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The text of sec. (b)(9) of section 2305 of this title, which was transferred to this section and amended by Pub. L. 116–283, §1816(c)(9), was based on Pub. L. 98–369, §103–355, title XLI, §1074(b)(4)(A), Sept. 23, 1996, 110 Stat. 2660.

PRIORITY PROVISIONS


AMENDMENTS

2021—Pub. L. 116–283, §1816(c)(9), transferred sec. (b)(9) of section 2305 of this title and struck out par. (9) designation at beginning.

Statutory Notes and Related Subsidiaries

EDITIVE DATE

Section and amendment by Pub. L. 116–283 effective Jan. 1, 2022, with additional provisions for delayed implementation and applicability of existing law, see section 1801(d) of Pub. L. 116–283, set out as an Effective Date of 2021 Amendment note preceding section 3001 of this title.

§ 3308. Protests

(a) PROTEST FILE.—

(1) ESTABLISHMENT AND ACCESS.—If, in the case of a solicitation for a contract issued by, or an award or proposed award of a contract by, the head of an agency, a protest is filed pursuant to the procedures in subchapter V of chapter 35 of title 31 and an actual or prospective offeror so requests, a file of the protest shall be established by the procuring activity and reasonable access shall be provided to actual or prospective offerors.

(2) REDACTED INFORMATION.—Information exempt from disclosure under section 552 of title 5 may be redacted in a file established pursuant to paragraph (1) unless an applicable protective order provides otherwise.

(b) AGENCY ACTIONS ON PROTESTS.—If, in connection with a protest, the head of an agency determines that a solicitation, proposed award, or award does not comply with the requirements of law or regulation, the head of the agency—

(1) may take any action set out in subparagraphs (A) through (F) of subsection (b)(1) of section 3554 of title 31; and

(2) may pay costs described in paragraph (1) of section 3554(c) of title 31 within the limits referred to in paragraph (2) of such section.


Editorial Notes

CODIFICATION


The text of sec. (f) of section 2305 of this title, which was transferred to this section, redesignated as sec. (b), and amended by Pub. L. 116–283, §1816(e)(1), was based on Pub. L. 103–355, title I, §1016, Oct. 13, 1994, 108 Stat. 3257.

PRIORITY PROVISIONS


AMENDMENTS

2021—Subsec. (a). Pub. L. 116–283, §1816(e), redesignated subsec. (e) of section 2305 of this title as subsec. (a) of this section and, in pars. (1) and (2), inserted headings and realigned margins.

Subsec. (b). Pub. L. 116–283, §1816(e)(1), redesignated subsec. (f) of section 2305 of this title as subsec. (b) of this section.

See section 619 et seq. of this title.