

1-101. All the functions vested in the President by Section 121(a) of the Budget and Accounting Procedures Act of 1950, as amended (31 U.S.C. 68a) [31 U.S.C. 9503], are delegated to the Director of the Office of Management and Budget. The Director may, from time to time, designate other officers or agencies of the Federal Government to perform any or all of the functions hereby delegated to the Director, subject to such instructions, limitations, and directions as the Director deems appropriate.

1-102. The head of an Executive agency responsible for the administration of any Federal Government pension plan within the meaning of Section 123(a) of the Budget and Accounting Procedures Act of 1950, as amended (31 U.S.C. 68c) [31 U.S.C. 9502(1)], except subsections (a)(9) and (b), shall ensure that the administrators of those plans comply with the form, manner, and time of filing as required by the Director of the Office of Management and Budget.

1-103. Subject to the provisions of Section 1-101 of this Order, and in the absence of any contrary delegation or direction by the Director, the Secretary of the Treasury, with respect to the development of the form and content of the annual reports, shall perform the functions set forth in Section 121(a) of the Budget and Accounting Procedures Act of 1950, as amended (31 U.S.C. 68a) [31 U.S.C. 9503]. In performing this function, the Secretary shall also be responsible for consulting with the Comptroller General.

JIMMY CARTER.

§ 9504. Review and recommendations

When necessary or when requested by either House of Congress or a committee of Congress, the Comptroller General shall—

- (1) review financial and actuarial statements provided under section 9503 of this title to decide whether the reporting requirements of section 9503 are adequate to carry out section 9501 of this title; and
(2) submit to Congress recommendations for legislation necessary to carry out section 9501 of this title.

(Pub. L. 97-258, Sept. 13, 1982, 96 Stat. 1051.)

HISTORICAL AND REVISION NOTES

Table with 3 columns: Revised Section, Source (U.S. Code), Source (Statutes at Large). Row 9504: 31:68b, Sept. 12, 1950, ch. 946, 64 Stat. 832, §122; added Nov. 4, 1978, Pub. L. 95-595, §1, 92 Stat. 2542.

The word "When" is substituted for "If" in both places as being more precise. The word "deemed" is omitted as unnecessary because of the restatement. The words "the General Accounting Office" are omitted as unnecessary because of the restatement and because the authority to act is vested in the Comptroller General.

CHAPTER 97—MISCELLANEOUS

Table with 2 columns: Sec., Description. Rows 9701-9703.1: Fees and charges for Government services and things of value; Investment of trust funds; Managerial accountability and flexibility; Pilot projects for managerial accountability and flexibility; Department of the Treasury Forfeiture Fund.

AMENDMENTS

1993—Pub. L. 103-62, §11(b)(2), Aug. 3, 1993, 107 Stat. 295, added item 9703 relating to managerial accountability and flexibility and item 9704.

1 So in original. Two sections 9703 have been enacted.

1992—Pub. L. 102-393, title VI, §638(b)(2), Oct. 6, 1992, 106 Stat. 1788, added item 9703.

§ 9701. Fees and charges for Government services and things of value

(a) It is the sense of Congress that each service or thing of value provided by an agency (except a mixed-ownership Government corporation) to a person (except a person on official business of the United States Government) is to be self-sustaining to the extent possible.

(b) The head of each agency (except a mixed-ownership Government corporation) may prescribe regulations establishing the charge for a service or thing of value provided by the agency. Regulations prescribed by the heads of executive agencies are subject to policies prescribed by the President and shall be as uniform as practicable. Each charge shall be—

- (1) fair; and
(2) based on—
(A) the costs to the Government;
(B) the value of the service or thing to the recipient;
(C) public policy or interest served; and
(D) other relevant facts.

(c) This section does not affect a law of the United States—

- (1) prohibiting the determination and collection of charges and the disposition of those charges; and
(2) prescribing bases for determining charges, but a charge may be redetermined under this section consistent with the prescribed bases.

(Pub. L. 97-258, Sept. 13, 1982, 96 Stat. 1051.)

HISTORICAL AND REVISION NOTES

Table with 3 columns: Revised Section, Source (U.S. Code), Source (Statutes at Large). Row 9701: 31:483a, Aug. 31, 1951, ch. 376, §501, 65 Stat. 290.

In the section, the words "agency (except a mixed-ownership Government corporation)" are substituted for "Federal agency (including wholly owned Government corporations as defined in the Government Corporation Control Act of 1945 [31 U.S.C. 841 et seq.]" because of section 101 of the revised title and for consistency.

In subsection (a), the words "each service or thing of value provided" are substituted for "any work, service, publication, report, document, benefit, privilege, authority, use, franchise, license, permit, certificate, registration or similar thing of value or utility performed, furnished, provided, granted, prepared, or issued" for consistency and to eliminate unnecessary words. The words "(including groups, associations, organizations, partnerships, corporations, or businesses)" are omitted as being included in "person" under 1:1.

In subsection (b), before clause (1), the words "may prescribe regulations establishing the charge for a service or thing of value provided by the agency" are substituted for "is authorized by regulation . . . to prescribe therefor such fee, charge, or price, if any, as he shall determine, in case none exists, or redetermine, in case of any existing one" for consistency, to eliminate unnecessary words, and because of the restatement. In clause (1), the words "and equitable" are omitted as being included in "fair". In clause (2)(A), the words "direct and indirect" are omitted as surplus. In clause (2)(B), the words "of the service or thing" are added for clarity. In clause (2)(D), the words "and any amount so determined or redetermined shall be collected and paid