

14 October 1988  
OCA 3452-88

MEMORANDUM FOR: Chief, Logistics & Procurement Law Division/OGC  
Chief, Administrative Law Division/OGC  
Director of Finance

FROM: [redacted] Legislation Division  
Office of Congressional Affairs

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SUBJECT: Prompt Payment Act Amendments of 1988, S. 328

1. Attached for your information is a copy of the above-captioned bill, which has been passed by both houses of Congress and presented to the President for signature.

2. If you have any questions, please telephone me on

[redacted]

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Attachment

OCA/LEG/[redacted] (14 October 1988)

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Distribution:

Original - Addressees

1 - D/OCA

1 - DDL/OCA

1 - [redacted]

1 - OCA Records

1 - OCA/Leg/Subject File: Procurement/Small Business

1 - RMH Signer

1 - OCA Read

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LEGI-SLATE Report for the 100th Congress Thu, October 13, 1988 4:08pm (EDT)  
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Report for S.328 Prompt Payment Act Amendments of 1988  
As finally approved by the House and Senate (Enrolled), AT THE SECOND  
SESSION  
Complete Text of this version

S.328

One Hundredth Congress of the United States of America  
AT THE SECOND SESSION

Begun and held at the City of Washington on Monday,  
the twenty-fifth day of January, one thousand nine hundred and eighty-eight

An Act

To amend chapter 39 of title 31, United States Code, to require the  
Federal Govern- ment to pay interest on overdue payments, and for other  
purposes.

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

Short Title

Section 1. This Act may be cited as the "Prompt Payment Act Amendments of  
1988".

Definitions and Application

Sec. 2. (a) Section 3901(a)(4) of title 31, United States Code, is amended  
to read as follows:

"(4) for the purposes of determining a payment due date and the date  
upon which any late payment interest penalty shall begin to accrue, the  
head of the agency is deemed to receive an invoice--

"(A) on the later of--

"(i) the date on which the place or person designated by the  
agency to first receive such invoice actually receives a proper  
invoice; or

"(ii) on the 7th day after the date on which, in accordance with  
the terms and conditions of the contract, the property is actually  
delivered or performance of the services is actually completed, as  
the case may be, unless--

"(I) the agency has actually accepted such property or  
services before such 7th day; or

"(II) the contract (except in the case of a contract for the  
procurement of a brand-name commercial item for authorized  
resale) specifies a longer acceptance period, as determined by  
the contracting officer to be required to afford the agency a