

accordance with subchapter V<sup>1</sup> of title 31. Notwithstanding section 3556 of that title, section 1491(b) of title 28, and any other provision of law, the Board shall have exclusive jurisdiction to decide such protests. For purposes of this subsection—

(1) except as provided in paragraph (2), each reference to the Comptroller General in sections 3551 through 3555 of title 31, is deemed to be a reference to the Board;

(2) the reference to the Comptroller General in section 3553(d)(3)(C)(ii) of such title is deemed to be a reference to both the Board and the Comptroller General;

(3) the report required by paragraph (1) of section 3554(e) of such title shall be submitted to the Comptroller General as well as the committees listed in such paragraph;

(4) the report required by paragraph (2) of such section shall be submitted to the Comptroller General as well as Congress; and

(5) section 3556 of such title shall not apply to the Board, but nothing in this subsection shall affect the right of an interested party to file a protest with the appropriate contracting officer.

#### (d) Procedures

The Board shall prescribe such procedures as may be necessary for the expeditious decision of appeals and protests under subsections (b) and (c).

#### (e) Commencement

The Board shall begin to function as soon as it has been established and has prescribed procedures under subsection (d).

#### (f) Transition

The Board shall have jurisdiction under subsections (b) and (c) over any appeals and protests filed on or after the date on which the Board begins to function. Any appeals and protests filed before such date shall remain before the forum in which they were filed.

#### (g) Other functions

The Board may perform functions similar to those described in this section for such other matters or activities of the Commission as the Commission may determine and in accordance with regulations prescribed by the Commission.

(Pub. L. 96-70, title III, §3102, as added Pub. L. 105-85, div. C, title XXXV, §3541, Nov. 18, 1997, 111 Stat. 2071; amended Pub. L. 105-261, div. C, title XXXV, §3510, Oct. 17, 1998, 112 Stat. 2270.)

### Editorial Notes

#### CODIFICATION

In subsec. (a)(1), “sections 7105(a), (c) to (e), (g), 7106(a), and 7107(a) of title 41” substituted for “section 8 of the Contract Disputes Act of 1978 (41 U.S.C. 607)”, “chapter 71 of title 41” substituted for “the Contract Disputes Act of 1978 (41 U.S.C. 601 et seq.)”, and “that chapter” substituted for “that Act” on authority of Pub. L. 111-350, §6(c), Jan. 4, 2011, 124 Stat. 3854, which Act enacted Title 41, Public Contracts.

In subsec. (b), “section 7104(b)(1) of title 41” substituted for “section 10(a)(1) of the Contract Disputes

<sup>1</sup> So in original. Probably should be “subchapter V of chapter 35”.

Act of 1978 (41 U.S.C. 609(a)(1))” and “section 7105(e) of title 41” substituted for “section 8(d) of such Act (41 U.S.C. 607(d))” on authority of Pub. L. 111-350, §6(c), Jan. 4, 2011, 124 Stat. 3854, which Act enacted Title 41, Public Contracts.

#### AMENDMENTS

1998—Subsec. (a). Pub. L. 105-261, §3510(a)(1), substituted “may” for “shall” in first sentence.

Subsec. (a)(3). Pub. L. 105-261, §3510(a)(2), added par. (3).

Subsec. (e). Pub. L. 105-261, §3510(b), struck out “, but not later than January 1, 1999” before period at end.

### PART 2—ADMINISTRATION

#### § 3871. Annual report

Until the termination of the Panama Canal Treaty of 1977, the President shall report annually on the status of the exercise of the rights and responsibilities of the United States under that Treaty. Such report shall include a discussion of the following:

(1) The actions taken by the Government of the Republic of Panama with respect to the living conditions of persons who resided in the Canal Zone before October 1, 1979, and who continue to reside in those areas made available to the United States under the Agreement in Implementation of Article III of the Panama Canal Treaty.

(2) The terms, conditions, and charges for land-use licenses within the canal operating areas specified in the Agreement in Implementation of Article III of the Panama Canal Treaty.

(3) The condition of former employees (and their dependents) of the Panama Canal Company and the Canal Zone Government who reside in the Republic of Panama on or after October 1, 1979.

(Pub. L. 96-70, title III, §3301, Sept. 27, 1979, 93 Stat. 497.)

#### Statutory Notes and Related Subsidiaries

##### REPORT TO CONGRESS ON CONDITION OF PANAMA CANAL AND CANAL OPERATIONS

Pub. L. 100-203, title V, §5418, Dec. 22, 1987, 101 Stat. 1330-271, provided that out of the funds authorized to be appropriated by part 1 (§§5411 to 5418) of subtitle E of title V of Pub. L. 100-203, the Panama Canal Commission was to prepare and submit to Congress a report on the condition of the Panama Canal and potential adverse effects on United States shipping and commerce and report on the effect on canal operations of certain Panamanian Government and military actions.

#### Executive Documents

##### DELEGATION OF FUNCTIONS

Functions vested in President by this section delegated to Secretary of State who shall perform such function in coordination with Secretary of Defense pursuant to section 1-401 of Ex. Ord. No. 12215, May 27, 1980, 45 F.R. 36044, set out as a note under section 3601 of this title.

#### § 3872. Notification requirements

The Panama Canal Commission shall provide written advance notification to the Committee on Merchant Marine and Fisheries of the House of Representatives and the Committee on Armed Services of the Senate regarding—