

including notices of proposed rulemaking, relating to a function or authority transferred under this Act. Such matters or proceedings shall continue under the authority of the agency to which the function or authority is transferred until completed or terminated in accordance with law.

“(3) JUDICIAL PROCEEDINGS AND CAUSES OF ACTIONS.—No suit, action, or other proceeding or cause of action relating to a function or authority transferred under this Act shall abate by reason of the enactment of this Act. If, before the date on which a transfer of a function or authority this Act takes effect, the Comptroller General of the United States or any officer or employee of the General Accounting Office [now Government Accountability Office] in their official capacity is party to a suit relating to the function or authority, then such suit shall be continued and the head of the agency to which the function or authority is transferred, or other appropriate official of that agency, shall be substituted or added as a party.”

CONTRACT APPEALS BOARD

Pub. L. 110-161, div. H, title I, §1501, Dec. 26, 2007, 121 Stat. 2249, as amended by Pub. L. 113-235, div. H, title I, §1301(b), Dec. 16, 2014, 128 Stat. 2537, provided that:

“(a) DEFINITIONS.—In this section—

“(1) the term ‘Board’ means the Contract Appeals Board established under subsection (b); and

“(2) the term ‘legislative branch agency’ means—

“(A) the Architect of the Capitol;

“(B) the United States Botanic Gardens [sic];

“(C) the Government Accountability Office;

“(D) the Government Publishing Office;

“(E) the Library of Congress;

“(F) the Congressional Budget Office;

“(G) the United States Capitol Police; and

“(H) any other agency, including any office, board, or commission, established in the legislative branch; and

“(b) ESTABLISHMENT.—There is established a Contract Appeals Board within the Government Accountability Office. The Board shall hear and decide appeals from decisions of a contracting officer with respect to any contract entered into by a legislative branch agency.

“(c) MEMBERS OF THE BOARD.—

“(1) APPOINTMENT.—The Comptroller General shall appoint at least 3 members to the Contract Appeals Board.

“(2) QUALIFICATIONS.—Each member shall have not less than 5 years experience in public contract law.

“(3) PAY.—Subject to any provision of law relating to pay applicable to the Office of General Counsel of the Government Accountability Office, the Comptroller General shall establish and adjust the annual rate of basic pay of members of the Board.

“(d) PROVISIONS APPLICABLE TO APPEALS.—The Contract Disputes Act of 1978 (Public Law 95-563, [former] 41 U.S.C. 601 et seq. [see 41 U.S.C. 7101 et seq.]), as amended, shall apply to appeals to the Board, except that section 4 [now 41 U.S.C. 7102(d)], subsections 8(a), (b), and (c) [now 41 U.S.C. 7105(a), (c), (d), (e)(1)(C)], and subsection 10(a) [now 41 U.S.C. 7104(b)] shall not apply to such appeals and the amount of any claim referenced in subsection 6(c) [now 41 U.S.C. 7103(b), (f)] shall be \$50,000. The Comptroller General shall prescribe regulations for procedures for appeals to the Board that are consistent with procedures under the Contract Disputes Act of 1978.

“(e) EFFECTIVE DATE.—This section shall apply with respect to fiscal year 2008 and each fiscal year thereafter.”

§ 703. Comptroller General and Deputy Comptroller General

(a)(1) The Comptroller General and Deputy Comptroller General are appointed by the President, by and with the advice and consent of the Senate.

(2) When a vacancy occurs in the office of Comptroller General or Deputy Comptroller General, a commission is established to recommend individuals to the President for appointment to the vacant office. The commission shall be composed of—

(A) the Speaker of the House of Representatives;

(B) the President pro tempore of the Senate;

(C) the majority and minority leaders of the House of Representatives and the Senate;

(D) the chairmen and ranking minority members of the Committee on Governmental Affairs of the Senate and the Committee on Government Operations of the House; and

(E) when the office of Deputy Comptroller General is vacant, the Comptroller General.

(3) A commission established because of a vacancy in the office of the Comptroller General shall recommend at least 3 individuals. The President may ask the commission to recommend additional individuals.

(b) Except as provided in subsection (e) of this section, the term of the Comptroller General is 15 years. The Comptroller General may not be reappointed. The term of the Deputy Comptroller General expires on the date an individual is appointed Comptroller General. The Deputy Comptroller General may continue to serve until a successor is appointed.

(c) The Deputy Comptroller General—

(1) carries out duties and powers prescribed by the Comptroller General; and

(2) acts for the Comptroller General when the Comptroller General is absent or unable to serve or when the office of Comptroller General is vacant.

(d) The Comptroller General shall designate an officer or employee of the Government Accountability Office to act as Comptroller General when the Comptroller General and Deputy Comptroller General are absent or unable to serve or when the offices of Comptroller General and Deputy Comptroller General are vacant.

(e)(1) A Comptroller General or Deputy Comptroller General may retire after becoming 70 years of age and completing 10 years of service as Comptroller General or Deputy Comptroller General (as the case may be). Either may be removed at any time by—

(A) impeachment; or

(B) joint resolution of Congress, after notice and an opportunity for a hearing, only for—

(i) permanent disability;

(ii) inefficiency;

(iii) neglect of duty;

(iv) malfeasance; or

(v) a felony or conduct involving moral turpitude.

(2) A Comptroller General or Deputy Comptroller General removed from office under paragraph (1) of this subsection may not be reappointed to the office.

(f) The annual rate of basic pay of the—

(1) Comptroller General is equal to the rate for level II of the Executive Schedule; and

(2) Deputy Comptroller General is equal to the rate for level III of the Executive Schedule.

(Pub. L. 97-258, Sept. 13, 1982, 96 Stat. 888; Pub. L. 100-426, title II, §201, Sept. 9, 1988, 102 Stat.

1599; Pub. L. 108–271, § 8(b), July 7, 2004, 118 Stat. 814.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
703(a)(1) ..	31:42(a)(1st sentence words after comma).	June 10, 1921, ch. 18, § 302(a)(1st sentence words after 1st comma, last sentence), 42 Stat. 23; Apr. 3, 1980, Pub. L. 96–226, § 104(a), 94 Stat. 314.
703(a)(2), (3).	31:42(b).	June 10, 1921, ch. 18, 42 Stat. 20, § 302(b); added Apr. 3, 1980, Pub. L. 96–226, § 104(a), 94 Stat. 314.
703(b)	31:43(1st par. 1st, 2d sentence).	June 10, 1921, ch. 18, § 303(1st par.), 42 Stat. 23; Apr. 3, 1980, Pub. L. 96–226, § 104(b)(1), 94 Stat. 315.
703(c)	31:42(a)(last sentence).	
703(d)	31:43a.	June 27, 1944, ch. 286, § 101(last par. on p. 371), 58 Stat. 371.
703(e)	31:43(1st par. 3d-last sentences).	
703(f)	31:42a.	Aug. 14, 1964, Pub. L. 88–426, § 203(a), (b), 78 Stat. 415; Dec. 16, 1967, Pub. L. 90–206, § 219(1), 81 Stat. 639; restated Aug. 9, 1975, Pub. L. 94–82, § 204(b), 89 Stat. 421.

In subsections (a)(1), (b), (d), and (e), the word “Deputy” is substituted for “Assistant” because of section 101 of the Act of July 9, 1971 (Pub. L. 92–51, 85 Stat. 143).

In subsection (a)(1), the words “The Comptroller General and Deputy Comptroller General” are added because of the restatement. The words “by and” are added for consistency. The words “and shall receive salaries of \$10,000 and \$7,500 a year, respectively” in section 302(a)(1st sentence words after 2d comma) of the Budget and Accounting Act, 1921 (ch. 18, 42 Stat. 23), are omitted as superseded by subsection (f) of this section.

In subsection (a)(2), before clause (A), the words “after April 3, 1980” are omitted as executed. In clause (E), the words “of the United States” are omitted as surplus.

In subsection (a)(3), the words “because of a vacancy in the office of the Comptroller General” are substituted for “under paragraph (1)” for clarity. The word “recommend” is substituted for “submit” and “submitted” for consistency. The words “to the President for consideration the names of”, “for the Office of Comptroller General”, and “within his discretion” are omitted as surplus.

In subsection (b), the words “the term of . . . is 15 years” are substituted for “shall hold office for fifteen years” for consistency. The words “eligible for” are omitted as surplus. The words “the term of . . . expires on” are substituted for “shall hold office from the date of his appointment until” to eliminate unnecessary words and for consistency. The words “to fill a vacancy in the Office of” are omitted as surplus.

In subsection (c), the words “carries out duties and powers prescribed” are substituted for “perform such duties as may be assigned” for consistency. The words “to him” are omitted as surplus.

In subsection (d), the words “officer or” are added for consistency in the revised title. The text of section 101(last par. on p. 371 words before colon) of the Act of June 27, 1944 (ch. 286, 58 Stat. 371), is omitted as expired.

In subsection (e)(1), before clause (A), the words “from his office” are omitted as surplus. In clause (A), the words “and for no other cause and in no other manner” are omitted as surplus. In clause (B), before subclause (i), the words “opportunity for a” are added for consistency. The words “guilty of” are omitted as surplus. In subclause (i), the word “disability” is substituted for “incapacitated” for consistency in the chapter and with title 5. In subclause (iv), the words “in office” are omitted as surplus.

In subsection (e)(2), the words “from office” are added for clarity.

In subsection (f), before clause (1), the words “basic pay” are substituted for “compensation” for consistency with other titles of the United States Code. In clauses (1) and (2), the words “of the United States” and “positions at” are omitted as surplus. In clause (1), the words “of subchapter II of chapter 53 of title 5” are omitted as surplus.

AMENDMENTS

2004—Subsec. (d). Pub. L. 108–271 substituted “Government Accountability Office” for “General Accounting Office”.

1988—Subsec. (e)(1). Pub. L. 100–426 substituted “may retire after becoming 70 years of age and completing 10 years of service as Comptroller General or Deputy Comptroller General (as the case may be)” for “retires on becoming 70 years of age”.

CHANGE OF NAME

Committee on Governmental Affairs of Senate changed to Committee on Homeland Security and Governmental Affairs of Senate, effective Jan. 4, 2005, by Senate Resolution No. 445, One Hundred Eighth Congress, Oct. 9, 2004.

Committee on Government Operations of House of Representatives treated as referring to Committee on Government Reform and Oversight of House of Representatives by section 1(a) of Pub. L. 104–14, set out as a note preceding section 21 of Title 2, The Congress. Committee on Government Reform and Oversight of House of Representatives changed to Committee on Government Reform of House of Representatives by House Resolution No. 5, One Hundred Sixth Congress, Jan. 6, 1999. Committee on Government Reform of House of Representatives changed to Committee on Oversight and Government Reform of House of Representatives by House Resolution No. 6, One Hundred Tenth Congress, Jan. 5, 2007.

EFFECTIVE DATE OF 1988 AMENDMENT

Amendment by Pub. L. 100–426 effective after end of 60-day period beginning Sept. 9, 1988, with certain exceptions, see section 208 of Pub. L. 100–426, set out as a note under section 772 of this title.

SALARY INCREASES

1987—Salaries of Comptroller General and Deputy Comptroller General increased respectively to \$89,500 and \$82,500 per annum, on recommendation of the President of the United States, see note set out under section 358 of Title 2, The Congress.

1977—Salaries of Comptroller General and Deputy Comptroller General increased respectively to \$57,500 and \$52,500 per annum, on recommendation of the President of the United States, see note set out under section 358 of Title 2.

1969—Salaries of Comptroller General and Assistant Comptroller General increased respectively to \$42,500 and \$40,000 per annum, on recommendation of the President of the United States, see note set out under section 358 of Title 2.

§ 704. Relationship to other laws

(a) To the extent applicable, all laws generally related to administering an agency apply to the Comptroller General.

(b) A copy of a record and a transcript from a record or proceeding of the Comptroller General, that the Comptroller General or Deputy Comptroller General certifies under seal, shall be admitted as evidence with the same effect as a copy or transcript referred to in section 1733 of title 28.

(Pub. L. 97–258, Sept. 13, 1982, 96 Stat. 889.)