

payment shall not be a basis of payment, and shall not be included in the computation, of any other type of Government benefit.

“(4)(A) Not later than January 15, 1999, the Director of the Government Publishing Office shall submit a plan described under subparagraph (C) to the Joint Committee on Printing (or any applicable successor committees).

“(B) No voluntary separation incentive payment may be paid under this section unless the Director of the Government Publishing Office submits a plan described under subparagraph (C) to the Joint Committee on Printing (or any applicable successor committees) and the Joint Committee on Printing approves the plan (or such successor committees approve the plan).

“(C) The plan referred to under subparagraph (B) shall include—

“(i) the positions and functions to be reduced or eliminated, identified by organizational unit, occupational category, and pay or grade level;

“(ii) the number and amounts of voluntary separation incentive payments to be offered; and

“(iii) a description of how the Government Publishing Office will operate without the eliminated positions and functions.

“(5) Repealed. Pub. L. 112–10, div. B, title IX, § 1926(a), Apr. 15, 2011, 125 Stat. 172.]

“(6)(A) Subject to subparagraph (B), an employee who has received a voluntary separation incentive payment under this section and accepts employment with the Government of the United States within 5 years after the date of the separation on which the payment is based shall be required to repay the entire amount of the incentive payment to the agency that paid the incentive payment.

“(B)(i) If the employment is with an Executive agency (as defined by section 105 of title 5, United States Code), the Director of the Office of Personnel Management may, at the request of the head of the agency, waive the repayment if the individual involved possesses unique abilities and is the only qualified applicant available for the position.

“(ii) If the employment is with an entity in the legislative branch, the head of the entity or the appointing official may waive the repayment if the individual involved possesses unique abilities and is the only qualified applicant available for the position.

“(iii) If the employment is with the judicial branch, the Director of the Administrative Office of the United States Courts may waive the repayment if the individual involved possesses unique abilities and is the only qualified applicant available for the position.

“(C) For purposes of subparagraph (A) (but not subparagraph (B)), the term ‘employment’ includes employment under a personal services contract with the United States.

“(7) Not later than January 15, 1999, the Director of the Government Publishing Office shall prescribe regulations to carry out this subsection.

“(d) RETRAINING, JOB PLACEMENT, AND COUNSELING SERVICES.—(1) In this subsection, the term ‘employee’—

“(A) means an employee of the Government Publishing Office; and

“(B) shall not include—

“(i) a reemployed annuitant under subchapter III of chapter 83 or chapter 84 of title 5, United States Code, or another retirement system for employees of the Government; or

“(ii) an employee who is employed on a temporary when actually employed basis.

“(2) The Director of the Government Publishing Office may establish a program to provide retraining, job placement, and counseling services to employees and former employees.

“(3) A former employee may not participate in a program established under this subsection, if—

“(A) the former employee was separated from service with the Government Publishing Office for more than 1 year; or

“(B) the separation was by removal for cause on charges of misconduct or delinquency.

“(4) Retraining costs for the program established under this subsection may not exceed \$5,000 for each employee or former employee.

“(e) ADMINISTRATIVE PROVISIONS.—(1) The Director of the Government Publishing Office—

“(A) may use employees of the Government Publishing Office to establish and administer programs and carry out the provisions of this section; and

“(B) may procure temporary and intermittent services under section 3109(b) of title 5, United States Code, to carry out such provisions—

“(i) not subject to the 1 year of service limitation under such section 3109(b); and

“(ii) at rates for individuals which do not exceed the daily equivalent of the annual rate of basic pay prescribed for level V of the Executive Schedule under section 5316 of such title.

“(2) Funds to carry out subsections (a) and (c) may be expended only from funds available for the basic pay of the employee who is receiving the applicable payment.

“(3) Funds to carry out subsection (d) may be expended from any funds made available to the Director of the Government Publishing Office.”

[Pub. L. 112–10, div. B, title IX, § 1926(b), Apr. 15, 2011, 125 Stat. 172, provided that: “The amendment made by subsection (a) [amending section 309 of Pub. L. 105–275, set out above] shall take effect as if included in the enactment of the Legislative Branch Appropriations Act, 1999 [Pub. L. 105–275].”]

[Pub. L. 107–68, title II, § 210(b), Nov. 12, 2001, 115 Stat. 590, provided that: “The amendments made by this section [amending section 309 of Pub. L. 105–275, set out above] shall take effect as if included in the enactment of the Legislative Branch Appropriations Act, 1999 [Pub. L. 105–275].”]

### § 306. Director of the Government Publishing Office: employment of skilled workmen; trial of skill

The Director of the Government Publishing Office shall employ workmen who are thoroughly skilled in their respective branches of industry, as shown by trial of their skill under the direction of the Director.

(Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1240; Pub. L. 113–235, div. H, title I, § 1301(c), (i)(3), Dec. 16, 2014, 128 Stat. 2537, 2538.)

#### HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 41 (Jan. 12, 1895, ch. 23, § 45, 28 Stat. 607).

#### AMENDMENTS

2014—Pub. L. 113–235, § 1301(i)(3), substituted “the direction of the Director” for “his direction”.

Pub. L. 113–235, § 1301(c), substituted “Director of the Government Publishing Office” for “Public Printer” in section catchline and text.

### § 307. Director of the Government Publishing Office: night work

The Director of the Government Publishing Office shall cause the public printing in the Government Publishing Office to be done at night as well as through the day, when the exigencies of the public service require it.

(Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1240; Pub. L. 113–235, div. H, title I, § 1301(b), (c), Dec. 16, 2014, 128 Stat. 2537.)

#### HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 42 (Jan. 12, 1895, ch. 23, § 47, 28 Stat. 607).

## AMENDMENTS

2014—Pub. L. 113-235, §1301(c), substituted “Director of the Government Publishing Office” for “Public Printer” in section catchline and text.

## CHANGE OF NAME

“Government Publishing Office” substituted for “Government Printing Office” in text on authority of section 1301(b) of Pub. L. 113-235, set out as a note preceding section 301 of this title.

**§ 308. Disbursing officer; deputy disbursing officer; certifying officers and employees**

(a) The Director of the Government Publishing Office shall appoint from time to time a disbursing officer of the Government Publishing Office (including the Office of the Superintendent of Documents) who shall be under the direction of the Director of the Government Publishing Office. The disbursing officer shall (1) disburse moneys of the Government Publishing Office only upon, and in strict accordance with, vouchers certified by the Director of the Government Publishing Office or by an officer or employee of the Government Publishing Office authorized in writing by the Director of the Government Publishing Office to certify such vouchers, (2) make such examination of vouchers as may be necessary to ascertain whether they are in proper form, certified, and approved, and (3) be held accountable accordingly. However, the disbursing officer shall not be held accountable or responsible for any illegal, improper, or incorrect payment resulting from any false, inaccurate, or misleading certificate, the responsibility for which, under subsection (c) of this section, is imposed upon a certifying officer or employee of the Government Publishing Office.

(b)(1) Upon the death, resignation, or separation from office of the disbursing officer, the accounts of the disbursing officer may be continued, and payments and collection may be made in the name of the disbursing officer, by any individual designated as a deputy disbursing officer by the Director of the Government Publishing Office, for a period of time not to extend beyond the last day of the second month following the month in which the death, resignation, or separation occurred. Accounts and payments shall be allowed, audited, and settled, and checks signed in the name of the former disbursing officer by a deputy disbursing officer shall be honored in the same manner as if the former disbursing officer had continued in office.

(2) A former disbursing officer of the Government Publishing Office or the estate of the disbursing officer may not be subject to any legal liability or penalty for the official accounts or defaults of the deputy disbursing officer acting in the name or in the place of the former disbursing officer. Each deputy disbursing officer is responsible for accounts entrusted to the deputy disbursing officer under paragraph (1) of this subsection, and the deputy disbursing officer is liable for any default occurring during the service of the deputy disbursing officer under such paragraph.

(c)(1) The Director of the Government Publishing Office may designate in writing officers and employees of the Government Publishing Office to certify vouchers for payment from appropria-

tions and funds. Such officers and employees shall (A) be responsible for the existence and correctness of the facts recited in the certificate or other voucher or its supporting papers and for the legality of the proposed payment under the appropriation or fund involved, (B) be responsible and accountable for the correctness of the computations of certified vouchers, and (C) be accountable for, and required to make restitution to, the United States for the amount of any illegal, improper, or incorrect payment resulting from any false, inaccurate, or misleading certificate made by such officer or employee, as well as for any payment prohibited by law or which did not represent a legal obligation under the appropriation or fund involved. However, the Comptroller General of the United States, may, at the discretion of the Comptroller General, relieve such certifying officer or employee of liability for any payment otherwise proper whenever the Comptroller General finds that (i) the certification was based on the official records and that such certifying officer or employee did not know, and by reasonable diligence and inquiry could not have ascertained, the actual facts, or (ii) when the obligation was incurred in good faith, the payment was not contrary to any statutory provision specifically prohibiting payments of the character involved, and the United States has received value for such payment. The Comptroller General shall relieve such certifying officer or employee of liability for an overpayment for transportation services made to any common carrier covered by section 3726 of title 31, whenever the Comptroller General finds that the overpayment occurred solely because the administrative examination made prior to payment of the transportation bill did not include a verification of transportation rates, freight classifications, or land grant deductions.

(2) The liability of such certifying officers or employees shall be enforced in the same manner and to the same extent as provided by law with respect to the enforcement of the liability of disbursing and other accountable officers. Such certifying officers and employees shall have the right to apply for and obtain a decision by the Comptroller General on any question of law involved in a payment on any vouchers presented to them for certification.

(Pub. L. 90-620, Oct. 22, 1968, 82 Stat. 1240; Pub. L. 92-310, title II, §210(b), June 6, 1972, 86 Stat. 204; Pub. L. 93-459, §1(a), Oct. 20, 1974, 88 Stat. 1384; Pub. L. 95-473, §2(a)(5), Oct. 17, 1978, 92 Stat. 1466; Pub. L. 97-258, §3(m)(1), Sept. 13, 1982, 96 Stat. 1066; Pub. L. 113-235, div. H, title I, §1301(b), (c)(1), (i)(4), Dec. 16, 2014, 128 Stat. 2537, 2538.)

## HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., §§52a, 63, 73 (part) (June 25, 1910, ch. 384, §1, 36 Stat. 770; Feb. 20, 1923, ch. 98, 42 Stat. 1278; Pub. L. 86-31, May 26, 1959, 73 Stat. 60).

The last paragraph of this section is from former section 73; the remainder of that section will be found in section 1702 of the revision.

Paragraph (a) deleted as executed.

## AMENDMENTS

2014—Subsec. (a). Pub. L. 113-235, §1301(c)(1), substituted “Director of the Government Publishing Office” for “Public Printer” wherever appearing.