

States or” in first sentence, was executed by striking “a district court of the United States or” after “to file an action in” in first sentence to reflect the probable intent of Congress.

1992—Pub. L. 102-572 substituted “United States Court of Federal Claims” for “United States Claims Court”.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 1996 AMENDMENT

Amendment by Pub. L. 104-320 effective Jan. 1, 2001, see section 12(f) of Pub. L. 104-320, set out as a Non-exclusivity of GAO Remedies note below.

EFFECTIVE DATE OF 1992 AMENDMENT

Amendment by Pub. L. 102-572 effective Oct. 29, 1992, see section 911 of Pub. L. 102-572, set out as a note under section 171 of Title 28, Judiciary and Judicial Procedure.

EFFECTIVE DATE

Section applicable with respect to any protest filed after Jan. 14, 1985, see section 2751(b) of Pub. L. 98-369, set out as a note under section 4751 of Title 10, Armed Forces.

NONEXCLUSIVITY OF GAO REMEDIES

Pub. L. 104-320, §12(f), Oct. 19, 1996, 110 Stat. 3876, provided that: “In the event that the bid protest jurisdiction of the district courts of the United States is terminated pursuant to subsection (d) [set out as a Sunset Provision note under section 1491 of Title 28, Judiciary and Judicial Procedure], then section 3556 of title 31, United States Code, shall be amended by striking ‘a court of the United States or’ in the first sentence.” [Bid protest jurisdiction of the district courts of the United States terminated on Jan. 1, 2001, pursuant to section 12(d) of Pub. L. 104-320.]

§ 3557. Expedited action in protests of public-private competitions

For any protest of a public-private competition conducted under Office of Management and Budget Circular A-76 with respect to the performance of an activity or function of a Federal agency, the Comptroller General shall administer the provisions of this subchapter in the manner best suited for expediting the final resolution of the protest and the final action in the public-private competition.

(Added Pub. L. 110-181, div. A, title III, §326(b)(1), Jan. 28, 2008, 122 Stat. 63; amended Pub. L. 110-417, [div. A], title X, §1061(c)(2), Oct. 14, 2008, 122 Stat. 4613.)

Editorial Notes

CODIFICATION

Another section 3557, added Pub. L. 110-161, div. D, title VII, §739(c)(1)(B)(i), Dec. 26, 2007, 121 Stat. 2030, related to an expedited action in protests for public-private competitions, prior to repeal by Pub. L. 110-417, [div. A], title X, §1061(c)(1), Oct. 14, 2008, 122 Stat. 4613.

AMENDMENTS

2008—Pub. L. 110-417 substituted “public-private” for “Public-Private” in section catchline.

SUBCHAPTER VI—RECOVERY AUDITS¹

Editorial Notes

AMENDMENTS

2010—Pub. L. 111-204, §2(h)(6)(A)(i), July 22, 2010, 124 Stat. 2231, struck out heading “SUBCHAPTER VI—RECOVERY AUDITS”.

[§ 3561. Repealed. Pub. L. 111-204, § 2(h)(6)(A)(i), July 22, 2010, 124 Stat. 2231]

Section, added Pub. L. 107-107, div. A, title VIII, §831(a)(1), Dec. 28, 2001, 115 Stat. 1186, related to identification of errors made by executive agencies in payments to contractors and recovery of amounts erroneously paid.

§ 3562. Disposition of recovered funds

(a) AVAILABILITY OF FUNDS FOR RECOVERY AUDITS AND ACTIVITIES PROGRAM.—Funds collected under a program carried out by an executive agency under section 3352(i) of this title shall be available to the executive agency to reimburse the actual expenses incurred by the executive agency in the administration of the program.

[(b), (c). Repealed. Pub. L. 111-204, §2(h)(6)(A)(i), July 22, 2010, 124 Stat. 2231.]

(Added Pub. L. 107-107, div. A, title VIII, §831(a)(1), Dec. 28, 2001, 115 Stat. 1187; Pub. L. 111-204, §2(h)(6)(A), July 22, 2010, 124 Stat. 2231; Pub. L. 116-117, §3(b)(4), Mar. 2, 2020, 134 Stat. 134.)

Editorial Notes

AMENDMENTS

2020—Subsec. (a). Pub. L. 116-117 substituted “section 3352(i)” for “section 3561” and “agency to reimburse” for “agency for the following purposes: (1) To reimburse” and struck out par. (2) which read as follows: “To pay contractors for services under the program in accordance with the guidance issued under section 3561(c)(5) of this title.”

2010—Pub. L. 111-204 repealed section but provided that subsec. (a) was to continue in effect, with certain exceptions related to programs carried out under section 3561 of this title. Prior to amendment, in addition to subsec. (a), section contained subsecs. (b) and (c) which related to treatment of funds not used for programs under section 3561 of this title and priority of other authorized dispositions, respectively.

[§§ 3563 to 3567. Repealed. Pub. L. 111-204, § 2(h)(6)(A)(i), July 22, 2010, 124 Stat. 2231]

Section 3563, added Pub. L. 107-107, div. A, title VIII, §831(a)(1), Dec. 28, 2001, 115 Stat. 1187, related to sources of recovery services.

Section 3564, added Pub. L. 107-107, div. A, title VIII, §831(a)(1), Dec. 28, 2001, 115 Stat. 1188, related to management improvement programs.

Section 3565, added Pub. L. 107-107, div. A, title VIII, §831(a)(1), Dec. 28, 2001, 115 Stat. 1188, related to relationship of subchapter VI to authority of Inspectors General.

Section 3566, added Pub. L. 107-107, div. A, title VIII, §831(a)(1), Dec. 28, 2001, 115 Stat. 1188, related to privacy protections.

Section 3567, added Pub. L. 107-107, div. A, title VIII, §831(a)(1), Dec. 28, 2001, 115 Stat. 1188; amended Pub. L. 111-350, §5(h)(5), Jan. 4, 2011, 124 Stat. 3849, defined “executive agency”.

¹ Editorially supplied.

CHAPTER 37—CLAIMS**SUBCHAPTER I—GENERAL**

- Sec.
 3701. Definitions and application.
 3702. Authority to settle claims.

SUBCHAPTER II—CLAIMS OF THE UNITED STATES GOVERNMENT

3711. Collection and compromise.
 3712. Time limitations for presenting certain claims of the Government.
 3713. Priority of Government claims.
 3714. Keeping money due States in default.
 3715. Buying real property of a debtor.
 3716. Administrative offset.
 3717. Interest and penalty on claims.
 3718. Contracts for collection services.
 3719. Reports on debt collection activities.
 3720. Collection of payments.
 3720A. Reduction of tax refund by amount of debt.
 3720B. Barring delinquent Federal debtors from obtaining Federal loans or loan insurance guarantees.
 3720C. Debt Collection Improvement Account.
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 3720E. Dissemination of information regarding identity of delinquent debtors.

SUBCHAPTER III—CLAIMS AGAINST THE UNITED STATES GOVERNMENT

3721. Claims of personnel of agencies and the District of Columbia government for personal property damage or loss.
 3722. Claims of officers and employees at Government penal and correctional institutions.
 3723. Small claims for privately owned property damage or loss.
 3724. Claims for damages caused by investigative or law enforcement officers of the Department of Justice.
 3725. Claims of non-nationals for personal injury or death in a foreign country.
 3726. Payment for transportation.
 3727. Assignments of claims.
 3728. Setoff against judgment.
 3729. False claims.
 3730. Civil actions for false claims.
 3731. False claims procedure.
 3732. False claims jurisdiction.
 3733. Civil investigative demands.

Editorial Notes**AMENDMENTS**

1996—Pub. L. 104-316, title II, §202(n)(2), Oct. 19, 1996, 110 Stat. 3844, substituted “Authority to settle claims” for “Authority of the Comptroller General to settle claims” in item 3702.

Pub. L. 104-134, title III, §31001(j)(2), (o)(2), (r)(2), (t)(2), Apr. 26, 1996, 110 Stat. 1321-365, 1321-371, 1321-373, 1321-375, added items 3720B to 3720E.

1989—Pub. L. 101-203, §1(b)(2), Dec. 7, 1989, 103 Stat. 1805, substituted “investigative or law enforcement officers of the Department of Justice” for “the Federal Bureau of Investigation” in item 3724.

1986—Pub. L. 99-562, §6(b), Oct. 27, 1986, 100 Stat. 3168, added items 3732 and 3733.

1984—Pub. L. 98-369, div. B, title VI, §§2652(a)(2), 2653(a)(2), July 18, 1984, 98 Stat. 1152, 1154, added items 3720 and 3720A.

1983—Pub. L. 97-452, §1(13)(B), (16)(B), Jan. 12, 1983, 96 Stat. 2470, 2474, inserted “and application” in item 3701 and added items 3716-3719.

SUBCHAPTER I—GENERAL**§ 3701. Definitions and application**

(a) In this chapter—

(1) “administrative offset” means withholding funds payable by the United States (including funds payable by the United States on behalf of a State government) to, or held by the United States for, a person to satisfy a claim.

(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, judicial, or legislative agency” means a department, agency, court, court administrative office, or instrumentality in the executive, judicial, or legislative branch of Government, including government corporations.

(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, Space Force, Coast Guard, Commissioned Corps of the National Oceanic and Atmospheric Administration, and Commissioned Corps of the Public Health Service.

(8) “nontax” means, with respect to any debt or claim, any debt or claim other than a debt or claim under the Internal Revenue Code of 1986.

(b)(1) In subchapter II of this chapter and subsection (a)(8) of this section, the term “claim” or “debt” means any amount of funds or property that has been determined by an appropriate official of the Federal Government to be owed to the United States by a person, organization, or entity other than another Federal agency. A claim includes, without limitation—

(A) funds owed on account of loans made, insured, or guaranteed by the Government, including any deficiency or any difference between the price obtained by the Government in the sale of a property and the amount owed to the Government on a mortgage on the property,

(B) expenditures of nonappropriated funds, including actual and administrative costs related to shoplifting, theft detection, and theft prevention,

(C) over-payments, including payments disallowed by audits performed by the Inspector General of the agency administering the program,

(D) any amount the United States is authorized by statute to collect for the benefit of any person,

(E) the unpaid share of any non-Federal partner in a program involving a Federal pay-