Public Law 97-452
97th Congress

An Act

To codify without substantive change recent laws related to money and finance and to improve the United States Code.

Jan. 12, 1983
[H.R. 7378]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Money and finance.
United States Code, amendments.

AMENDMENTS TO TITLE 31

SECTION 1. Title 31, United States Code, is amended as follows:

(1)(A) Chapter 5 is amended by inserting the following after section 503:

"§ 504. Office of Federal Procurement Policy

31 USC 504.

"The Office of Federal Procurement Policy, established under section 5(a) of the Office of Federal Procurement Policy Act (41 U.S.C. 404(a)), is an office in the Office of Management and Budget.".

(B) The analysis of chapter 5 is amended by inserting the following immediately below item 503:

"504. Office of Federal Procurement Policy.".

(2) Section 1105(a) is amended by adding at the end the following:

Ante, p. 908.

"(25) a separate statement, for each agency having an Office of Inspector General, of the amount of the appropriation requested for the Office.".

(3) Section 1113(a) is amended by—

Ante, p. 914.

(A) inserting "(1)" after "(a)"; and

(B) adding at the end the following:

"(2) When requested by a committee of Congress, additional information related to the amount of an appropriation originally requested by an Office of Inspector General shall be submitted to the committee.".

(4) Section 1305(6) is amended to read as follows:

Ante, p. 918.

"(6) to pay the interest on the fund derived from the bequest of James Smithson, for the construction of buildings and expenses of the Smithsonian Institution, at the rates determined under section 5590 of the Revised Statutes (20 U.S.C. 54).".

(5) Section 3102(a) is amended by striking out "$70,000,000,000" and substituting "$110,000,000,000".

Ante, p. 938.

(6) Section 3105(b) is amended to read as follows:

Ante, p. 940.

Savings bonds.

"(b)(1) With the approval of the President and except as provided in paragraph (2) of this subsection, the Secretary may—

"(A) fix the investment yield for savings bonds; and

"(B) change the investment yield on an outstanding savings bond, except that the yield on a bond for the period held may not be decreased below the minimum yield for the period guaranteed on the date of issue.

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"(2) The investment yield on a series E savings bond shall be at least 4 percent a year compounded semiannually beginning on the first day of the month beginning after the date of issue of the bond and ending on the last day of the month before the date of redemption.

Regulations.

"(3) With the approval of the President, the Secretary may prescribe regulations providing that—

"(A) owners of series E and H savings bonds may keep the bonds after maturity or after a period beyond maturity during which the bonds have earned interest and continue to earn interest at rates consistent with paragraph (1) of this subsection; and

"(B) series E and H savings bonds earning a different rate of interest before the regulations are prescribed shall earn a rate of interest consistent with paragraph (1).".

Ante, p. 940.

(7) Section 3105(c)(5) is amended by striking out "(expressed in terms of the maturity value)".

(8) Section 3106(b) is amended by striking out the first sentence.

Ante, p. 944.

(9) Section 3121 is amended by adding at the end the following:

"Registration-required obligation."

"(g)(1) In this subsection, 'registration-required obligation' means an obligation except an obligation—

"(A) not of a type offered to the public;

"(B) having a maturity (at issue) of not more than one year; or

"(C) described in paragraph (2) of this subsection.

"(2) An obligation is not a registration-required obligation if—

"(A) there are arrangements reasonably designed to ensure that the obligation will be sold (or resold in connection with the original issue) only to a person that is not a United States person; and

"(B) for an obligation not in registered form—

"(i) interest on the obligation is payable only outside the United States and its territories and possessions; and

"(ii) a statement is on the face of the obligation that a United States person holding the obligation is subject to limitations under the United States income tax laws.

"(3) Every registration-required obligation of the Government shall be in registered form. A book entry obligation is deemed to be in registered form if the right to principal and stated interest on the obligation may be transferred only through a book entry consistent with regulations of the Secretary.

Regulations.

"(4) The Secretary shall prescribe regulations necessary to carry out this subsection when there is a nominee.".

Ante, p. 948.
Post, p. 2473.

(10) Section 3302(b) is amended by striking out "An" and substituting "Except as provided in section 3718(b) of this title, an".

Ante, p. 955.

(11) Section 3331 is amended by adding at the end the following:

"(f) Under conditions the Secretary may prescribe, the Secretary may delegate duties and powers of the Secretary under this section to the head of an agency. Consistent with a delegation from the Secretary under this subsection, the head of an agency may delegate those duties and powers to an officer or employee of the agency.".

Ante, p. 959.

(12) Section 3512 is amended by redesignating subsections (b)–(d) as subsections (d)–(f), respectively, and by inserting the following immediately below subsection (a):

"(b)(1) To ensure compliance with subsection (a)(3) of this section and consistent with standards the Comptroller General prescribes, the head of each executive agency shall establish internal accounting and administrative controls that reasonably ensure that—

"(A) obligations and costs comply with applicable law;

"(B) all assets are safeguarded against waste, loss, unauthorized use, and misappropriation; and

"(C) revenues and expenditures applicable to agency operations are recorded and accounted for properly so that accounts and reliable financial and statistical reports may be prepared and accountability of the assets may be maintained.

"(2) Standards the Comptroller General prescribes under this subsection shall include standards to ensure the prompt resolution of all audit findings.

"(c)(1) In consultation with the Comptroller General, the Director of the Office of Management and Budget— Guidelines.

"(A) shall establish by December 31, 1982, guidelines that the head of each executive agency shall follow in evaluating the internal accounting and administrative control systems of the agency to decide whether the systems comply with subsection (b) of this section; and

"(B) may change a guideline when considered necessary.

"(2) By December 31 of each year (beginning in 1983), the head of each executive agency, based on an evaluation conducted according to guidelines prescribed under paragraph (1) of this subsection, shall prepare a statement on whether the systems of the agency comply with subsection (b) of this section, including—

"(A) if the head of an executive agency decides the systems do not comply with subsection (b) of this section, a report identifying any material weakness in the systems and describing the plans and schedule for correcting the weakness; and

"(B) a separate report on whether the accounting system of the agency conforms to the principles, standards, and requirements the Comptroller General prescribes under section 3511(a) of this title. *Ante*, p. 959.

"(3) The head of each executive agency shall sign the statement and reports required by this subsection and submit them to the President and Congress. The statement and reports are available to the public, except that information shall be deleted from a statement or report before it is made available if the information specifically is— Statement and reports submittal to President and Congress. Public availability.

"(A) prohibited from disclosure by law; or

"(B) required by Executive order to be kept secret in the interest of national defense or the conduct of foreign affairs.".

(13)(A) Section 3701 is amended to read as follows:

"§ 3701. Definitions and application 31 USC 3701.

"(a) In this chapter—

"(1) 'administrative offset' means withholding money payable by the United States Government to, or held by the Government for, a person to satisfy a debt the person owes the Government.

"(2) 'calendar quarter' means a 3-month period beginning on January 1, April 1, July 1, or October 1.

"(3) 'consumer reporting agency' means—

"(A) a consumer reporting agency as that term is defined in section 603(f) of the Fair Credit Reporting Act (15 U.S.C. 1681a(f)); or

"(B) a person that, for money or on a cooperative basis, regularly—

"(i) gets information on consumers to give the information to a consumer reporting agency; or

"(ii) serves as a marketing agent under an arrangement allowing a third party to get the information from a consumer reporting agency.

"(4) 'executive or legislative agency' means a department, agency, or instrumentality in the executive or legislative branch of the Government.

"(5) 'military department' means the Departments of the Army, Navy, and Air Force.

"(6) 'system of records' has the same meaning given that term in section 552a(a)(5) of title 5.

"(7) 'uniformed services' means the Army, Navy, Air Force, Marine Corps, Coast Guard, Commissioned Corps of the National Oceanic and Atmospheric Administration, and Commissioned Corps of the Public Health Service.

Ante, p. 971.

"(b) In subchapter II of this chapter, 'claim' includes amounts owing on account of loans insured or guaranteed by the Government and other amounts due the Government.

Post, pp. 2471, 2472.

"(c) In sections 3716 and 3717 of this title, 'person' does not include an agency of the United States Government, of a State government, or of a unit of general local government.

Infra; post, pp. 2471–2473.

"(d) Sections 3711(f) and 3716–3719 of this title do not apply to a claim or debt under, or to an amount payable under, the Internal Revenue Code of 1954 (26 U.S.C. 1 et seq.), the Social Security Act (42 U.S.C. 301 et seq.), or the tariff laws of the United States.".

(B) Item 3701 in the analysis of chapter 37 is amended to read as follows:

"3701. Definitions and application.".

Ante, p. 970.

(14) Section 3702(b)(2) is amended by inserting "this" before "subsection".

Ante, p. 971.

(15) Section 3711 is amended by adding at the end the following:

Claims, collection. Information disclosure.

"(f)(1) When trying to collect a claim of the Government under a law except the Internal Revenue Code of 1954 (26 U.S.C. 1 et seq.), the head of an executive or legislative agency may disclose to a consumer reporting agency information from a system of records that an individual is responsible for a claim if—

"(A) notice required by section 552a(e)(4) of title 5 indicates that information in the system may be disclosed to a consumer reporting agency;

"(B) the head of the agency has reviewed the claim and decided that the claim is valid and overdue;

"(C) the head of the agency has notified the individual in writing—

"(i) that payment of the claim is overdue;

"(ii) that, within not less than 60 days after sending the notice, the head of the agency intends to disclose to a consumer reporting agency that the individual is responsible for the claim;

"(iii) of the specific information to be disclosed to the consumer reporting agency; and

"(iv) of the rights the individual has to a complete explanation of the claim, to dispute information in the records of the agency about the claim, and to administrative repeal or review of the claim;

"(D) the individual has not—

"(i) repaid or agreed to repay the claim under a written repayment plan that the individual has signed and the head of the agency has agreed to; or

"(ii) filed for review of the claim under paragraph (2) of this subsection;

"(E) the head of the agency has established procedures to—

"(i) disclose promptly, to each consumer reporting agency to which the original disclosure was made, a substantial change in the condition or amount of the claim;

"(ii) verify or correct promptly information about the claim on request of a consumer reporting agency for verification of information disclosed; and

"(iii) get satisfactory assurances from each consumer reporting agency that the agency is complying with all laws of the United States related to providing consumer credit information; and

"(F) the information disclosed to the consumer reporting agency is limited to—

"(i) information necessary to establish the identity of the individual, including name, address, and taxpayer identification number;

"(ii) the amount, status, and history of the claim; and

"(iii) the agency or program under which the claim arose.

"(2) Before disclosing information to a consumer reporting agency under paragraph (1) of this subsection and at other times allowed by law, the head of an executive or legislative agency shall provide, on request of an individual alleged by the agency to be responsible for the claim, for a review of the obligation of the individual, including an opportunity for reconsideration of the initial decision on the claim.

"(3) Before disclosing information to a consumer reporting agency under paragraph (1) of this subsection, the head of an executive or legislative agency shall take reasonable action to locate an individual for whom the head of the agency does not have a current address to send the notice under paragraph (1)(C).".

(16)(A) Subchapter II of chapter 37 is amended by adding at the end the following:

"§ 3716. Administrative offset 31 USC 3716.

"(a) After trying to collect a claim from a person under section 3711(a) of this title, the head of an executive or legislative agency may collect the claim by administrative offset. The head of the agency may collect by administrative offset only after giving the debtor— *Ante*, p. 971.

"(1) written notice of the type and amount of the claim, the intention of the head of the agency to collect the claim by administrative offset, and an explanation of the rights of the debtor under this section;

"(2) an opportunity to inspect and copy the records of the agency related to the claim;

"(3) an opportunity for a review within the agency of the decision of the agency related to the claim; and

"(4) an opportunity to make a written agreement with the head of the agency to repay the amount of the claim.

Regulations.

"(b) Before collecting a claim by administrative offset under subsection (a) of this section, the head of an executive or legislative agency must prescribe regulations on collecting by administrative offset based on—

"(1) the best interests of the United States Government;

"(2) the likelihood of collecting a claim by administrative offset; and

"(3) for collecting a claim by administrative offset after the 6-year period for bringing a civil action on a claim under section 2415 of title 28 has expired, the cost effectiveness of leaving a claim unresolved for more than 6 years.

Limitations.

"(c) This section does not apply—

"(1) to a claim under this subchapter that has been outstanding for more than 10 years; or

"(2) when a statute explicitly provides for or prohibits using administrative offset to collect the claim or type of claim involved.

31 USC 3717.

"§ 3717. Interest and penalty on claims

"(a)(1) The head of an executive or legislative agency shall charge a minimum annual rate of interest on an outstanding debt on a United States Government claim owed by a person that is equal to the average investment rate for the Treasury tax and loan accounts for the 12-month period ending on September 30 of each year, rounded to the nearest whole percentage point. The Secretary of the Treasury shall publish the rate before November 1 of that year. The rate is effective on the first day of the next calendar quarter.

Publication.
Effective date.

"(2) The Secretary may change the rate of interest for a calendar quarter if the average investment rate for the 12-month period ending at the close of the prior calendar quarter, rounded to the nearest whole percentage point, is more or less than the existing published rate by 2 percentage points.

"(b) Interest under subsection (a) of this section accrues from the date—

"(1) on which notice is mailed after October 25, 1982, if notice was first mailed before October 25, 1982; or

"(2) notice of the amount due is first mailed to the debtor at the most current address of the debtor available to the head of the executive or legislative agency, if notice is first mailed after October 24, 1982.

"(c) The rate of interest charged under subsection (a) of this section—

"(1) is the rate in effect on the date from which interest begins to accrue under subsection (b) of this section; and

"(2) remains fixed at that rate for the duration of the indebtedness.

"(d) Interest under subsection (a) of this section may not be charged if the amount due on the claim is paid within 30 days after the date from which interest accrues under subsection (b) of this section. The head of an executive or legislative agency may extend the 30-day period.

"(e) The head of an executive or legislative agency shall assess on a claim owed by a person—

"(1) a charge to cover the cost of processing and handling a delinquent claim; and

"(2) a penalty charge of not more than 6 percent a year for failure to pay a part of a debt more than 90 days past due. Penalty.

"(f) Interest under subsection (a) of this section does not accrue on a charge assessed under subsection (e) of this section.

"(g) This section does not apply— Limitations.

"(1) if a statute, regulation required by statute, loan agreement, or contract prohibits charging interest or assessing charges or explicitly fixes the interest or charges; and

"(2) to a claim under a contract executed before October 25, 1982, that is in effect on October 25, 1982.

"(h) In conformity with standards prescribed jointly by the Attorney General and the Comptroller General, the head of an executive or legislative agency may prescribe regulations identifying circumstances appropriate to waiving collection of interest and charges under subsections (a) and (e) of this section. A waiver under the regulations is deemed to be compliance with this section. Regulations. Waiver.

"§ 3718. Contracts for collection services 31 USC 3718.

"(a) Under conditions the head of an executive or legislative agency considers appropriate, the head of the agency may make a contract with a person for collection services to recover indebtedness owed the United States Government. The contract shall provide that—

"(1) the head of the agency retains the authority to resolve a dispute, compromise a claim, end collection action, and refer a matter to the Attorney General to bring a civil action; and

"(2) the person is subject to—

"(A) section 552a of title 5, to the extent provided in section 552a(m); and

"(B) laws and regulations of the United States Government and State governments related to debt collection practices.

"(b) Notwithstanding section 3302(b) of this title, a contract under subsection (a) of this section may provide that a fee a person charges to recover indebtedness owed the United States Government is payable from the amount recovered. *Ante*, p. 948.

"(c) A contract under subsection (a) of this section is effective only to the extent and in the amount provided in an appropriation law.

"(d) This section does not apply to the collection of debts under the Internal Revenue Code of 1954 (26 U.S.C. 1 et seq.).

"§ 3719. Reports on debt collection activities 31 USC 3719.

"(a) In consultation with the Secretary of the Treasury and the Comptroller General, the Director of the Office of Management and Budget shall prescribe regulations requiring the head of each agency with outstanding debts to prepare and submit to the Director and the Secretary at least once each year a report summarizing the status of loans and accounts receivable managed by the head of the agency. The report shall contain— Regulations.

"(1) information on—

"(A) the total amount of loans and accounts receivable owed the agency and when amounts owed the agency are due to be repaid;

"(B) the total amount of receivables and number of claims at least 30 days past due;

"(C) the total amount written off as actually uncollectible and the total amount allowed for uncollectible loans and accounts receivable;

"(D) the rate of interest charged for overdue debts and the amount of interest charged and collected on debts;

"(E) the total number of claims and the total amount collected; and

"(F) the number and total amount of claims referred to the Attorney General for settlement and the number and total amount of claims the Attorney General settles;

"(2) the information described in clause (1) of this subsection for each program or activity the head of the agency carries out; and

"(3) other information the Director considers necessary to decide whether the head of the agency is acting aggressively to collect the claims of the agency.

"(b) The Director shall analyze the reports submitted under subsection (a) of this section and shall report annually to Congress on the management of debt collection activities by the head of each agency, including the information provided the Director under subsection (a).".

(B) The analysis of subchapter II of chapter 37 is amended by adding at the end the following:

"3716. Administrative offset.
"3717. Interest and penalty on claims.
"3718. Contracts for collection services.
"3719. Reports on debt collection activities.".

Ante, p. 973.

(17) Section 3721(b) is amended by striking out "$15,000" and substituting "$25,000".

(18)(A) Subtitle III is amended by adding at the end the following:

"CHAPTER 39—PROMPT PAYMENT

"Sec.
"3901. Definitions and application.
"3902. Interest penalties.
"3903. Regulations.
"3904. Limitations on discount payments.
"3905. Reports.
"3906. Relationship to other laws.

31 USC 3901.

"§ 3901. Definitions and application

"(a) In this chapter—

"(1) 'agency' has the same meaning given that term in section 551(1) of title 5 and includes an entity being operated, and the head of the agency identifies the entity as being operated, only as an instrumentality of the agency to carry out a program of the agency.

"(2) 'business concern' means—

"(A) a person carrying on a trade or business; and

"(B) a nonprofit entity operating as a contractor.

"(3) 'proper invoice' is an invoice containing or accompanied by substantiating documentation the Director of the Office of Management and Budget may require by regulation and the head of the appropriate agency may require by regulation or contract.

"(4) the head of an agency is deemed to receive an invoice on the later of the dates that—

"(A) the designated payment office or finance center of the agency actually receives a proper invoice; or

"(B) the head of the agency accepts the applicable property or service.

"(5) a payment is deemed to be made on the date a check for the payment is dated.

"(6) a contract to rent property is deemed to be a contract to acquire the property.

"(b) This chapter applies to the Tennessee Valley Authority. However, regulations prescribed under this chapter do not apply to the Authority, and the Authority alone is responsible for carrying out this chapter as it applies to contracts of the Authority.

Tennessee Valley Authority.

"§ 3902. Interest penalties

31 USC 3902.

"(a) Under regulations prescribed under section 3903 of this title, the head of an agency acquiring property or service from a business concern, who does not pay the concern for each complete delivered item of property or service by the required payment date, shall pay an interest penalty to the concern on the amount of the payment due. The interest shall be computed at the rate the Secretary of the Treasury establishes for interest payments under section 12 of the Contract Disputes Act of 1978 (41 U.S.C. 611). The Secretary shall publish each rate in the Federal Register.

Publication in Federal Register.

"(b) Except as provided in section 3906 of this title, the interest penalty shall be paid for the period beginning on the day after the required payment date and ending on the date on which payment is made. However, a penalty may not be paid if payment for the item is made—

"(1) when the item is a meat or meat food product described in section 3903(2)(A) of this title, before the 4th day after the required payment date;

"(2) when the item is an agricultural commodity described in section 3903(2)(B) of this title, before the 6th day after the required payment date; or

"(3) when the item is not an item referred to in clauses (1) and (2) of this subsection, before the 16th day after the required payment date.

"(c) An amount of an interest penalty unpaid after any 30-day period shall be added to the principal amount of the debt, and a penalty accrues thereafter on the added amount.

"(d) This section does not authorize the appropriation of additional amounts to pay an interest penalty. The head of an agency shall pay a penalty under this section out of amounts made available to carry out the program for which the penalty is incurred.

"(e) A recipient of a grant from the head of an agency may provide in a contract for the acquisition of property or service from a business concern that, consistent with the usual business practices of the recipient and applicable State and local law, the recipient will pay an interest penalty on amounts overdue under the contract under conditions agreed to by the recipient and the concern. The recipient may not pay the penalty from amounts received from an agency. Amounts expended for the penalty may not be counted toward a matching requirement applicable to the grant. An obligation to pay the penalty is not an obligation of the United States Government.

31 USC 3903.

"§ 3903. Regulations

"The Director of the Office of Management and Budget shall prescribe regulations to carry out section 3902 of this title. The regulations shall—

"(1) provide that the required payment date is—

"(A) the date payment is due under the contract for the item of property or service provided; or

"(B) 30 days after a proper invoice for the amount due is received if a specific payment date is not established by contract;

"(2) for the acquisition of meat or a meat food product (as defined in section 2(a)(3) of the Packers and Stockyards Act, 1921 (7 U.S.C. 182(3))), provide a required payment date of not later than 7 days after the meat or meat food product is delivered; and

"(3) for the acquisition of a perishable agricultural commodity (as defined in section 1(4) of the Perishable Agricultural Commodities Act, 1930 (7 U.S.C. 499a(4))), provide a required payment date consistent with that Act;

"(4) provide separate required payment dates for a contract under which property or service is provided in a series of partial executions or deliveries to the extent the contract provides for separate payments for partial execution or delivery; and

"(5) require that, within 15 days after an invoice is received, the head of an agency notify the business concern of a defect or impropriety in the invoice that would prevent the running of the time period specified in clause (1)(B) of this section.

31 USC 3904.

"§ 3904. Limitations on discount payments

"The head of an agency offered a discount by a business concern from an amount due under a contract for property or service in exchange for payment within a specified time may pay the discounted amount only if payment is made within the specified time. The head of the agency shall pay an interest penalty on an amount remaining unpaid in violation of this section. The penalty accrues as provided under sections 3902 and 3903 of this title, except that the required payment date for the unpaid amount is the last day specified in the contract that the discounted amount may be paid.

Penalty.

31 USC 3905.

"§ 3905. Reports

"(a) By the 60th day after the end of each fiscal year, the head of each agency shall submit to the Director of the Office of Management and Budget a report on interest penalty payments made under this chapter during that fiscal year. The report shall include the number, amounts, and frequency of the payments and the reasons the payments were not avoided by prompt payment.

"(b) By the 120th day after the end of each fiscal year, the Director shall submit to the Committees on Governmental Affairs, Appropriations, and Small Business of the Senate and the Committees on Government Operations, Appropriations, and Small Business of the House of Representatives a report on agency compliance with this chapter. The report shall include a summary of the report of each agency submitted under subsection (a) of this section and an analysis of progress made in reducing interest penalty payments by that agency from prior years.

"§ 3906. Relationship to other laws 31 USC 3906.

"(a) A claim for an interest penalty not paid under this chapter may be filed under section 6 of the Contract Disputes Act of 1978 (41 U.S.C. 605).

"(b)(1) An interest penalty under this chapter does not continue to accrue—

"(A) after a claim for a penalty is filed under the Contract Disputes Act of 1978 (41 U.S.C. 601 et seq.); or

"(B) for more than one year.

"(2) Paragraph (1) of this subsection does not prevent an interest penalty from accruing under section 12 of the Contract Disputes Act of 1978 (41 U.S.C. 611) after a penalty stops accruing under this chapter. A penalty accruing under section 12 may accrue on an unpaid contract payment and on the unpaid penalty under this chapter.

"(c) Except as provided in section 3904 of this title, this chapter does not require an interest penalty on a payment that is not made because of a dispute between the head of an agency and a business concern over the amount of payment or compliance with the contract. A claim related to the dispute, and interest payable for the period during which the dispute is being resolved, is subject to the Contract Disputes Act of 1978 (41 U.S.C. 601 et seq.).".

(B) The analysis of subtitle III is amended by inserting the following immediately below item 37:

"39. PROMPT PAYMENT ..... 3901".

(19) Section 5103 is amended by inserting ", public charges, taxes, and dues" after "debts" the first time it appears. *Ante*, p. 980.

(20) Section 5112(f)(1) is amended— *Ante*, p. 981.

(A) by inserting in the matter before clause (A), a comma after "10,000,000)"; and

(B) by striking out of clause (C) "two hundred and fiftieth" and substituting "250th".

(21) Section 5132(a)(2) is amended by striking out "$54,706,000" and "1982" and substituting "$50,165,000" and "1983", respectively. *Ante*, p. 988.

(22) Section 5154 is amended by striking out "United States coins and currency circulating within its jurisdiction" and substituting "other forms of money". *Ante*, p. 992.

(23)(A) Chapter 61 is amended by inserting after section 6102 the following:

"§ 6102a. Assistance awards information system 31 USC 6102a.

"(a) The Director of the Office of Management and Budget shall—

"(1) maintain the United States Government assistance awards information system established as a result of the study conducted under section 9 of the Federal Program Information Act; and 31 USC 1701 note.

"(2) update the system on a quarterly basis. *Ante*, p. 877.

"(b) To carry out subsection (a) of this section, the Director—

"(1) may delegate the responsibility for carrying out subsection (a) of this section to the head of another executive agency;

"(2) shall review a report the head of an agency submits to the Director on the method of carrying out subsection (a) of this section; and

"(3) may validate, by appropriate means, the method by which an agency prepares the report.".

(B) The analysis of chapter 61 is amended by inserting immediately below item 6102 the following:

"6102a. Assistance awards information system.".

Ante, p. 1005. (24) Section 6501(1)(B) is amended by striking out "the law of".

Ante, p. 1018. (25) Section 6709(a) is amended by adding at the end the following:

"(5) For quarterly payments made for quarters beginning after December 31, 1982, the New Jersey Franchise and Gross Receipts Taxes (N.J. Rev. Stat. 54:30A-18.1) transferred to a unit of general local government in New Jersey in each of the years beginning January 1, 1980, January 1, 1981, and January 1, 1982, are deemed to be an adjusted tax of the unit under paragraph (2) of this subsection.".

Ante, p. 1041. (26) Section 9101 is amended by striking out "(K) the National Consumer Cooperative Bank.".

Ante, pp. 1044, 1045. (27) Sections 9107(c)(3) and 9108(d)(2) are each amended by striking out "the National Consumer Cooperative Bank,".

CONFORMING AND TECHNICAL PROVISIONS

SEC. 2. (a) Title 5, United States Code, is amended as follows:

Ante, p. 1749. (1) In section 552a(b) and (m), strike out "section 3(d) of the Federal Claims Collection Act of 1966 (31 U.S.C. 952(d))" and substitute "section 3711(f) of title 31".

Ante, p. 1751. (2) In section 5514(a)(3), strike out "the Federal Claims Collection Act of 1966 (31 U.S.C. 951 et seq.)" and substitute "sections 3711 and 3716-3718 of title 31".

Ante, p. 1752. (b) Section 1114 of title 18 is amended by striking out "the Federal Claims Collection Act of 1966 (31 U.S.C. 951 et seq.)" and substituting "sections 3711 and 3716-3718 of title 31".

(c) The Internal Revenue Code of 1954 (26 U.S.C. 1 et seq.) is amended as follows:

26 USC 405, 409. (1) Sections 405(b)(1) and 409(a) are each amended by striking out "the Second Liberty Bond Act, as amended" and "Act" and substituting "chapter 31 of title 31" and "chapter", respectively.

26 USC 454. (2) Section 454(c)(2) is amended by striking out "the Second Liberty Bond Act" and substituting "chapter 31 of title 31".

26 USC 1037. (3) Section 1037(a) is amended by striking out "the Second Liberty Bond Act" and "Act" and substituting "chapter 31 of title 31" and "chapter", respectively.

Ante, p. 1753. (4) Section 6103(m)(2) is amended by striking out "section 3 of the Federal Claims Collection Act of 1966 (31 U.S.C. 952)" wherever appearing and substituting "sections 3711, 3717, and 3718 of title 31".

(d) Title 28, United States Code, is amended as follows:

Ante, p. 55. (1) Section 1961(b) is amended by striking out "section 1302 of the Act of July 27, 1956 (31 U.S.C. 724a)" and substituting "section 1304(b) of title 31".

Ante, p. 1754. (2) Section 2415 of title 28 is amended by striking out "section 5 of the Federal Claims Collection Act of 1966" and substituting "section 3716 of title 31".

(e) Title 38, United States Code, is amended as follows:

(1) Section 210(b)(2)(A) is amended by striking out "section 201(a) of the Budget and Accounting Act, 1921 (31 U.S.C. 11(a))" and substituting "section 1105 of title 31".

(2) Section 1823(c) is amended by striking out "the Second Liberty Bond Act" wherever appearing and substituting "chapter 31 of title 31". 38 USC 1823.

(3) Section 4207 is amended by striking out "section 3523 of title 31" and substituting "chapter 35 of title 31". *Ante*, p. 1312.

(4) Sections 5010(a)(1) and 5011(f) are each amended by striking out "section 201(a) of the Budget and Accounting Act, 1921 (31 U.S.C. 11(a))" and substituting "section 1105 of title 31". 38 USC 5010, *ante*, p. 70.

(f) Section 2007 of title 39, United States Code, is amended by striking out "the Second Liberty Bond Act" wherever appearing and substituting "chapter 31 of title 31".

(g) The amendment made by section 1(17) of this Act applies only to claims arising after July 27, 1982. Effective dates. 31 USC 3721 note.

(h) The amendment made by section 1(25) of this Act is effective after December 31, 1982, only if the Governor of New Jersey notifies the Secretary of the Treasury that, before January 1, 1983, the State amended the New Jersey Franchise and Gross Receipts Taxes statute to provide for the collection and retention of those taxes by units of general local government for years beginning as of January 1, 1983. 31 USC 6709 note.

(i) The amendments made by section 1(11), (14), (19), (22), (24), (26), and (27) are effective as of September 13, 1982. 31 USC 3331 note.

LEGISLATIVE PURPOSE AND CONSTRUCTION

SEC. 3. (a) Sections 1 and 2 of this Act restate, without substantive change, laws enacted before December 1, 1982, that were replaced by those sections. Sections 1 and 2 may not be construed as making a substantive change in the laws replaced. Laws enacted after November 30, 1982, that are inconsistent with this Act supersede this Act to the extent of the inconsistency. 31 USC note prec. 101.

(b) A reference to a law replaced by sections 1 and 2 of this Act, including a reference in a regulation, order, or other law, is deemed to refer to the corresponding provision enacted by this Act.

(c) An order, rule, or regulation in effect under a law replaced by sections 1 and 2 of this Act continues in effect under the corresponding provision enacted by this Act until repealed, amended, or superseded.

(d) An action taken or an offense committed under a law replaced by sections 1 and 2 of this Act is deemed to have been taken or committed under the corresponding provision enacted by this Act.

(e) An inference of a legislative construction is not to be drawn by reason of the location in the United State Code of a provision enacted by this Act or by reason of the caption or catchline of the provision.

(f) If a provision enacted by this Act is held invalid, all valid provisions that are severable from the invalid provision remain in effect. If a provision of this Act is held invalid in any of its applications, the provision remains valid for all valid applications that are severable from any of the invalid applications.

REPEALS

SEC. 4. (a) The repeal of a law enacted by this Act may not be construed as a legislative inference that the provision was or was not in effect before its repeal. 31 USC note prec. 101.

(b) The laws specified in the following schedule are repealed, except for rights and duties that matured, penalties that were incurred, and proceedings that were begun before the date of enactment of this Act:

Schedule of Laws Repealed

	Statutes at Large				
	Date	Chapter or Public Law	Section	Statutes at Large Volume	Statutes at Large Page
31 USC 744 note.	1902 June 28	1302	8	32	484
31 USC 757c-5.	1917 Sept. 24	56	28		
31 USC 11.	1921 June 10	18	201(k)		
	1922 Mar. 20	104	1(par. under heading "General Accounting Office.").	42	444
31 USC 66a.	1950 Sept. 12	946	113(b)(last sentence), (d)		
31 USC 952, 954.	1966 July 19	89-508	3(d)-(g), 5		
31 USC 1228.	1972 Oct. 20	92-512	109(e)(3)		
31 USC 1801 *et seq.*	1982 May 21	97-177		96	85
31 USC 241, 241 notes.	July 28	97-226		96	245
31 USC 752, 752 note, 757c, 757c-2, 757c-5, 1228, 1228 note.	Sept. 3	97-248	287, 289(a), (c), 310(a)	96	570, 571, 572, 595
31 USC 369.	Sept. 8	97-253	202	96	790
31 USC 11, 65 note, 66a.		97-255		96	814
31 USC 6102 note.	Oct. 15	97-326	8	96	1609
31 USC 484, 952, 954, 955.	Oct. 25	97-365	3, 10-13	96	1749, 1754

Approved January 12, 1983.

LEGISLATIVE HISTORY—H.R. 7378:

CONGRESSIONAL RECORD, Vol. 128 (1982):
Dec. 13, considered and passed House.
Dec. 19, considered and passed Senate.