Public Law 98-216
98th Congress

An Act

To codify without substantive change recent laws related to money and finance and transportation and to improve the United States Code.

Feb. 14, 1984
[H.R. 2727]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

AMENDMENTS TO TITLE 31

Money and finance.

SECTION 1. Title 31, United States Code, is amended as follows:

(1) The first sentence of section 755 is amended to read as follows:

96 Stat. 2478.

"A final decision under section 753(a) (1)-(3), (6), or (7) of this title may be reviewed by the United States Court of Appeals for the District of Columbia Circuit or by the court of appeals of the United States for the circuit in which the petitioner resides.".

(2) Section 1535 is amended by—

96 Stat. 933.

(A) inserting in subsection (a)(3) "or get by contract" after "provide";

(B) inserting in subsection (a)(4) "by contract" after "provided";

(C) striking out subsection (b);

(D) redesignating subsection (c) as subsection (b); and

(E) inserting after subsection (b) (as redesignated) the following:

"(c) A condition or limitation applicable to amounts for procurement of an agency or unit placing an order or making a contract under this section applies to the placing of the order or the making of the contract.".

(3) Section 3322 is amended by—

96 Stat. 950.

(A) redesignating subsection (b) as subsection (c); and

(B) striking out subsection (a) and substituting the following:

"(a) The Secretary of the Treasury shall transfer public money to a disbursing official only by draft or warrant written on the Treasury. Except as provided in subsection (b) of this section, a disbursing official shall—

"(1) deposit public money as required by section 3302 of this title; and

"(2) draw public money from the Treasury or a depositary only—

"(A) as necessary to make payments; and

"(B) payable to persons to whom payment is to be made.

"(b) In a place without a depositary, the Secretary, on deciding it is essential to the public interest, may authorize specially in writing that public money be—

"(1) deposited in any other public depositary; or

"(2) kept in another manner under regulations the Secretary decides are the safest and most effective in making a payment to a public creditor easier.".

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96 Stat. 966.
31 USC 3528.

(4) Section 3528(b) is amended by—

(A) inserting "(1)" after "(b)";

(B) striking out "(1)" before "the certification" and substituting "(A)";

(C) striking out "(2)(A)" and substituting "(B)(i)";

(D) striking out "(B)" before "no law" and substituting "(ii)";

(E) striking out "(C)" and substituting "(iii)"; and

(F) adding at the end the following:

"(2) The Comptroller General may deny relief when the Comptroller General decides the head of the agency did not carry out diligently collection action under procedures prescribed by the Comptroller General.".

96 Stat. 971.

(5) In section 3711(c)(2), strike out "(49 U.S.C. 26(h))" and substitute "(49 App. U.S.C. 26(h))".

96 Stat. 2475.

(6) Section 3902(b) is amended—

(A) in clause (1), by striking out "3903(2)(A)" and substituting "3903(2)"; and

(B) in clause (2), by striking out "3903(2)(B)" and substituting "3903(3)".

96 Stat. 988.

(7) Section 5132(a)(1) is amended by striking out the last sentence.

96 Stat. 1024.

(8) Section 6716(c)(1) is amended by striking out "Subsection" and substituting "Subsections".

AMENDMENTS TO TITLE 49

Transportation.
96 Stat. 2422.

SEC. 2. Title 49, United States Code, is amended as follows:

(1)(A) Section 308 is amended—

(i) in the catchline, by striking out "**Annual reports**" and substituting "**Reports**";

(ii) in subsection (a), by striking out the last sentence; and

(iii) by adding at the end the following:

Reports.
Railroads.

"(d) By the 90th day after the end of each fiscal year, the Secretary shall submit to Congress a report listing the specific assistance provided by the United States Government to the railroad industry during that fiscal year. The report shall include—

"(1) the reasons for each Government loan or grant and explain the way in which the loan or grant contributed to the overall goal of providing a safe and efficient transportation system;

"(2) information on the financial condition of each railroad having a loan guaranteed under the Emergency Rail Services Act of 1970 (45 U.S.C. 661 et seq.) throughout the duration of the loan; and

"(3) information on the past and anticipated financial condition and operations during the fiscal year of the Railroad Rehabilitation and Improvement Fund established under section 502(a) of the Railroad Revitalization and Regulatory Reform Act of 1976 (45 U.S.C. 822(a)) and of the Obligation Guarantee Fund established under section 511(b) of that Act (45 U.S.C. 831(b)).

Mass transportation system.

"(e)(1) The Secretary shall submit a report to Congress in January of each even-numbered year of estimates by the Secretary on the current performance and condition of public mass transportation systems with recommendations for necessary administrative or legislative changes.

"(2) In reporting to Congress under this subsection, the Secretary shall prepare a complete assessment of public transportation facilities in the United States. The Secretary also shall assess future needs for those facilities and estimate future capital requirements and operation and maintenance requirements for one-year, 5-year, and 10-year periods at specified levels of service.".

(B) Item 308 in the analysis of chapter 3 is amended to read as follows:

"308. Reports.".

(2) In sections 103(c)(1), 106 (g)(1) and (h), 302(b), 321, 329 (b)(1) and (d), 334, and 501(b)(2), strike out "49 U.S.C." wherever it appears and substitute "49 App. U.S.C.". 96 Stat. 2415, 2416, 2419, 2422, 2426, 2430, 2431.

(3) In section 306(b), strike out "332" and "49 U.S.C." and substitute "332 or 333" and "49 App. U.S.C.", respectively. 96 Stat. 2421.

(4) In sections 10904 (d)(2) and (e)(3) and 11344(d), strike out "section 5(a)-(d) of the Department of Transportation Act (49 U.S.C. 1654(a)-(d))" and substitute "section 333(a)-(d) of this title". 49 USC 10904, 11344.

(5) In section 10362(a)(1), strike out "section 744 of title 45" and substitute "section 304 of the Regional Rail Reorganization Act of 1973 (45 U.S.C. 744)".

(6) In section 10362(b)(5)(A), strike out "section 562(a) of title 45" and substitute "section 402(a) of the Rail Passenger Service Act (45 U.S.C. 562(a))".

(7) In section 10362(b)(5)(B), strike out "section 1613 of this title" and substitute "section 17 of the Urban Mass Transportation Act of 1964 (49 App. U.S.C. 1613)".

(8) In section 10526(a)(5), strike out "section 1141j(a) of title 12" and substitute "section 15(a) of the Agricultural Marketing Act (12 U.S.C. 1141j(a))".

(9) In section 10542(a)(2), strike out "chapter 23A of title 46" and substitute "the Intercoastal Shipping Act, 1933 (46 U.S.C. 843 et seq.)".

(10) In section 10542(c)(2), strike out "section 391a of title 46" and substitute "section 4417a of the Revised Statutes (46 U.S.C. 391a)".

(11) In sections 10544(d)(1)(B) and 10703(a)(4)(D)(ii), strike out "(46 U.S.C. 843-848)" and substitute "(46 U.S.C. 843 et seq.)". 96 Stat. 2443.

(12) In section 10706(c), strike out "section 12 of title 15" and substitute "the first section of the Clayton Act (15 U.S.C. 12)".

(13) In section 10749(b)(2), strike out "chapter 20 of this title" and substitute "the Federal Aviation Act of 1958 (49 App. U.S.C. 1301 et seq.)".

(14) In section 10903(b)(2), strike out "section 565(b) of title 45" and substitute "section 405(b) of the Rail Passenger Service Act (45 U.S.C. 565(b))".

(15) In section 11125(b)(2)(A), strike out "section 421 of title 45" and substitute "the Federal Railroad Safety Act of 1970 (45 U.S.C. 431 et seq.)".

(16) In section 11347, strike out "section 565 of title 45" and substitute "section 405 of the Rail Passenger Service Act (45 U.S.C. 565)".

(17) Section 11361(b) is amended by striking out "subchapter IV" and substituting "subchapter IV of chapter 11". 96 Stat. 2443.

(18) In section 11367(a), strike out "Section 78n(a) of title 15" and substitute "Section 14(a) of the Securities Exchange Act of 1934 (15 U.S.C. 78n(a))".

(19) In section 11367(b), strike out—

(A) "section 77c(a)(6) of title 15" the first time it appears and substitute "section 3(a)(6) of the Securities Act of 1933 (15 U.S.C. 77c(a)(6))";

(B) "section 77c(a)(6) of title 15" the second time it appears and substitute "section 3(a)(6)";

(C) "Section 77e of that title" and substitute "Section 5 of that Act (15 U.S.C. 77e)"; and

(D) "subchapter I of chapter 2A of title 15" and substitute "that Act (15 U.S.C. 77a et seq.)".

96 Stat. 2168.
49 USC 11909, 11914.

(20) In sections 11909(b) and 11914(b), strike out "prior to enactment of the Department of Transportation Act" and substitute "before October 15, 1966".

CONFORMING AMENDMENTS TO OTHER TITLES

SEC. 3. (a) Title 5, United States Code, is amended as follows:

(1) In section 5313, strike out "Director of the Bureau of the Budget" and substitute "Director of the Office of Management and Budget".

(2) In section 5314, strike out "Deputy Director of the Bureau of the Budget" and substitute "Deputy Director of the Office of Management and Budget".

(3) In section 5315, strike out "Assistant Directors of the Bureau of the Budget (3)" and substitute "Assistant Directors of the Office of Management and Budget (3)".

(4) In section 5514(c), strike out "section 581d" and substitute "section 3530(d)".

(5) In section 8348(d), strike out "the Second Liberty Bond Act as amended," and substitute "chapter 31 of title 31".

(b) Title 18, United States Code, is amended as follows:

(1) In section 490, strike out "minor coins coined" and substitute "one-cent and 5-cent coins minted".

(2) In section 4124, strike out "Director of the Bureau of the Budget" and substitute "President".

(c) The Internal Revenue Code of 1954 (26 U.S.C. 1 et seq.) is amended as follows:

26 USC 7448.

(1) In section 7448(p), strike out "Bureau of the Budget" and substitute "President".

(2) In section 7701(a)(33)(G), strike out "part I of the Interstate Commerce Act" and substitute "subchapter I of chapter 105 of title 49".

(d) Chapter 11 of title 44, United States Code, is amended as follows:

(1) Amend item 1108 in the analysis of chapter 11 to read as follows:

"1108. Presidential approval required for printing of periodicals; number printed; sale to public.".

44 USC 1108.

(2) In the catchline of section 1108, strike out "**Bureau of Budget**" and substitute "**Presidential**".

(3) In the text of section 1108, strike out "Director of the Bureau of the Budget" and substitute "President".

TECHNICAL PROVISIONS

31 USC 3121 note.

SEC. 4. (a)(1) Except as provided in paragraph (2) of this subsection, the amendment made by section 1(9) of the Act of January 12, 1983

(Public Law 97-452, 96 Stat. 2468), applies to an obligation issued under section 3102(a) of title 31, United States Code, after September 3, 1982. 31 USC 3121. 96 Stat. 938.

(2) The amendment made by section 1(9) of the Act of January 12, 1983 (Public Law 97-452, 96 Stat. 2468), applies to an obligation issued after June 30, 1983, if— 31 USC 3121.

(A) interest on the obligation is exempt from tax (decided without regard to the amendments made by section 310 of the Tax Equity and Fiscal Responsibility Act of 1982 (Public Law 97-248, 96 Stat. 595)) under law (without regard to the identity of the holder); and

(B) the obligation was not required to be in registered form under the Internal Revenue Code of 1954 (26 U.S.C. 1 et seq.) as in effect on September 2, 1982.

(b) The amendment made by section 1(9) of the Act of January 12, 1983 (Public Law 97-452, 96 Stat. 2468), applies to an obligation issued under section 3103(a) of title 31, United States Code, after December 31, 1982. 31 USC 3121 note. 96 Stat. 939.

(c) The amendments made by sections 1 (3), (4), and (7) and 3(b)(1) of this Act are effective as of September 13, 1982. Effective date. 18 USC 490 note.

LEGISLATIVE PURPOSE AND CONSTRUCTION

SEC. 5. (a) Sections 1-4 of this Act restate, without substantive change, laws enacted before April 1, 1983, that were replaced by those sections. Sections 1-4 may not be construed as making a substantive change in the laws replaced. Laws enacted after March 31, 1983, that are inconsistent with this Act supersede this Act to the extent of the inconsistency. 31 USC note prec. 101. 49 USC note prec. 101.

(b) A reference to a law replaced by sections 1-4 of this Act, including a reference in a regulation, order, or other law, is deemed to refer to the corresponding provision enacted by this Act.

(c) An order, rule, or regulation in effect under a law replaced by sections 1-4 of this Act continues in effect under the corresponding provision enacted by this Act until repealed, amended, or superseded.

(d) An action taken or an offense committed under a law replaced by sections 1-4 of this Act is deemed to have been taken or committed under the corresponding provision enacted by this Act.

(e) An inference of a legislative construction is not to be drawn by reason of the location in the United States Code of a provision enacted by this Act or by reason of the caption or catchline of the provision.

(f) If a provision enacted by this Act is held invalid, all valid provisions that are severable from the invalid provision remain in effect. If a provision of this Act is held invalid in any of its applications, the provision remains valid for all valid applications that are severable from any of the invalid applications.

REPEALS

SEC. 6. (a) The repeal of a law enacted by this Act may not be construed as a legislative inference that the provision was or was not in effect before its repeal. 31 USC note prec. 101. 49 USC note prec. 101.

(b) The laws specified in the following schedule are repealed, except for rights and duties that matured, penalties that were

incurred, and proceedings that were begun before the date of enactment of this Act:

Schedule of Laws Repealed

Statutes at Large

	Date	Chapter or Public Law	Section	Statutes at Large	
				Volume	Page
	1920				
31 USC 1535 note.	May 21	194	7(a)	94	613
	1980				
49 USC app. 1654a.	Oct. 14	96-448	409	94	1948
	1982				
	July 12	97-214	10(b)(5)	96	176
26 USC 103 note.	Sept. 3	97-248	310(d)(2)	96	600
			310(d)(4)		
31 USC 1535 note.	Oct. 15	97-332		96	1622
45 USC 792.	Dec. 21	97-375	111(b)	96	1821
49 USC app. 1654a.			210(a)	96	1825
	1983				
49 USC app. 1601c.	Jan. 6	97-424	310	96	2151
26 USC 103 note.	Jan. 12	97-448	306(b)(2)	96	2405

Approved February 14, 1984.

LEGISLATIVE HISTORY—H.R. 2727:

CONGRESSIONAL RECORD:
Vol. 129 (1983): Aug. 1, considered and passed House.
Vol. 130 (1984): Jan. 31, considered and passed Senate.