

relieve such certifying officer or employee of liability for any payment otherwise proper whenever he finds (1) that the certification was based on 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 (2) that the obligation was incurred in good faith, that 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: *Provided further*, That 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 he 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.

(Pub. L. 85-53, §1, June 13, 1957, 71 Stat. 81; Pub. L. 92-310, title II, §220(k), June 6, 1972, 86 Stat. 205.)

#### CODIFICATION

“Section 3726 of title 31” substituted in text for “title III, part II, section 322, of the Transportation Act of 1940, approved September 18, 1940 [31 U.S.C. 244]” on authority of Pub. L. 97-258, §4(b), Sept. 13, 1982, 96 Stat. 1067, the first section of which enacted Title 31, Money and Finance.

#### AMENDMENTS

1972—Pub. L. 92-310 struck out provisions which required officers and employees of Library who are authorized to certify vouchers for payment to give a bond.

#### CROSS REFERENCES

General provisions concerning responsibilities of certifying officers, see section 3528 of Title 31, Money and Finance.

#### SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 142d of this title.

#### § 142c. Enforcement of liability of certifying officers of Library of Congress

The liability of these certifying officers or employees shall be enforced in the same manner and to the same extent as now provided by law with respect to enforcement of the liability of disbursing and other accountable officers; and they 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. 85-53, §2, June 13, 1957, 71 Stat. 81.)

#### CROSS REFERENCES

General provisions concerning enforcement of liability of certifying officers, see sections 3529 and 3541 of Title 31, Money and Finance.

#### § 142d. Disbursing officer of the Library of Congress; disbursements in accordance with voucher; examination of vouchers; liability

The disbursing officer of the Library of Congress shall (1) disburse moneys of the Library of

Congress only upon, and in strict accordance with, vouchers duly certified by the Librarian of Congress or by an officer or employee of the Library of Congress duly authorized in writing by the Librarian to certify such vouchers; (2) make such examination of vouchers as may be necessary to ascertain whether they are in proper form, and duly certified and approved; and (3) be held accountable accordingly: *Provided*, That 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 section 142b of this title, is imposed upon a certifying officer or employee of the Library of Congress.

(Pub. L. 85-53, §3, June 13, 1957, 71 Stat. 81.)

#### § 142e. Disbursing Officer of the Library of Congress; disbursements for Congressional Budget Office, accountability; financial management support to Congressional Budget Office under agreement of Librarian of Congress and Director of Congressional Budget Office; Congressional Budget Office certifying officers; voucher certifications, accountability, relief by Comptroller General

From and after January 1, 1976, the Disbursing Officer of the Library of Congress is authorized to disburse funds appropriated for the Congressional Budget Office, and the Library of Congress shall provide financial management support to the Congressional Budget Office as may be required and mutually agreed to by the Librarian of Congress and the Director of the Congressional Budget Office. The Library of Congress is further authorized to compute and disburse the basic pay of all personnel of the Congressional Budget Office pursuant to the provisions of section 5504 of title 5, except the Director, who as head of an agency, shall have pay computed and disbursed pursuant to the provisions of section 5505 of title 5.

All vouchers certified for payment by duly authorized certifying officers of the Library of Congress shall be supported with a certification by an officer or employee of the Congressional Budget Office duly authorized in writing by the Director of the Congressional Budget Office to certify payments from appropriations of the Congressional Budget Office. The Congressional Budget Office certifying officers shall (1) be held responsible for the existence and correctness of the facts recited in the certificate or otherwise stated on the voucher or its supporting paper and the legality of the proposed payment under the appropriation or fund involved, (2) be held responsible and accountable for the correctness of the computations of certifications made, and (3) be held accountable for and required to make good to the United States the amount of any illegal, improper, or incorrect payment resulting from any false, inaccurate, or misleading certificate made by him, as well as for any payment prohibited by law which did not represent a legal obligation under the appropriation or fund involved: *Provided*, That the Comptroller General of the United States may, at his discretion, relieve such certifying officer or employee of liability for any payment otherwise proper when-

ever he finds (1) that the certification was based on 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 (2) that the obligation was incurred in good faith, that 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: *Provided further*, That 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 he 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.

The Disbursing Officer of the Library of Congress 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 is imposed upon a certifying officer or employee of the Congressional Budget Office.

(Pub. L. 96-536, §101(c), Dec. 16, 1980, 94 Stat. 3167.)

#### CODIFICATION

In the second par., "section 3726 of title 31" substituted for "section 244 of title 31" on authority of Pub. L. 97-258, §4(b), Sept. 13, 1982, 96 Stat. 1067, the first section of which enacted Title 31, Money and Finance.

Section is based on section 207 of title II of H.R. 7593, as passed the House of Representatives on July 21, 1980, and incorporated by reference in section 101(c) of Pub. L. 96-536, to be effective as if enacted into law.

#### PRIOR PROVISIONS

Provisions similar to those in this section were contained in the following prior appropriation acts:

Pub. L. 96-86, §101(c) [H.R. 4390, title II, §207], Oct. 12, 1979, 93 Stat. 657.

Pub. L. 95-391, title II, §207, Sept. 30, 1978, 92 Stat. 786.

Pub. L. 95-94, title II, §207, Aug. 5, 1977, 91 Stat. 678.

Pub. L. 94-440, title VIII, §808, Oct. 1, 1976, 90 Stat. 1458.

Pub. L. 94-157, title I, ch. IV, Dec. 18, 1975, 89 Stat. 835.

#### § 142f. Office of Technology Assessment; disbursement of funds, computation and disbursement of basic pay, and provision of financial management support by Library of Congress

From and after October 1, 1981, the Disbursing Officer of the Library of Congress is authorized to disburse funds appropriated for the Office of Technology Assessment, and the Library of Congress shall provide financial management support to the Office of Technology Assessment as may be required and mutually agreed to by the Librarian of Congress and the Director of the Office of Technology Assessment. The Library of Congress is further authorized to compute and disburse the basic pay of all personnel of the Office of Technology Assessment pursuant to the provisions of section 5504 of title 5.

All vouchers certified for payment by duly authorized certifying officers of the Library of

Congress shall be supported with a certification by an officer or employee of the Office of Technology Assessment duly authorized in writing by the Director of the Office of Technology Assessment to certify payments from appropriations of the Office of Technology Assessment. The Office of Technology Assessment certifying officers shall (1) be held responsible for the existence and correctness of the facts recited in the certificate or otherwise stated on the voucher or its supporting paper and the legality of the proposed payment under the appropriation or fund involved, (2) be held responsible and accountable for the correctness of the computations of certifications made, and (3) be held accountable for and required to make good to the United States the amount of any illegal, improper, or incorrect payment resulting from any false, inaccurate, or misleading certificate made by him, as well as for any payment prohibited by law which did not represent a legal obligation under the appropriation or fund involved: *Provided*, That the Comptroller General of the United States may, at his discretion, relieve such certifying officer or employee of liability for any payment otherwise proper whenever he finds (1) that the certification was based on 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 (2) that the obligation was incurred in good faith, that 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: *Provided further*, That 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 he finds that the overpayment occurred solely because of<sup>1</sup> 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.

The Disbursing Officer of the Library of Congress 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 is imposed upon a certifying officer or employee of the Office of Technology Assessment.

(Pub. L. 97-51, §101(c), Oct. 1, 1981, 95 Stat. 959.)

#### CODIFICATION

In the second par., "section 3726 of title 31" substituted for "section 244 of title 31" on authority of Pub. L. 97-258, §4(b), Sept. 13, 1982, 96 Stat. 1067, the first section of which enacted Title 31, Money and Finance.

Section is based on section 205 of title II of H.R. 4120, as reported July 9, 1981, and incorporated by reference in section 101(c) of Pub. L. 97-51, to be effective as if enacted into law.

#### SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 142h, 142j of this title.

<sup>1</sup> So in original. The word "of" probably should not appear.