertising; or, if
- (3) the contract is for the disposal of property for which it is impracticable to obtain competition.

(b) Repealed. Pub. L. 96-470, title I, § 102(a), Oct. 19, 1980, 94 Stat. 2237.

(July 31, 1947, ch. 406, § 2, 61 Stat. 681; Pub. L. 87-689, § 1, Sept. 25, 1962, 76 Stat. 587; Pub. L. 94-273, § 20, Apr. 21, 1976, 90 Stat. 379; Pub. L. 96-470, title I, § 102(a), Oct. 19, 1980, 94 Stat. 2237.)

### **Amendments**

1980—Subsec. (b). Pub. L. 96-470 struck out subsec. (b) which required a report to be made to Congress on Apr. 1 and Oct. 1 of each year of the contracts made under subsec. (a)(2) and (3) during the period since the date of the last report, which report was to name each purchaser, furnish the appraised value of the material involved, state the amount of each contract, and describe the circumstances leading to the determination that the contract should be entered into by negotiation instead of competitive bidding after formal advertising.

1976—Subsec. (b). Pub. L. 94-273 substituted “April” for “January” and “October” for “July”.

1962—Pub. L. 87-689 designated existing provisions as subsec. (a), substituted therein provisions requiring the Secretary to dispose of materials after formal advertising and such other public notice as he deems appropriate, and authorizing negotiation of a contract for the sale of less than 250,000 board-feet of timber, or for materials to be used in connection with public works improvement program for a Federal, State, or local governmental agency where the public exigency will not permit the delay of advertising, or for property for which it is impracticable to obtain competition, for provisions requiring publication of notice once a week for 4 consecutive weeks in a newspaper of general circulation, and competitive bidding, in cases where the value was in excess of \$1,000, and permitting disposal upon such notice and in such manner as he prescribed where the value was \$1,000 or less, and added subsec. (b).

### **Transfer of Functions**

For transfer of certain enforcement functions of Secretary or other appropriate officer or entity in Departments of Agriculture and the Interior under this subchapter to Federal Inspector of Office of Federal Inspector for Alaska Natural Gas Transportation System, and subsequent transfer to Secretary of Energy, then to Federal Coordinator for Alaska Natural Gas Transportation Projects, see note set out under section 601 of this title.