

because sections 101 and 102(a) of Reorganization Plan No. 2 of 1970 (eff. July 1, 1970, 84 Stat. 2085) designated the Bureau of the Budget as the Office of Management and Budget and transferred all functions of the Bureau to the President.

AMENDMENTS

1990—Pub. L. 101-510 substituted “General: reports” for “General reports” in section catchline and amended text generally. Prior to amendment, text read as follows:

“(a) In carrying out audit responsibilities, the Comptroller General shall report on operations under this subchapter to—

- “(1) the head of the agency concerned;
“(2) the Secretary of the Treasury; and
“(3) the President.

“(b) A report under this section shall include an appraisal of unpaid obligations under appropriation accounts established under section 1552 of this title. By the 30th day after receiving a report, the head of the agency concerned shall carry out actions required by section 1554 of this title that the report shows is necessary.”

EFFECTIVE DATE OF 1990 AMENDMENT

Amendment by Pub. L. 101-510 applicable to any appropriation account the obligated balance of which, on Nov. 5, 1990, has not been transferred under section 1552(a)(1) of this title, as in effect Nov. 4, 1990, with transitional provisions, see section 1405(b) of Pub. L. 101-510, set out as a note under section 1551 of this title.

§ 1557. Authority for exemptions in appropriation laws

A provision of an appropriation law may exempt an appropriation from the provisions of this subchapter and fix the period for which the appropriation remains available for expenditure. (Pub. L. 97-258, Sept. 13, 1982, 96 Stat. 937; Pub. L. 101-510, div. A, title XIV, §1405(a)(1), Nov. 5, 1990, 104 Stat. 1679.)

HISTORICAL AND REVISION NOTES

Table with 3 columns: Revised Section, Source (U.S. Code), Source (Statutes at Large). Row 1: 1557, 31:708, July 25, 1956, ch. 727, §9, 70 Stat. 650.

AMENDMENTS

1990—Pub. L. 101-510 substituted “Authority for exemptions in appropriation laws” for “Authorization to exempt” in section catchline and amended text generally. Prior to amendment, text read as follows: “A provision of an appropriation law may exempt an appropriation from this subchapter and fix the period for which the appropriation remains available for expenditure.”

EFFECTIVE DATE OF 1990 AMENDMENT

Amendment by Pub. L. 101-510 applicable to any appropriation account the obligated balance of which, on Nov. 5, 1990, has not been transferred under section 1552(a)(1) of this title, as in effect Nov. 4, 1990, with transitional provisions, see section 1405(b) of Pub. L. 101-510, set out as a note under section 1551 of this title.

§ 1558. Availability of funds following resolution of a formal protest or other challenge

(a) Notwithstanding section 1552 of this title or any other provision of law, funds available to an agency for obligation for a contract at the time a protest or other action referred to in subsection (b) is filed in connection with a solicita-

tion for, proposed award of, or award of such contract shall remain available for obligation for 100 days after the date on which the final ruling is made on the protest or other action. A ruling is considered final on the date on which the time allowed for filing an appeal or request for reconsideration has expired, or the date on which a decision is rendered on such an appeal or request, whichever is later.

(b) Subsection (a) applies with respect to—

(1) any protest filed under subchapter V of chapter 35 of this title; or

(2) an action commenced under administrative procedures or for a judicial remedy if—

(A) the action involves a challenge to—

- (i) a solicitation for a contract;
(ii) a proposed award of a contract;
(iii) an award of a contract; or
(iv) the eligibility of an offeror or potential offeror for a contract or of the contractor awarded the contract; and

(B) commencement of the action delays or prevents an executive agency from making an award of a contract or proceeding with a procurement.

(Added Pub. L. 101-189, div. A, title VIII, §813(a), Nov. 29, 1989, 103 Stat. 1494; amended Pub. L. 104-106, div. E, title LV, §5502(a), (b), Feb. 10, 1996, 110 Stat. 698, 699.)

AMENDMENTS

1996—Pub. L. 104-106, §5502(b), substituted “of a formal protest or other challenge” for “of a protest” in section catchline.

Subsec. (a). Pub. L. 104-106, §5502(a)(1), inserted “or other action referred to in subsection (b)” after “time a protest”, substituted “100 days” for “90 working days”, and inserted “or other action” after “on the protest”.

Subsec. (b). Pub. L. 104-106, §5502(a)(2), added subsec. (b) and struck out former subsec. (b) which read as follows: “Subsection (a) applies with respect to any protest filed under subchapter V of chapter 35 of this title or under section 111(f) of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 759(f)).”

EFFECTIVE DATE OF 1996 AMENDMENT

Amendment by Pub. L. 104-106 effective 180 days after Feb. 10, 1996, see section 5701 of Pub. L. 104-106, div. E, title LVII, Feb. 10, 1996, 110 Stat. 702.

SUBTITLE III—FINANCIAL MANAGEMENT

Table with 2 columns: Chap. and Sec. 31. Public Debt 3101, 33. Depositing, Keeping, and Paying Money 3301, 35. Accounting and Collection 3501, 37. Claims 3701, 38. Administrative Remedies for False Claims and Statements 3801, 39. Prompt Payment 3901

AMENDMENTS

1986—Pub. L. 99-509, title VI, §6103(b), Oct. 21, 1986, 100 Stat. 1948, added item for chapter 38.

1983—Pub. L. 97-452, §1(18)(B), Jan. 12, 1983, 96 Stat. 2477, added item for chapter 39.

CHAPTER 31—PUBLIC DEBT

SUBCHAPTER I—BORROWING AUTHORITY

Table with 2 columns: Sec. and Public debt limit. 3101. Public debt limit.