

Institute of Certified Public Accountants, examine and report on the Commission's financial forecast that it will be in a position to meet its financial liabilities on December 31, 1999.

(Pub. L. 96-70, title I, §1313, Sept. 27, 1979, 93 Stat. 479; Pub. L. 104-106, div. C, title XXXV, §3526(a), Feb. 10, 1996, 110 Stat. 640; Pub. L. 104-201, div. C, title XXXV, §§3541(b), 3546(a)(9), (b), Sept. 23, 1996, 110 Stat. 2867, 2868; Pub. L. 105-261, div. C, title XXXV, §3512(a)(3), Oct. 17, 1998, 112 Stat. 2271.)

Editorial Notes

REFERENCES IN TEXT

This chapter, referred to in subsec. (a), was in the original "this Act", meaning Pub. L. 96-70, Sept. 27, 1979, 93 Stat. 452, known as the Panama Canal Act of 1979, which is classified principally to this chapter. For complete classification of this Act to the Code, see Short Title note set out under section 3601 of this title and Tables.

CODIFICATION

Subsec. (b) of this section, which required the Comptroller General, not later than six months after the end of each fiscal year, to submit to Congress a report of the audit conducted pursuant to subsec. (a) of this section, terminated, effective May 15, 2000, pursuant to section 3003 of Pub. L. 104-66, as amended, set out as a note under section 1113 of Title 31, Money and Finance. See, also, page 4 of House Document No. 103-7.

AMENDMENTS

1998—Subsecs. (a), (b), (d). Pub. L. 105-261 substituted "subsection (c)" for "subsection (d)".

1996—Pub. L. 104-106, §3526(a)(1), substituted "Audits" for "Audit by the Comptroller General of the United States" as section catchline.

Subsec. (a). Pub. L. 104-201, §3541(b), which directed substitution of "chapter 91 of title 31" for "the Accounting and Auditing Act of 1950 (31 U.S.C. 65 et seq.)", could not be executed because that phrase did not appear subsequent to amendment by Pub. L. 104-106, §3526(a)(2)(B). See below.

Pub. L. 104-106, §3526(a)(2), substituted "Notwithstanding any other provision of law, and subject to subsection (d), financial transactions" for "Financial transactions", struck out "pursuant to the Accounting and Auditing Act of 1950 (31 U.S.C. 65 et seq.)" after "as the 'Comptroller General'", substituted "conducting any such audit" for "conducting any audit pursuant to such Act" and "Any such audit shall first" for "An audit pursuant to such Act shall first", and inserted at end "An audit performed under this section is subject to the requirements of paragraphs (2), (3), and (5) of section 9105(a) of title 31."

Subsec. (b). Pub. L. 104-106, §3526(a)(3), substituted "Subject to subsection (d) of this section, the Comptroller General" for "The Comptroller General" in introductory provisions.

Subsec. (c). Pub. L. 104-201, §3546(b), redesignated subsec. (d) as (c).

Pub. L. 104-201, §3546(a)(9), struck out subsec. (c) which read as follows: "In conducting the audits and preparing the reports provided for in this section and in carrying out his other responsibilities pursuant to law, the Comptroller General shall, with respect to fiscal year 1980, take into account the problems inherent in converting the existing accounting system of the Panama Canal Company to conform to the requirements established in section 3721 of this title. Accordingly, the Comptroller General shall take no adverse action with respect to the Commission, nor shall any violation of sections 1341, 1342, and 1349-1351 and subchapter II of chapter 15 of title 31 be considered to have taken place, so long as the Commission is in substantial compliance

with the requirements of this chapter. The Comptroller General shall make such recommendations to the Commission and to the Congress as he may consider appropriate to insure that full compliance with the financial controls provided for in chapter 91 of title 31 is achieved promptly."

Pub. L. 104-201, §3541(b), substituted "chapter 91 of title 31" for "the Accounting and Auditing Act of 1950 (31 U.S.C. 65 et seq.)".

Subsec. (d). Pub. L. 104-201, §3546(b), redesignated subsec. (e) as (d). Former subsec. (d) redesignated (c).

Pub. L. 104-106, §3526(a)(4), added subsec. (d).

Subsec. (e). Pub. L. 104-201, §3546(b), redesignated subsec. (e) as (d).

Pub. L. 104-106, §3526(a)(4), added subsec. (e).

SUBPART III—INTERAGENCY ACCOUNTS

§ 3731. Reimbursements

(a) Reimbursement of the Employees' Compensation Fund, Bureau of Employees' Compensation, Department of Labor, and other Government departments and agencies by Commission

The Commission shall reimburse the Employees' Compensation Fund, Bureau of Employee's Compensation, Department of Labor, for the benefit payments to the Commission's employees, and shall also reimburse other Government departments and agencies for payments of a similar nature made on its behalf.

(b) Reimbursement of Commission by Department of Defense

The Department of Defense shall reimburse the Commission for amounts expended by the Commission in maintaining defense facilities in standby condition for the Department of Defense.

(c) Designation of funds of Department of Defense or any other department or agency of United States to carry out purposes of this subsection

Notwithstanding any other provision of law, funds appropriated (for any fiscal year beginning after September 30, 1979) to or for the use of the Department of Defense, or to any other department or agency of the United States as may be designated by the President to carry out the purposes of this subsection, shall be available for—

(1) conducting the educational and health care activities, including kindergartens and college, carried out by the Canal Zone Government and the Panama Canal Company before October 1, 1979, and

(2) providing the services related thereto to the categories of persons to which such services were provided before October 1, 1979.

Notwithstanding any other provision of law, the Department of Defense, or any department or agency designated by the President to provide health care services to those categories of persons referred to in this subsection, shall provide such services to such categories of persons on a basis no less favorable than that applied to its own employees and their dependents.

(d) Reimbursement to departments or agencies furnishing services

Amounts expended for furnishing services referred to in subsection (c) of this section to per-

sons eligible to receive them, less amounts payable by such persons, shall be fully reimbursable to the department or agency furnishing the services, except to the extent that such expenditures are the responsibility of that department or agency. The funds of the Commission shall be available for such reimbursements on behalf of—

- (1) employees of the Commission, and
- (2) other persons authorized to receive such services who are eligible to receive them pursuant to the Panama Canal Treaty of 1977 and related agreements.

The appropriations or funds of any other department or agency of the United States conducting operations in the Republic of Panama, including the Smithsonian Institution, shall be available for reimbursements on behalf of employees of such department or agency and their dependents.

(e) Repealed. Pub. L. 105-261, div. C, title XXXV, § 3507(a), Oct. 17, 1998, 112 Stat. 2269

(f) Reimbursement of United States by Republic of Panama for salaries and other employment costs

For purposes of the reimbursement of the United States by the Republic of Panama for the salaries and other employment costs of employees of the Commission who are assigned to assist the Republic of Panama in the operation of activities which are transferred to that Government as a result of any provision of the Panama Canal Treaty of 1977 and related agreements, which reimbursement is provided for in paragraph 8 of Article 10 of that Treaty, the Commission shall be deemed to be the United States of America.

(g) Operation of Canal Zone College

Notwithstanding any other provision of law, the President, through the appropriate department or agency of the United States, shall, until January 1, 2000, operate the educational institution known as the “Canal Zone College”. Such institution shall continue to provide, insofar as practicable, the level of services which it offered immediately before October 1, 1979.

(h) Prohibition of funds for uses other than Commission activities

Except as expressly provided in this chapter, funds available to the Panama Canal Commission may not be made available to any other agency as that term is defined in section 551 of title 5, nor may funds be authorized or appropriated for any function other than Panama Canal Commission activities.

(Pub. L. 96-70, title I, §1321, Sept. 27, 1979, 93 Stat. 480; Pub. L. 99-223, §5(c), Dec. 28, 1985, 99 Stat. 1739; Pub. L. 100-705, §8, Nov. 19, 1988, 102 Stat. 4686; Pub. L. 102-484, div. C, title XXXV, §3512, Oct. 23, 1992, 106 Stat. 2655; Pub. L. 103-337, div. C, title XXXVI, §3604, Oct. 5, 1994, 108 Stat. 3112; Pub. L. 104-106, div. C, title XXXV, §3529(3), Feb. 10, 1996, 110 Stat. 642; Pub. L. 104-201, div. C, title XXXV, §3542, Sept. 23, 1996, 110 Stat. 2867; Pub. L. 105-85, div. C, title XXXV, §§3525(b), 3550(d)(2)(A), (B), Nov. 18, 1997, 111 Stat. 2066, 2074; Pub. L. 105-261, div. C, title XXXV, §3507(a), Oct. 17, 1998, 112 Stat. 2269.)

Editorial Notes

REFERENCES IN TEXT

This chapter, referred to in subsec. (h), was in the original “this Act”, meaning Pub. L. 96-70, Sept. 27, 1979, 93 Stat. 452, known as the Panama Canal Act of 1979, which is classified principally to this chapter. For complete classification of this Act to the Code, see Short Title note set out under section 3601 of this title and Tables.

AMENDMENTS

1998—Subsec. (e). Pub. L. 105-261 struck out subsec. (e) which provided that appropriations or funds of the Commission or of any other department or agency of the United States conducting operations in the Republic of Panama were available to defray the cost of certain health care services and educational services.

1997—Subsec. (c)(1). Pub. L. 105-85, §3550(d)(2)(A), substituted “October 1, 1979” for “the effective date of this Act”.

Subsec. (c)(2). Pub. L. 105-85, §3550(d)(2)(B), substituted “October 1, 1979” for “such effective date”.

Subsec. (e)(2). Pub. L. 105-85, §3525(b), substituted “, to other Commission employees when determined by the Commission to be necessary for their recruitment or retention, and to other persons” for “and persons”.

1996—Subsec. (d). Pub. L. 104-106 struck out “appropriations or” before “funds of the Commission” in introductory provisions.

Subsec. (e). Pub. L. 104-201 inserted concluding provisions “Notwithstanding the provisions relating to the availability of adequate schools contained in section 5924(4)(A) of title 5, the Commission shall by regulation determine the extent to which costs of educational services may be defrayed under this subsection.”

1994—Subsec. (e)(2). Pub. L. 103-337 inserted “or the United States” after “schools in the Republic of Panama”.

1992—Subsec. (e)(1). Pub. L. 102-484 inserted “provided by medical facilities licensed and approved by the Republic of Panama (and not operated by the United States)” after “health care services”.

1988—Subsec. (h). Pub. L. 100-705 added subsec. (h).

1985—Subsec. (e). Pub. L. 99-223 amended subsec. (e) generally, striking out “, in accordance with subsection (d) of this section,” after “shall be available” in provisions preceding par. (1) and inserting “employees of the Commission who are citizens of the United States and” in par. (2).

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 1998 AMENDMENT

Pub. L. 105-261, div. C, title XXXV, §3507(a), Oct. 17, 1998, 112 Stat. 2269, provided that the amendment made by section 3507(a) striking out subsec. (e) of this section is effective 11:59 p.m. (Eastern Standard Time), Dec. 30, 1999, and any right or condition of employment provided for in, or arising from, subsec. (e) of this section is terminated.

EFFECTIVE DATE OF 1988 AMENDMENT

Amendment by Pub. L. 100-705 effective Oct. 1, 1988, see section 10 of Pub. L. 100-705, set out as a note under section 3612 of this title.

EFFECTIVE DATE OF 1985 AMENDMENT

Amendment by Pub. L. 99-223 effective Oct. 1, 1985, see section 8 of Pub. L. 99-223, set out as a note under section 3612 of this title.

SUBPART IV—POSTAL MATTERS

§ 3741. Postal service

(a) Possession or administration of funds by Commission

The Commission shall take possession of and administer the funds of the Canal Zone postal service and shall assume its obligations.