

(1) a binding agreement between an agency and another person (including an agency) that is—

- (A) in writing, in a way and form, and for a purpose authorized by law; and
- (B) executed before the end of the period of availability for obligation of the appropriation or fund used for specific goods to be delivered, real property to be bought or leased, or work or service to be provided;

(2) a loan agreement showing the amount and terms of repayment;

(3) an order required by law to be placed with an agency;

(4) an order issued under a law authorizing purchases without advertising—

- (A) when necessary because of a public exigency;
- (B) for perishable subsistence supplies; or
- (C) within specific monetary limits;

(5) a grant or subsidy payable—

(A) from appropriations made for payment of, or contributions to, amounts required to be paid in specific amounts fixed by law or under formulas prescribed by law;

(B) under an agreement authorized by law; or

(C) under plans approved consistent with and authorized by law;

(6) a liability that may result from pending litigation;

(7) employment or services of persons or expenses of travel under law;

(8) services provided by public utilities; or

(9) other legal liability of the Government against an available appropriation or fund.

(b) A statement of obligations provided to Congress or a committee of Congress by an agency shall include only those amounts that are obligations consistent with subsection (a) of this section.

(Pub. L. 97-258, Sept. 13, 1982, 96 Stat. 927.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
1501(a)	31:200(a).	Aug. 26, 1954, ch. 935, §1311(a), (e), 68 Stat. 830, 831.
1501(b)	31:200(e).	

In subsection (a), before clause (1), the words “After August 26, 1954” are omitted as executed. In clause (1), the words “an agency and another person (including an agency)” are substituted for “the parties thereto, including Government agencies” for clarity. In clause (2), the word “valid” is omitted as unnecessary. In clause (6), the words “brought under authority of law” are omitted as surplus. In clause (9), the word “legally” is omitted as surplus.

In subsection (b), the words “consistent with” are substituted for “as defined in” for clarity and for consistency with section 1108 of the revised title. The word “valid” is omitted as unnecessary.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 1108, 1502 of this title; title 19 section 2345; title 22 section 2361; title 49 sections 5309, 47110.

§ 1502. Balances available

(a) The balance of an appropriation or fund limited for obligation to a definite period is

available only for payment of expenses properly incurred during the period of availability or to complete contracts properly made within that period of availability and obligated consistent with section 1501 of this title. However, the appropriation or fund is not available for expenditure for a period beyond the period otherwise authorized by law.

(b) A provision of law requiring that the balance of an appropriation or fund be returned to the general fund of the Treasury at the end of a definite period does not affect the status of lawsuits or rights of action involving the right to an amount payable from the balance.

(Pub. L. 97-258, Sept. 13, 1982, 96 Stat. 928.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
1502(a)	31:200(d). 31:712a.	Aug. 26, 1954, ch. 935, §1311(d), 68 Stat. 831. July 6, 1949, ch. 299, §1, 63 Stat. 407.
1502(b)	31:665b.	July 1, 1973, Pub. L. 93-52, §111, 87 Stat. 134.

Subsection (a) restates the source provisions to eliminate unnecessary words and for consistency.

In subsection (b), the words “balance of an appropriation or fund” are substituted for “unexpended funds” for clarity and consistency in the revised chapter.

AVAILABILITY OF ENERGY AND WATER DEVELOPMENT APPROPRIATIONS LIMITED TO FISCAL YEAR IN WHICH APPROPRIATED

Pub. L. 102-377, title V, §501, Oct. 2, 1992, 106 Stat. 1342, provided that: “No part of any appropriation contained in this Act or subsequent Energy and Water Development Appropriations Acts shall remain available for obligation beyond the fiscal year specified in such Acts therein unless expressly so provided therein.”

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in title 19 section 2345; title 38 section 114; title 49 section 5309.

§ 1503. Comptroller General reports of amounts for which no accounting is made

The Comptroller General shall make a special report each year to Congress on recommendations for changes in laws, that the Comptroller General believes may be in the public interest, about amounts—

(1) for which no accounting is made to the Comptroller General; and

(2) that are in—

(A) accounts of the United States Government; or

(B) the custody of an officer or employee of the Government if the Government is financially concerned.

(Pub. L. 97-258, Sept. 13, 1982, 96 Stat. 928.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
1503	31:725w.	June 26, 1934, ch. 756, §24, 48 Stat. 1236; Aug. 30, 1954, ch. 1076, §1(31), 68 Stat. 968.

The words “shall cause a survey to be made” are omitted as executed. The word “existing” is omitted as surplus.

SUBCHAPTER II—APPORTIONMENT

SUBCHAPTER REFERRED TO IN OTHER SECTIONS

This subchapter is referred to in title 2 sections 60a-2, 661d; title 5 section 5306; title 16 section 831n-4; title 22 sections 277d-3, 1461b; title 39 section 2003; title 42 sections 2204, 2204a, 2210, 2295, 2394, 10156, 10222.

§ 1511. Definition and application

(a) In this subchapter, “appropriations” means—

- (1) appropriated amounts;
- (2) funds; and
- (3) authority to make obligations by contract before appropriations.

(b) This subchapter does not apply to—

(1) amounts (except amounts for administrative expenses) available—

(A) for price support and surplus removal of agricultural commodities; and

(B) under section 32 of the Act of August 24, 1935 (7 U.S.C. 612c);

(2) a corporation getting amounts to make loans (except paid in capital amounts) without legal liability on the part of the United States Government; and

(3) the Senate, the House of Representatives, a committee of Congress, a member, officer, employee, or office of either House of Congress, or the Office of the Architect of the Capitol or an officer or employee of that Office.

(Pub. L. 97-258, Sept. 13, 1982, 96 Stat. 928.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
1511(a)	31:665(c)(1)(last sentence), (d)(2)(5th sentence).	R.S. § 3679(c)(1)(last sentence), (d)(2)(5th sentence, 6th sentence less 1st-22d words, last sentence related to price supports), (f)(2); Mar. 3, 1905, ch. 1484, §4(1st par.), 33 Stat. 1257; Feb. 27, 1906, ch. 510, §3, 34 Stat. 48; restated Sept. 6, 1950, ch. 896, §1211, 64 Stat. 765, 766, 767.
1511(b)(1)	31:665(d)(2)(6th sentence less 1st-22d words).	
1511(b)(2)	31:665(d)(2)(last sentence related to price supports).	
1511(b)(3)	31:665(f)(2).	

In subsection (a)(1), the words “appropriated amounts” are substituted for “appropriations” for clarity. In clause (3), the word “make” is substituted for “create” as being more precise. The text of 31:665(d)(2)(5th sentence) is omitted as unnecessary because of section 102 of the revised title.

In subsection (b), the word “amounts” is substituted for “funds” for consistency in the revised title. In clause (1)(B), the words “(7 U.S.C. 612c)” are substituted for “section 612(c) of title 7” to correct an error in section 3679(d)(2)(6th sentence) of the Revised Statutes. Clause (2) is substituted for the source provisions for consistency in the revised title.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in title 38 section 114.

§ 1512. Apportionment and reserves

(a) Except as provided in this subchapter, an appropriation available for obligation for a definite period shall be apportioned to prevent obligation or expenditure at a rate that would indi-

cate a necessity for a deficiency or supplemental appropriation for the period. An appropriation for an indefinite period and authority to make obligations by contract before appropriations shall be apportioned to achieve the most effective and economical use. An apportionment may be reapportioned under this section.

(b)(1) An appropriation subject to apportionment is apportioned by—

(A) months, calendar quarters, operating seasons, or other time periods;

(B) activities, functions, projects, or objects; or

(C) a combination of the ways referred to in clauses (A) and (B) of this paragraph.

(2) The official designated in section 1513 of this title to make apportionments shall apportion an appropriation under paragraph (1) of this subsection as the official considers appropriate. Except as specified by the official, an amount apportioned is available for obligation under the terms of the appropriation on a cumulative basis unless reapportioned.

(c)(1) In apportioning or reapportioning an appropriation, a reserve may be established only—

(A) to provide for contingencies;

(B) to achieve savings made possible by or through changes in requirements or greater efficiency of operations; or

(C) as specifically provided by law.

(2) A reserve established under this subsection may be changed as necessary to carry out the scope and objectives of the appropriation concerned. When an official designated in section 1513 of this title to make apportionments decides that an amount reserved will not be required to carry out the objectives and scope of the appropriation concerned, the official shall recommend the rescission of the amount in the way provided in chapter 11 of this title for appropriation requests. Reserves established under this section shall be reported to Congress as provided in the Impoundment Control Act of 1974 (2 U.S.C. 681 et seq.).

(d) An apportionment or a reapportionment shall be reviewed at least 4 times a year by the official designated in section 1513 of this title to make apportionments.

(Pub. L. 97-258, Sept. 13, 1982, 96 Stat. 929.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
1512(a)	31:665(c)(1)(1st sentence), (4)(words after 1st comma).	R.S. § 3679(c)(1)(1st sentence), (3), (4); Mar. 3, 1905, ch. 1484, §4(1st par.), 33 Stat. 1257; Feb. 27, 1906, ch. 510, §3, 34 Stat. 48; restated Sept. 6, 1950, ch. 896, §1211, 64 Stat. 765, 766.
1512(b)	31:665(c)(3).	
1512(c)	31:665(c)(2).	R.S. § 3679(c)(2); Mar. 3, 1905, ch. 1484, §4(1st par.), 33 Stat. 1257; Feb. 27, 1906, ch. 510, §3, 34 Stat. 48; Sept. 6, 1950, ch. 896, §1211, 64 Stat. 765; restated July 12, 1974, Pub. L. 93-344, §1002, 88 Stat. 332.
1512(d)	31:665(c)(4)(words before 1st comma).	

In subsection (a), the word “appropriation” is substituted for “appropriations or funds” because of the definition of “appropriation” in section 1511 of the revised title. The words “at a rate” are substituted for