

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
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.

§ 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

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
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.

Statutory Notes and Related Subsidiaries

QUARTERLY REPORTS

Pub. L. 117-328, div. H, title V, §524, Dec. 29, 2022, 136 Stat. 4912, provided that: “Not later than 30 days after the end of each calendar quarter, beginning with the first month of fiscal year 2023 the Departments of Labor, Health and Human Services and Education and the Social Security Administration shall provide the Committees on Appropriations of the House of Representatives and Senate a report on the status of balances of appropriations: *Provided*, That for balances that are unobligated and uncommitted, committed, and obligated but unexpended, the monthly reports shall separately identify the amounts attributable to each source year of appropriation (beginning with fiscal year 2012, or, to the extent feasible, earlier fiscal years) from which balances were derived.”

Similar provisions were contained in the following prior appropriation acts:

Pub. L. 117-103, div. H, title V, §524, Mar. 15, 2022, 136 Stat. 500.

Pub. L. 116-260, div. H, title V, §525, Dec. 27, 2020, 134 Stat. 1626.

Pub. L. 116-94, div. A, title V, §525, Dec. 20, 2019, 133 Stat. 2611.

Pub. L. 115-245, div. B, title V, §525, Sept. 28, 2018, 132 Stat. 3122.

Pub. L. 115-141, div. H, title V, §526, Mar. 23, 2018, 132 Stat. 768.

Pub. L. 115-31, div. H, title V, §526, May 5, 2017, 131 Stat. 566.

Pub. L. 114-113, div. H, title V, §526, Dec. 18, 2015, 129 Stat. 2653.

Pub. L. 113-235, div. G, title V, §523, Dec. 16, 2014, 128 Stat. 2518.

Pub. L. 113-76, div. H, title V, §524, Jan. 17, 2014, 128 Stat. 413.

Pub. L. 112-74, div. F, title V, §526, Dec. 23, 2011, 125 Stat. 1115.

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.”

§ 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

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
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.

Statutory Notes and Related Subsidiaries

TERMINATION OF REPORTING REQUIREMENTS

For termination, effective May 15, 2000, of provisions of law requiring submittal to Congress of any annual, semiannual, or other regular periodic report listed in House Document No. 103-7 (in which certain reporting requirements under this section are listed on page 9), see section 3003 of Pub. L. 104-66, as amended, and section 1(a)(4) [div. A, §1402(1)] of Pub. L. 106-554, set out as notes under section 1113 of this title.

SUBCHAPTER II—APPORTIONMENT

§ 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.

§ 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 indicate 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 reappportioned 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 reappportioned.

(c)(1) In apportioning or reappportioning 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 reappportionment 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 “in a manner” for clarity. The words “indefinite period” are substituted for “not limited to a definite period of time” for consistency in the revised title. The words “An apportionment may be reappportioned under this section” are substituted for 31:665(c)(4)(words after 1st comma) to eliminate unnecessary words.

In subsection (b)(1), before clause (A), the word “apportioned” is substituted for “distributed” for consistency in the revised section.

In subsections (b)(2) and (d), the word “official” is substituted for “officer” for consistency in the revised title.

In subsection (c)(1)(C), the words “by law” are substituted for “by particular appropriation Acts or other laws” to eliminate unnecessary words.

In subsection (c)(2), the words “appropriation requests” are substituted for “estimates of appropria-

tions” for consistency with chapter 11 of the revised title.

Editorial Notes

REFERENCES IN TEXT

The Impoundment Control Act of 1974, referred to in subsec. (c)(2), is parts A and B of title X of Pub. L. 93-344, July 12, 1974, 88 Stat. 332, which is classified principally to subchapters I (§681) and II (§682 et seq.) of chapter 17B of Title 2, The Congress. For complete classification of this Act to the Code, see Short Title note set out under section 681 of Title 2 and Tables.

Statutory Notes and Related Subsidiaries

APPORTIONMENT OF FUNDS APPROPRIATED TO DISTRICT OF COLUMBIA GOVERNMENT

Pub. L. 100-202, §101(c) [title I, §135], Dec. 22, 1987, 101 Stat. 1329-90, 1329-102, provided that: “Federal funds hereafter appropriated to the District of Columbia government shall not be subject to apportionment except to the extent specifically provided by statute.”

§ 1513. Officials controlling apportionments

(a) The official having administrative control of an appropriation available to the legislative branch, the judicial branch, the United States International Trade Commission, or the District of Columbia government that is required to be apportioned under section 1512 of this title shall apportion the appropriation in writing. An appropriation shall be apportioned not later than the later of the following:

(1) 30 days before the beginning of the fiscal year for which the appropriation is available; or

(2) 30 days after the date of enactment of the law by which the appropriation is made available.

(b)(1) The President shall apportion in writing an appropriation available to an executive agency (except the Commission) that is required to be apportioned under section 1512 of this title. The head of each executive agency to which the appropriation is available shall submit to the President information required for the apportionment in the form and the way and at the time specified by the President. The information shall be submitted not later than the later of the following:

(A) 40 days before the beginning of the fiscal year for which the appropriation is available; or

(B) 15 days after the date of enactment of the law by which the appropriation is made available.

(2) The President shall notify the head of the executive agency of the action taken in apportioning the appropriation under paragraph (1) of this subsection not later than the later of the following:

(A) 20 days before the beginning of the fiscal year for which the appropriation is available; or

(B) 30 days after the date of enactment of the law by which the appropriation is made available.

(c) By the first day of each fiscal year, the head of each executive department of the United States Government shall apportion among the

major organizational units of the department the maximum amount to be expended by each unit during the fiscal year out of each contingent fund appropriated for the entire year for the department. Each amount may be changed during the fiscal year only by written direction of the head of the department. The direction shall state the reasons for the change.

(d) An appropriation apportioned under this subchapter may be divided and subdivided administratively within the limits of the apportionment.

(e) This section does not affect the initiation and operation of agricultural price support programs.

(Pub. L. 97-258, Sept. 13, 1982, 96 Stat. 930.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
1513(a)	31:665(d)(1).	R.S. §3679(d)(1), (2)(1st-4th sentences, 6th sentence 1st-22d words), (g)(1st sentence); 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. 766, 767; Reorg. Plan No. 2 of 1970, eff. July 1, 1970, §102(a), 84 Stat. 2085; Jan. 3, 1975, Pub. L. 93-618, §175(a)(2), 88 Stat. 2011.
1513(b)	31:665(d)(2)(1st-4th sentences).	
1513(c)	31:669(words before semicolon).	Aug. 23, 1912, ch. 350, §6(words before semicolon), 37 Stat. 414.
1513(d)	31:665(g)(1st sentence).	
1513(e)	31:665(d)(2)(6th sentence 1st-22d words).	

In the section, the word “apportion” is substituted for “apportionment or reapportionment” because of section 1512(a)(last sentence) of the revised title.

In subsection (a), before clause (1), the word “official” is substituted for “officer” for consistency in the revised title. The words “judicial branch” are substituted for “judiciary”, and the words “District of Columbia government” are substituted for “District of Columbia”, for consistency.

In subsection (b), the word “President” is substituted for “Director of the Office of Management and Budget”, “Office of Management and Budget”, and “Director” because sections 101 and 102(a) of Reorganization Plan No. 2 of 1970 (eff. July 1, 1970, 84 Stat. 2085) designated the Bureau of the Budget as the Office of Management and Budget and transferred all functions of the Bureau to the President.

In subsection (b)(1), the words “(except the Commission)” are added because the International Trade Commission is covered specifically by the source provisions restated in subsection (a).

In subsection (b)(2), the words “head of the executive agency” are substituted for “agency” as being more precise and because of section 102 of the revised title.

In subsection (c), the words “In addition to the apportionment required by section 665 of this title” are omitted as unnecessary because of the restatement. The words “By the first day” are substituted for “on or before the beginning”, and the words “of the United States Government” are added, for clarity. The words “major organizational unit” are substituted for “office or bureau” for consistency in the revised section. The word “changed” is substituted for “increased or diminished” to eliminate unnecessary words.

In subsection (e), the words “initiation and operation” are substituted for “initiation, operation, and administration” to eliminate unnecessary words.

Statutory Notes and Related Subsidiaries

HISTORICAL AND REVISION NOTES

AUTOMATED SYSTEM FOR POSTING APPROPRIATION
APPORTIONMENT DOCUMENTS

Pub. L. 117-328, div. E, title II, §204, Dec. 29, 2022, 136 Stat. 4667, provided that: “In fiscal year 2023 and each fiscal year thereafter—(1) the Office of Management and Budget shall operate and maintain the automated system required to be implemented by section 204 of the Financial Services and General Government Appropriations Act, 2022 (division E of Public Law 117-103) [see section 204(b) set out below] and shall continue to post each document apportioning an appropriation, pursuant to section 1513(b) of title 31, United States Code, including any associated footnotes, in a format that qualifies each such document as an open Government data asset (as that term is defined in section 3502 of title 44, United States Code); and (2) the requirements specified in subsection (c), the first and second provisos of subsection (d)(1), and subsection (d)(2) of such section 204 [136 Stat. 257] shall continue to apply.”

Pub. L. 117-103, div. E, title II, §204(b), Mar. 15, 2022, 136 Stat. 257, provided that: “Not later than 120 days after the date of enactment of this Act [Mar. 15, 2022], the Office of Management and Budget shall complete implementation of an automated system to post each document apportioning an appropriation, pursuant to section 1513(b) of title 31, United States Code, including any associated footnotes, in a format that qualifies each such document as an Open Government Data Asset (as defined in section 3502 of title 44, United States Code), not later than 2 business days after the date of approval of such apportionment, and shall place on such website each document apportioning an appropriation, pursuant to such section 1513(b), including any associated footnotes, already approved the current fiscal year, and shall report the date of completion of such requirements to the Committees on Appropriations and the Budget of the House of Representatives and Senate.”

§ 1514. Administrative division of apportionments

(a) The official having administrative control of an appropriation available to the legislative branch, the judicial branch, the United States International Trade Commission, or the District of Columbia government, and, subject to the approval of the President, the head of each executive agency (except the Commission) shall prescribe by regulation a system of administrative control not inconsistent with accounting procedures prescribed under law. The system shall be designed to—

(1) restrict obligations or expenditures from each appropriation to the amount of apportionments or reapportionments of the appropriation; and

(2) enable the official or the head of the executive agency to fix responsibility for an obligation or expenditure exceeding an apportionment or reapportionment.

(b) To have a simplified system for administratively dividing appropriations, the head of each executive agency (except the Commission) shall work toward the objective of financing each operating unit, at the highest practical level, from not more than one administrative division for each appropriation affecting the unit.

(Pub. L. 97-258, Sept. 13, 1982, 96 Stat. 930.)

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
1514(a)	31:665(g)(2d sentence).	R.S. §3679(g)(2d sentence); 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. 767; Reorg. Plan No. 2 of 1970, eff. July 1, 1970, §102(a), 84 Stat. 2085; Jan. 3, 1975, Pub. L. 93-618, §175(a)(2), 88 Stat. 2011.
1514(b)	31:665(g)(last sentence).	R.S. §3679(g)(last sentence); added Aug. 1, 1956, ch. 814, §3, 70 Stat. 783.

In the section, the words “(except the Commission)” are added because the International Trade Commission is covered specifically by the source provisions restated in this section.

In subsection (a), the word “official” is substituted for “officer” for consistency in the revised title. The words “judicial branch” are substituted for “judiciary”, and the words “District of Columbia government” are substituted for “District of Columbia”, for consistency. The word “President” is substituted for “Director of the Office of Management and Budget” because sections 101 and 102(a) of Reorganization Plan No. 2 of 1970 (eff. July 1, 1970, 84 Stat. 2085) designated the Bureau of the Budget as the Office of Management and Budget and transferred all functions of the Bureau to the President.

In subsection (b), the words “dividing” and “division” are substituted for “subdivision” for consistency in the revised section. The word “appropriations” is substituted for “appropriations or funds” because of the definition of “appropriation” in section 1511 of the revised title.

§ 1515. Authorized apportionments necessitating deficiency or supplemental appropriations

(a) An appropriation required to be apportioned under section 1512 of this title may be apportioned on a basis that indicates the need for a deficiency or supplemental appropriation to the extent necessary to permit payment of such pay increases as may be granted pursuant to law to civilian officers and employees (including prevailing rate employees whose pay is fixed and adjusted under subchapter IV of chapter 53 of title 5) and to retired and active military personnel.

(b)(1) Except as provided in subsection (a) of this section, an official may make, and the head of an executive agency may request, an apportionment under section 1512 of this title that would indicate a necessity for a deficiency or supplemental appropriation only when the official or agency head decides that the action is required because of—

(A) a law enacted after submission to Congress of the estimates for an appropriation that requires an expenditure beyond administrative control; or

(B) an emergency involving the safety of human life, the protection of property, or the immediate welfare of individuals when an appropriation that would allow the United States Government to pay, or contribute to, amounts required to be paid to individuals in specific amounts fixed by law or under formulas prescribed by law, is insufficient.

(2) If an official making an apportionment decides that an apportionment would indicate a necessity for a deficiency or supplemental ap-

propriation, the official shall submit immediately a detailed report of the facts to Congress. The report shall be referred to in submitting a proposed deficiency or supplemental appropriation.

(Pub. L. 97-258, Sept. 13, 1982, 96 Stat. 931; Pub. L. 100-202, §105, Dec. 22, 1987, 101 Stat. 1329-433.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
1515(a)	31:665a.	June 5, 1957, Pub. L. 85-48, §210, 71 Stat. 55.
1515(b)(1)	31:665(e)(1).	R.S. §3679(e)(1); 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. 767; restated Aug. 28, 1957, Pub. L. 85-170, §1401, 71 Stat. 440.
1515(b)(2)	31:665(e)(2).	R.S. §3679(e)(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. 767.

In subsection (a), the words “On and after June 5, 1957” are omitted as executed. The words “deficiency or supplemental appropriation” are substituted for “supplemental or deficiency estimate of appropriation” for consistency with chapter 11 of the revised title. The words “prevailing rate employees whose pay is fixed and adjusted under subchapter IV of chapter 53 of title 5” are substituted for “those employees (commonly known as wage-board employees) whose compensation is fixed and adjusted from time to time in accordance with prevailing rates (5 U.S.C. 5102(c)(7), 5341 et seq.)” for consistency with title 5.

In subsection (b), the word “apportionment” is substituted for “apportionment or reapportionment” because of section 1512(a)(last sentence) of the revised title.

In subsection (b)(1), before clause (A), the words “Except as provided in subsection (a) of this section” are added because of the restatement. The word “appropriation” is substituted for “estimate” for consistency in the revised section. The words “is insufficient” are added for clarity.

In subsection (b)(2), the words “proposed deficiency or supplemental appropriation” are substituted for “deficiency or supplemental estimates” for consistency with chapter 11 of the revised title.

Editorial Notes

AMENDMENTS

1987—Subsec. (a). Pub. L. 100-202 added subsec. (a) and struck out former subsec. (a) which read as follows: “An appropriation required to be apportioned under section 1512 of this title may be apportioned on a basis that indicates a necessity for a deficiency or supplemental appropriation to the extent necessary to permit payment of pay increases for prevailing rate employees whose pay is fixed and adjusted under subchapter IV of chapter 53 of title 5.”

§ 1516. Exemptions

An official designated in section 1513 of this title to make apportionments may exempt from apportionment—

- (1) a trust fund or working fund if an expenditure from the fund has no significant effect on the financial operations of the United States Government;
- (2) a working capital fund or a revolving fund established for intragovernmental operations;
- (3) receipts from industrial and power operations available under law; and

(4) appropriations made specifically for—

- (A) interest on, or retirement of, the public debt;
- (B) payment of claims, judgments, refunds, and drawbacks;
- (C) items the President decides are of a confidential nature;
- (D) payment under a law requiring payment of the total amount of the appropriation to a designated payee; and
- (E) grants to the States under the Social Security Act (42 U.S.C. 301 et seq.).

(Pub. L. 97-258, Sept. 13, 1982, 96 Stat. 931.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
1516	31:665(f)(1).	R.S. §3679(f)(1); 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. 767.

In the section, before clause (1), the word “apportionments” is substituted for “apportionments and reapportionments” because of section 1512(a)(last sentence) of the revised title. In subclause (D), the word “law” is substituted for “private relief acts or other laws” to eliminate unnecessary words.

Editorial Notes

REFERENCES IN TEXT

The Social Security Act, referred to in par. (4)(E), is act Aug. 14, 1935, ch. 531, 49 Stat. 620, which is classified generally to chapter 7 (§301 et seq.) of Title 42, The Public Health and Welfare. For complete classification of this Act to the Code, see section 1305 of Title 42 and Tables.

§ 1517. Prohibited obligations and expenditures

(a) An officer or employee of the United States Government or of the District of Columbia government may not make or authorize an expenditure or obligation exceeding—

- (1) an apportionment; or
- (2) the amount permitted by regulations prescribed under section 1514(a) of this title.

(b) If an officer or employee of an executive agency or of the District of Columbia government violates subsection (a) of this section, the head of the executive agency or the Mayor of the District of Columbia, as the case may be, shall report immediately to the President and Congress all relevant facts and a statement of actions taken. A copy of each report shall also be transmitted to the Comptroller General on the same date the report is transmitted to the President and Congress.

(Pub. L. 97-258, Sept. 13, 1982, 96 Stat. 932; Pub. L. 108-447, div. G, title I, §1401(b), Dec. 8, 2004, 118 Stat. 3192.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
1517(a)	31:665(h).	R.S. §3679(h), (i)(2)(related to (h)); 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. 768.

HISTORICAL AND REVISION NOTES—CONTINUED

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
1517(b)	31:665(i)(2)(related to (h)).	

In subsection (a), before clause (1), the words “District of Columbia government” are added because of section 9 of the Act of June 26, 1912 (ch. 182, 37 Stat. 184). In clause (1), the word “apportionment” is substituted for “apportionment or reapportionment” because of section 1512(a)(last sentence) of the revised title.

In subsection (b), the word “Mayor” is used because of Reorganization Plan No. 3 of 1967 (eff. Aug. 11, 1967, 81 Stat. 948) and sections 421, 422, and 771 of the District of Columbia Self-Government and Governmental Reorganization Act (Pub. L. 93-198, 87 Stat. 789, 818). The word “President” is substituted for “President, through the Director of the Office of Management and Budget” because sections 101 and 102(a) of Reorganization Plan No. 2 of 1970 (eff. July 1, 1970, 84 Stat. 2085) designated the Bureau of the Budget as the Office of Management and Budget and transferred all functions of the Bureau to the President.

Editorial Notes

AMENDMENTS

2004—Subsec. (b). Pub. L. 108-447 inserted at end “A copy of each report shall also be transmitted to the Comptroller General on the same date the report is transmitted to the President and Congress.”

§ 1518. Adverse personnel actions

An officer or employee of the United States Government or of the District of Columbia government violating section 1517(a) of this title shall be subject to appropriate administrative discipline including, when circumstances warrant, suspension from duty without pay or removal from office.

(Pub. L. 97-258, Sept. 13, 1982, 96 Stat. 932.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
1518	31:665(i)(1)(words before semicolon related to (h)).	R.S. §3679(i)(1)(words before semicolon related to (h)); 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. 768.

The words “In addition to any penalty or liability under other law” are omitted as surplus. The words “District of Columbia government” are added because of section 9 of the Act of June 26, 1912 (ch. 182, 37 Stat. 184).

§ 1519. Criminal penalty

An officer or employee of the United States Government or of the District of Columbia government knowingly and willfully violating section 1517(a) of this title shall be fined not more than \$5,000, imprisoned for not more than 2 years, or both.

(Pub. L. 97-258, Sept. 13, 1982, 96 Stat. 932.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
1519	31:665(i)(1)(words after semicolon related to (h)).	R.S. §3679(i)(1)(words after semicolon related to (h)); 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. 768.

The words “District of Columbia government” are added because of section 9 of the Act of June 26, 1912 (ch. 182, 37 Stat. 184).

SUBCHAPTER III—TRANSFERS AND REIMBURSEMENTS

§ 1531. Transfers of functions and activities

(a) The balance of an appropriation available and necessary to finance or discharge a function or activity transferred or assigned under law within an executive agency or from one executive agency to another may be transferred to and used—

- (1) by the organizational unit or agency to which the function or activity was transferred or assigned; and
- (2) for a purpose for which the appropriation was originally available.

(b) The head of the executive agency determines the amount that, with the approval of the President, is necessary to be transferred when the transfer or assignment of the function or activity is within the agency. The President determines the amount necessary to be transferred when the transfer or assignment of the function or activity is from one executive agency to another.

(c) A balance transferred under this section is—

- (1) credited to an applicable existing or new appropriation account;
- (2) merged with the amount in an account to which the balance is credited; and
- (3) with the amount with which the balance is merged, accounted for as one amount.

(d) New appropriation accounts may be established to carry out subsection (c)(1) of this section.

(Pub. L. 97-258, Sept. 13, 1982, 96 Stat. 932.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
1531(a), (b).	31:581c(a)(1st sentence), (b)(1st sentence).	Sept. 12, 1950, ch. 946, §202, 64 Stat. 838.
1531(c), (d).	31:581c(a)(last sentence), (b)(last sentence).	

In subsections (a) and (b), the defined term “executive agency” in section 102 of the revised title is substituted for “department or establishment” for consistency and clarity.

In subsection (a), the words “organizational unit or agency” are substituted for “agency”, and the word “appropriation” is substituted for “said funds”, for consistency and clarity.

Subsection (d) is substituted for “which are hereby authorized to be established” because of the restatement.