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GENERAL ACCOUNTING OFFICE

4 CFR Parts 2, 3, 4, 5, 6, 7, 8, 9, 11, 21, 22, 30, 31, 32, 33, 34, 35, 36, 51, 52, 53, 75, 81, 82, 91, 92, and 93

Technical and Conforming Amendments

AGENCY: General Accounting Office.

ACTION: Final rule.

SUMMARY: This rule makes technical and conforming amendments to change citations of law or references to provisions of law appearing in GAO's existing rules and regulations. This is necessary because of the enactment of the codification of Title 31, U.S.C., into positive law. As a result of this enactment, the substance of provisions of law currently cited in our regulations have been included in the codification while the currently cited provisions of law themselves have been repealed. This rule makes no substantive changes in any of our rules or regulations.

EFFECTIVE DATE: December 22, 1982.

FOR FURTHER INFORMATION CONTACT: Richard Cambosos, Office of General Counsel, U.S. General Accounting Office, 275-5544.

SUPPLEMENTARY INFORMATION: Section 1 of Pub. L. 97-258, September 13, 1982, 97 Stat. 877, revised, codified and enacted certain general and permanent laws of the United States relating to money and finance as Title 31, U.S.C., entitled "Money and Finance."

The purpose of the codification is to restate without substantive change previously adopted provisions of law and to replace them with the code provisions. Section 4(a) of Pub. L. 97-258, 96 Stat. 1067. Consequently, upon enactment of Title 31, U.S.C., by the Congress, all provisions of law restated in the codification were repealed. Section 5 of Pub. L. 97-258, 96 Stat. 1068.

However, any order, rule or regulation in effect under any law repealed by Pub. L. 97-258, continues in effect under the corresponding provision of Title 31, U.S.C. Section 4(c) of Pub. L. 97-258, 96 Stat. 1067.

Since GAO's rules and regulations appearing in Title 4 of the CFR were adopted under authority of provisions of law the substance of which have been carried forward into Title 31, U.S.C., we are amending our regulations to change legal references and citations to the appropriate corresponding section of Title 31, U.S.C.

PART 2—[AMENDED]

Accordingly, Title 4, CFR is amended as follows:

1. The Authority of citation for Part 2 is revised to read as follows:

Authority: 31 U.S.C. 732.

§ 2.2 [Amended]

2. Paragraph (a) of 2.2 is revised to read as follows:

(a) Subchapters III and IV of Chapter 7 of Title 31, U.S.C.

3. Section 2.3 is revised to read as follows:

§ 2.3 GAO Personnel Appeals Board.

The General Accounting Office Personnel Appeals Board is established by 31 U.S.C. 751. This Board will promulgate regulations providing for employee appeals and establishing its operating procedures.

PART 3—[AMENDED]

4. The Authority citation for Part 3 is revised to read as follows:

Authority: 31 U.S.C. 732.

PART 4—[AMENDED]

5. The Authority citation for Part 4 is revised to read as follows:

Authority: 31 U.S.C. 732.

PART 5—[AMENDED]

6. The Authority citation for Part 5 is revised to read as follows:

Authority: 31 U.S.C. 732.

§ 5.1 [Amended]

7. Paragraph (b)(2) of § 5.1 is amended by removing the citation "section 5(a)(4) of the GAO Personnel Act of 1980" and inserting, in its place, the citation "31 U.S.C. 733(c)".

PART 6—[AMENDED]

§ 6.1 [Amended]

8. The parenthetical citation following the text of § 6.1 is revised to read as follows:

(31 U.S.C. 732)

PART 7—[AMENDED]

9. The Authority citation for Part 7 is revised to read as follows:

Authority: 31 U.S.C. 732.

PART 8—[AMENDED]

§ 8.1 [Amended]

10. The parenthetical citation following the text of § 8.1 is revised to read as follows:

(31 U.S.C. 732)

PART 9—[AMENDED]

11. Paragraph (b) of § 9.1 is revised to read as follows:

§ 9.1 GAO Senior Executive Service.

* * * * *

(b) Requirements for positions included in the GAO Senior Executive System. The GAO Senior Executive Service may include—

(1) The 100 positions authorized by 31 U.S.C. 732(c)(4);

(2) The position of General Counsel authorized by 31 U.S.C. 731(c);

(3) The 5 positions authorized by 31 U.S.C. 731(d); and,

(4) The 10 positions authorized by 31 U.S.C. 731(e)(2);

12. The two parenthetical citations "(31 U.S.C. 1154(d))" and "(Sec. 5, Pub. L. 96-191; 94 Stat. 31 (31 U.S.C. 52-4))" following the text of § 9.1 are removed and inserted, in their place, the parenthetical citation "(31 U.S.C. 733)".

PART 11—[AMENDED]

13. The Authority citation for Part 11 is revised to read as follows:

Authority: 31 U.S.C. 711.

PART 21—[AMENDED]

14. The Authority citation for Part 21 is revised to read as follows:

Authority: 31 U.S.C. 711. Interpret or apply 31 U.S.C. 3526 and 3529.

PART 22—[AMENDED]

15. The Authority citation for Part 22 is revised to read as follows:

Authority: 31 U.S.C. 711 and 3529.

§ 22.3 [Amended]

16. Paragraph (e) of § 22.3 is amended by removing the citation "4 CFR Part 1" and inserting, in its place, the citation "4 CFR Part 11".

PART 30—[AMENDED]

17. The Authority citation for Part 30 is revised to read as follows:

Authority: 31 U.S.C. 711 and 3702.

PART 31—[AMENDED]

18. The Authority citation for Part 31 is revised to read as follows:

Authority: 31 U.S.C. 711. Interpret or apply 31 U.S.C. 3702.

§ 31.5 [Amended]

19. Paragraph (a) of § 31.5 is amended by removing the citation "31 U.S.C. 71a" and inserting, in its place, the citation "31 U.S.C. 3702(b)".

20. Paragraph (b) of § 31.5 is amended by removing the citation "31 U.S.C. 122" and inserting, in its place, the citation "31 U.S.C. 3702(c)".

PART 32—[AMENDED]**§ 32.1 [Amended]**

21. The Authority citation for Part 32 is revised to read as follows:

Authority: 31 U.S.C. 711.

PART 32—[AMENDED]

22. Section 32.1 is amended by removing the citation "31 U.S.C. 71" and inserting, in its place, the citation "31 U.S.C. 3702".

PART 33—[AMENDED]

23. The Authority citation for Part 33 is revised to read as follows:

Authority: 31 U.S.C. 711. Interpret or apply 5 U.S.C. 5583, unless otherwise noted.

§ 33.6 [Amended]

24. Paragraph (c)(3) of § 33.6 is amended by removing the citation "section 1(b) of the act of August 28, 1957, Pub. L. 85-183, 31 U.S.C. 132" and inserting, in its place, the citation "31 U.S.C. 3328(b)".

PART 34—[AMENDED]

25. The Authority citation for Part 34 is revised to read as follows:

Authority: 31 U.S.C. 711. Interpret or apply 10 U.S.C. 2771; 32 U.S.C. 714; sec. 3, 70A Stat. 619, as amended, 33 U.S.C. 857a; and, sec. 4, 70A Stat. 619, as amended, 42 U.S.C. 213a.

§ 34.3 [Amended]

26. Paragraph (b)(3) of § 34.3 is amended by removing the citation "section 1(b) of the act of August 28, 1957, Pub. L. 85-183, 31 U.S.C. 132." and inserting, in its place, the citation "31 U.S.C. 3328(b)".

PART 35—[AMENDED]

27. The Authority citation for Part 35 is revised to read as follows:

Authority: 31 U.S.C. 711. Interpret or apply 31 U.S.C. 3702.

PART 36—[AMENDED]

28. The Authority citation for Part 36 is revised to read as follows:

Authority: 31 U.S.C. 711. Interpret or apply 31 U.S.C. 3702.

PART 51—[AMENDED]**§ 51.1 [Amended]**

29. Section 51.1 is amended as follows:

(a) By removing the citation "section 309, 42 Stat. 25, 31 U.S.C. 49" and inserting, in its place, the citation "31 U.S.C. 3511"; and,

(b) By revising the parenthetical citation immediately following the text to read as follows: (31 U.S.C. 711. Interpret and apply 31 U.S.C. 3511 and 3512.)

PART 52—[AMENDED]

30. The Authority citation for Part 52 is revised to read as follows:

Authority: 31 U.S.C. 711. Interpret or apply 31 U.S.C. 3511, 3512 and 3523.

§ 52.2 [Amended]

31. The parenthetical citation following the text of § 52.2 is revised to read as follows:

(31 U.S.C. 711. Interpret or apply 31 U.S.C. 3511, 3512, 3513, 3526 and 3529; sec. 901(a), 49 Stat. 2015, 46 U.S.C. 1241(a); sec. 5, 88 Stat. 2104, 49 U.S.C. 1517)

PART 53—[AMENDED]

32. The Authority citation for Part 53 is revised to read as follows:

Authority: 31 U.S.C. 711. Interpret or apply sec. 322, 54 Stat. 955, as amended, 49 U.S.C. 66(b).

PART 75—[AMENDED]**§ 75.1 [Amended]**

33. The parenthetical citation following the text of § 75.1 is revised to read as follows:

(31 U.S.C. 711 and 3511)

PART 81—[AMENDED]

34. The Authority citation for 81 is revised to read as follows:

Authority: 31 U.S.C. 711.

PART 82—[AMENDED]**§ 82.1 [Amended]**

35. Paragraph (b) of § 82.1 is amended by removing the citation "(31 U.S.C. 46)" and inserting, in its place, the citation "(31 U.S.C. 704)."

§§ 82.1, 82.2 [Amended]

36. The parenthetical citation following §§ 82.1 and 82.2 are each revised to read as follows:

(31 U.S.C. 711, 713, 714, 718, 3523, 3524, 3526 and 3529)

PART 91—[AMENDED]

37. The Authority citation for Part 91 is revised to read as follows:

Authority: 31 U.S.C. 711. Interpret or apply 5 U.S.C. 5584; 10 U.S.C. 2774; and, 32 U.S.C. 716.

PART 92—[AMENDED]

38. The Authority citation for Part 92 is revised to read as follows:

Authority: 31 U.S.C. 711. Interpret or apply 5 U.S.C. 5584; 10 U.S.C. 2774; and 32 U.S.C. 716.

§ 92.8 [Amended]

39. Paragraph (b) of § 92.8 is amended by removing the citation "31 U.S.C. 71" and inserting, in its place, the citation "31 U.S.C. 3702".

PART 93—[AMENDED]

40. The Authority citation for Part 93 is revised to read as follows:

Authority: 31 U.S.C. 711. Interpret or apply 5 U.S.C. 5584; 10 U.S.C. 2774; and, 32 U.S.C. 716.

Charles A. Bowsher,
Comptroller General of the United States.

[FR Doc. 82-34703 Filed 12-21-82; 8:45 am]

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4 CFR Parts 27 and 28

General Accounting Office Personnel Appeals Board—Organization and Procedures; Technical and Conforming Amendments

AGENCY: General Accounting Office Personnel Appeals Board.

ACTION: Final rule.

SUMMARY: This rule makes technical and conforming amendments to change citations of law or references to