(2) Paragraph (1) shall cease to apply with respect to a contractor otherwise covered by that paragraph on the date on which the contractor submits the report required by such section 4212(d) for the fiscal year concerned.

(b) The Secretary of Labor shall make available in a database a list of the contractors that have complied with the provisions of such section 4212(d).

(Added Pub. L. 105–339, § 7(b)(1), Oct. 31, 1998, 112 Stat. 3189.)

§ 1355. Prohibition on use of funds for portraits

(a) No funds appropriated or otherwise made available to the Federal Government may be used to pay for the painting of a portrait of an officer or employee of the Federal Government, including the President, the Vice President, a Member of Congress, the head of an executive agency, or the head of an office of the legislative branch.

(b) In this section—

(1) the term ''executive agency'' has the meaning given the term in section 133 of title 41; and

(2) the term ''Member of Congress'' includes a Delegate or Resident Commissioner to Congress.

(Added Pub. L. 115–158, § 2(a), Mar. 27, 2018, 132 Stat. 1242.)

CHAPTER 15—APPROPRIATION ACCOUNTING

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Editorial Notes

AMENDMENTS

1996—Pub. L. 104–106, div. E, title LV, § 5502(c), Feb. 10, 1996, 110 Stat. 699, substituted ''of a formal protest or other challenge'' for ''of a protest'' in item 1558.

1992—Pub. L. 102–484, div. A, title X, § 1054(e)(1), Oct. 23, 1992, 106 Stat. 2503, substituted ''Definitions; applicability of subchapter'' for ''Definitions and application'' in item 1551 and ''Procedure for appropriation accounts available for definite periods'' for ''Audit, control, and reporting'' in item 1552.

1990—Pub. L. 101–510, div. A, title XIV, § 1405(a)(2), Nov. 5, 1990, 104 Stat. 1679, substituted ''Audit, control, and reporting'' for ''Procedure for appropriation accounts available for definite periods'' in item 1552 and for ''Review of appropriation accounts'' in item 1554, ''Closing of appropriation accounts available'' for ''Withdrawal of unobligated balances of appropriations'' in item 1555, ''General: reports'' for ''General reports'' in item 1556, and ''Authority for exemptions in appropriation laws'' for ''Authorization to exempt'' in item 1557.

1989—Pub. L. 101–189, div. A, title VIII, § 813(b), Nov. 29, 1989, 103 Stat. 1494, added item 1558.

SUBCHAPTER I—GENERAL

§ 1501. Documentary evidence requirement for Government obligations

(a) An amount shall be recorded as an obligation of the United States Government only when supported by documentary evidence of—

(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

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).	Aug. 26, 1954, ch. 935, §1311(d), 68 Stat. 831.
	31:712a.	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. 118–47, div. D, title V, §524, Mar. 23, 2024, 138 Stat. 707, provided that: ''Not later than 30 days after the end of each calendar quarter, beginning with the first month of fiscal year 2024 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. 117–328, div. H, title V, §524, Dec. 29, 2022, 136 Stat. 4912.

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 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 ''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 reapportioned 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 appropriations'' 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

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

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.)

HISTORICAL AND REVISION NOTES

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 appropriation, 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

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

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

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

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

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

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

Statutory Notes and Related Subsidiaries

PROHIBITION ON TRANSFER OF FUNDS TO OTHER DEPARTMENTS AND AGENCIES

Pub. L. 101–189, div. A, title XVI, §1604, Nov. 29, 1989, 103 Stat. 1598, provided that funds available for military functions of Department of Defense could not be made available to any other department or agency of Federal Government pursuant to a provision of law enacted after Nov. 29, 1989, unless, not less than 30 days before such funds were made available to such other department or agency, Secretary of Defense submitted to congressional defense committees a report describing effect on military preparedness of making such funds available to such department or agency, prior to repeal and restatement in section 2215 of Title 10, Armed Forces, by Pub. L. 103–160, div. A, title XI, §1106(a)(1), (b), Nov. 30, 1993, 107 Stat. 1750.

§ 1532. Withdrawal and credit

An amount available under law may be withdrawn from one appropriation account and credited to another or to a working fund only when authorized by law. Except as specifically provided by law, an amount authorized to be withdrawn and credited is available for the same purpose and subject to the same limitations provided by the law appropriating the amount. A withdrawal and credit is made by check and without a warrant.

(Pub. L. 97–258, Sept. 13, 1982, 96 Stat. 933.)

HISTORICAL AND REVISION NOTES

Revised Section	*Source (U.S. Code)*	*Source (Statutes at Large)*
1532	31:628–1.	Sept. 6, 1950, ch. 896, §1210(less last proviso), 64 Stat. 765.

The word ''limitations'' is substituted for ''limitations, conditions, and restrictions'' to eliminate unnecessary words.

§ 1533. Transfers of appropriations for salaries and expenses to carry out national defense responsibilities

An appropriation of an executive agency for salaries and expenses is available to carry out national defense responsibilities assigned to the agency under law. A transfer necessary to carry out this section may be made between appropriations or allocations within the executive agency. An allocation may not be made to an executive agency that can carry out with its regular personnel a defense activity assigned to it by using the authority of this section to realign its regular programs.

(Pub. L. 97–258, Sept. 13, 1982, 96 Stat. 933.)

HISTORICAL AND REVISION NOTES

Revised Section	*Source (U.S. Code)*	*Source (Statutes at Large)*
1533	31:697.	June 2, 1951, ch. 121, ch. XI(proviso immediately before heading ''Independent Offices''), 65 Stat. 61.

The words ''executive agency'' are substituted for ''department, agency, or corporation, in the executive branch of the Government'' because of section 102 of the revised title. The words ''authority of this section'' are substituted for ''foregoing authority'' for clarity.

§ 1534. Adjustments between appropriations

(a) An appropriation available to an agency may be charged at any time during a fiscal year for the benefit of another appropriation available to the agency to pay costs—

(1) when amounts are available in both the appropriation to be charged and the appropriation to be benefited; and

(2) subject to limitations applicable to the appropriations.

(b) Amounts paid under this section are charged on a final basis during, or as of the close of, the fiscal year to the appropriation benefited. The appropriation charged under subsection (a) of this section shall be appropriately credited.

(Pub. L. 97–258, Sept. 13, 1982, 96 Stat. 933.)

HISTORICAL AND REVISION NOTES

Revised Section	*Source (U.S. Code)*	*Source (Statutes at Large)*
1534(a)	31:628a(1st sentence).	June 29, 1966, Pub. L. 89–473, §1, 80 Stat. 221.
1534(b)	31:628a(last sentence).	

In subsection (a), the words ''Subject to limitations applicable with respect to each appropriation concerned'' are omitted as surplus. The words ''or any bureau or office thereof'' are omitted as being included in ''agency''. The words ''to pay costs'' are substituted for ''for the purpose of financing the procurement of materials and services, or financing other costs'' to eliminate unnecessary words.

In subsection (b), the words ''amounts paid under this section'' are substituted for ''such expenses so financed'', and the words ''appropriations charged under subsection (a) of this section'' are substituted for ''financing appropriation'', for clarity.

§ 1535. Agency agreements

(a) The head of an agency or major organizational unit within an agency may place an order with a major organizational unit within the same agency or another agency for goods or services if—

(1) amounts are available;

(2) the head of the ordering agency or unit decides the order is in the best interest of the United States Government;

(3) the agency or unit to fill the order is able to provide or get by contract the ordered goods or services; and

(4) the head of the agency decides ordered goods or services cannot be provided by contract as conveniently or cheaply by a commercial enterprise.

(b) Payment shall be made promptly by check on the written request of the agency or unit filling the order. Payment may be in advance or on providing the goods or services ordered and shall be for any part of the estimated or actual cost as determined by the agency or unit filling the order. A bill submitted or a request for payment is not subject to audit or certification in advance of payment. Proper adjustment of amounts paid in advance shall be made as agreed to by the heads of the agencies or units on the basis of the actual cost of goods or services provided.

(c) A condition or limitation applicable to amounts for procurement of an agency or unit

placing an order or making a contract under this section applies to the placing of the order or the making of the contract.

(d) An order placed or agreement made under this section obligates an appropriation of the ordering agency or unit. The amount obligated is deobligated to the extent that the agency or unit filling the order has not incurred obligations, before the end of the period of availability of the appropriation, in—

(1) providing goods or services; or

(2) making an authorized contract with another person to provide the requested goods or services.

(e) This section does not—

(1) authorize orders to be placed for goods or services to be provided by convict labor; or

(2) affect other laws about working funds.

(Pub. L. 97–258, Sept. 13, 1982, 96 Stat. 933; Pub. L. 98–216, § 1(2), Feb. 14, 1984, 98 Stat. 3.)

HISTORICAL AND REVISION NOTES

1982 ACT

Revised Section	*Source (U.S. Code)*	*Source (Statutes at Large)*
1535(a)	31:686(a)(1st sentence words before 15th comma, last proviso).	Mar. 4, 1915, ch. 143, § 1(3d proviso on p. 1084), 38 Stat. 1084; May 21, 1920, ch. 194, § 7(a), 41 Stat. 613; June 30, 1932, ch. 314, § 601, 47 Stat. 417; restated July 20, 1942, ch. 507, 56 Stat. 661; Aug. 23, 1958, Pub. L. 85–726, § 1407, 72 Stat. 808; Aug. 6, 1981, Pub. L. 97–31, § 12(11), 95 Stat. 154; Dec. 29, 1981, Pub. L. 97–136, § 11, 95 Stat. 1707.
1535(b)	31:686(a)(1st sentence 1st proviso).	
1535(c)	31:686(a)(1st sentence words between 15th comma and 1st proviso, last sentence).	
1535(d)	31:686(c).	May 21, 1920, ch. 194, § 7(c), 41 Stat. 613; June 30, 1932, ch. 314, § 601, 47 Stat. 417; restated June 26, 1943, ch. 150, § 1, 57 Stat. 219.
	31:686–1.	Sept. 6, 1950, ch. 896, § 1210(last proviso), 64 Stat. 765.
1535(e)(1)	31:686b(a), (b).	June 30, 1932, ch. 314, § 602(a), (b), (c)(related to § 602), 47 Stat. 418.
1535(e)(2)	31:686b(c)(related to 31:686, 686b).	

In the section, the word ''agency'' is substituted for ''executive department or independent establishment of the Government'' for clarity. See 12 Comp. Gen. 442 (1932) and *United States v. Mitchell*, 425 F. Supp. 917 (D.D.C. 1976). The words ''major organizational unit'' or ''unit'' are substituted for ''bureau or office'' for consistency in the revised title. The words ''to fill the order'' or ''filling the order'' are substituted for ''such requisitioned'' and ''as may be requisitioned'' for clarity and because of the restatement. The words ''goods or services'' are substituted for ''materials, supplies, equipment, work, or services'' to eliminate unnecessary words.

In subsection (a)(4), the words ''the head of the agency decides'' are added, and the words ''commercial enterprise'' are substituted for ''private agencies'', for clarity. The words ''by competitive bids'' are omitted as surplus because of various procurement laws.

In subsection (b), the words ''The Secretary of Defense'' are added for clarity because of Comptroller General decision B–20179 (Apr. 1, 1981). The words ''a military department of the Department of Defense'' are substituted for ''the Department of the Army, Navy Department'' for consistency with title 10 and to apply the source provisions to the Department of the Air Force because of sections 205(a) and 207(a) and (f) of the Act of July 26, 1947 (ch. 343, 61 Stat. 501, 502), and section 1 of the Act of August 10, 1956 (ch. 1041, 70A Stat. 488). The words ''Secretary of Transportation in carrying out duties and powers related to aviation and the Coast Guard'' are substituted for ''Federal Aviation Agency, Coast Guard'' to reflect the transfer of those functions to the Secretary of Transportation. The words ''the Administrator of General Services'' are added to reflect the transfer of the functions of the Bureau of Federal Supply of the Treasury Department to the Administrator by section 102(a) of the Act of June 30, 1949 (40:752(a)). The words ''the Administrator of'' are added before ''Maritime Administration'' for clarity and consistency in the revised title and with other titles of the United States Code.

In subsection (c), the words ''pursuant to such order'' are omitted as unnecessary.

Subsection (d) is substituted for the source provisions being restated to reflect decisions of the Comptroller General, including 31 Comp. Gen. 83 (1951), 34 Comp. Gen. 418 (1955), 39 Comp. Gen. 317 (1959), and 55 Comp. Gen. 1497 (1976).

In subsection (e), the words ''any Government department or independent establishment, or any bureau or office thereof'' and ''except as otherwise provided by law'' are omitted as unnecessary because of the restatement. The text of 31:686b(a) is omitted as executed.

1984 ACT

Revised Section	*Source (U.S. Code)*	*Source (Statutes at Large)*
1535(a)	31 App.:686(a) (1st sentence words before 15th comma, proviso)	May 21, 1920, ch. 194, § 7(a) (1st, 2d sentences), 41 Stat. 613; June 30, 1932, ch. 314, § 601, 47 Stat. 417; restated July 20, 1942, ch. 507, 56 Stat. 661; Aug. 23, 1958, Pub. L. 85–726, § 1407, 72 Stat. 808; Aug. 6, 1981, Pub. L. 97–136, § 11, 95 Stat. 1707; Oct. 15, 1982, Pub. L. 97–332, § 1(1)–(3), 96 Stat. 1622.
1535(b)	31 App.:686(a) (1st sentence words between 15th comma and proviso, 2d sentence)	
1535(c)	31 App.:686(a) (last sentence)	May 21, 1920, ch. 194, 41 Stat. 607, § 7(a) (last sentence); added Oct. 15, 1982, Pub. L. 97–332, § 1(4), 96 Stat. 1622.

Editorial Notes

AMENDMENTS

1984—Subsec. (a)(3). Pub. L. 98–216, § 1(2)(A), inserted ''or get by contract'' after ''provide''.

Subsec. (a)(4). Pub. L. 98–216, § 1(2)(B), inserted ''by contract'' after ''provided''.

Subsecs. (b), (c). Pub. L. 98–216, § 1(2)(C)–(E), redesignated subsec. (c) as (b). Former subsec. (b), which provided that the Secretary of Defense, the Secretary of a military department of the Department of Defense, the Secretary of Transportation in carrying out duties and powers related to aviation and the Coast Guard, the Secretary of the Treasury, the Administrator of General Services, and the Administrator of the Maritime Administration could place orders under this section for goods and services that an agency or unit filling the order might be able to provide or procure by contract, was struck out.

Statutory Notes and Related Subsidiaries

PREVENTING ABUSE OF INTERAGENCY CONTRACTS

Pub. L. 110–417, [div. A], title VIII, § 865, Oct. 14, 2008, 122 Stat. 4550, as amended by Pub. L. 115–232, div. A, title VIII, § 875, Aug. 13, 2018, 132 Stat. 1906, provided that:

''(a) OFFICE OF MANAGEMENT AND BUDGET POLICY GUIDANCE.—

''(1) REPORT AND GUIDELINES.—Not later than one year after the date of the enactment of this Act [Oct. 14, 2008], the Director of the Office of Management and Budget shall—

''(A) submit to Congress a comprehensive report on interagency acquisitions, including their frequency of use, management controls, cost-effectiveness, and savings generated; and

''(B) issue guidelines to assist the heads of executive agencies in improving the management of interagency acquisitions.

''(2) MATTERS COVERED BY GUIDELINES.—For purposes of paragraph (1)(B), the Director shall include guidelines on the following matters:

''(A) Procedures for the use of interagency acquisitions to maximize competition, deliver best value to executive agencies, and minimize waste, fraud, and abuse.

''(B) Categories of contracting inappropriate for interagency acquisition.

''(C) Requirements for training acquisition workforce personnel in the proper use of interagency acquisitions.

''(b) REGULATIONS REQUIRED.—

''(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act [Oct. 14, 2008], the Federal Acquisition Regulation shall be revised to require that—

''(A) all interagency assisted acquisitions include a written agreement between the requesting agency and the servicing agency assigning responsibility for the administration and management of the contract; and

''(B) all interagency assisted acquisitions include sufficient documentation to ensure an adequate audit.

''(2) MULTI-AGENCY CONTRACTS.—Not later than one year after the date of the enactment of this Act, the Federal Acquisition Regulation shall be revised to require any multi-agency contract entered into by an executive agency after the effective date of such regulations to be supported by a business case analysis detailing the administration of such contract, including an analysis of all direct and indirect costs to the Federal Government of awarding and administering such contract and the impact such contract will have on the ability of the Federal Government to leverage its purchasing power.

''(c) AGENCY REPORTING REQUIREMENT.—The senior procurement executive for each executive agency shall, as directed by the Director of the Office of Management and Budget, submit to the Director annual reports on the actions taken by the executive agency pursuant to the guidelines issued under subsection (a).

''(d) DEFINITIONS.—In this section:

''(1) The term 'executive agency' has the meaning given such term in section 4(1) of the Office of Federal Procurement Policy Act ([former] 41 U.S.C. 403(1)) [see 41 U.S.C. 133], except that, in the case of a military department, it means the Department of Defense.

''(2) The term 'head of executive agency' means the head of an executive agency except that, in the case of a military department, the term means the Secretary of Defense.

''(3) The term 'interagency acquisition' means a procedure by which an executive agency needing supplies or services (the requesting agency) obtains them from another executive agency (the servicing agency). The term includes acquisitions under section 1535 of title 31, United States Code (commonly referred to as the 'Economy Act'), Federal Supply Schedules above $500,000, and Governmentwide acquisition contracts.

''(4) The term 'multi-agency contract' means a task or delivery order contract established for use by more than one executive agency to obtain supplies and services, consistent with section 1535 of title 31, United States Code (commonly referred to as the 'Economy Act').''

REVIEW AND ENHANCEMENT OF EXISTING AUTHORITIES FOR USING AIR FORCE AND AIR NATIONAL GUARD MODULAR AIRBORNE FIRE-FIGHTING SYSTEMS AND OTHER DEPARTMENT OF DEFENSE ASSETS TO FIGHT WILDFIRES

Pub. L. 108–136, div. A, title X, §1058, Nov. 24, 2003, 117 Stat. 1619, as amended by Pub. L. 117–81, div. A, title X, §1065, Dec. 27, 2021, 135 Stat. 1910, provided that:

''(a) REVIEW REQUIRED.—The Director of the Office of Management and Budget shall conduct a review of existing authorities regarding the use of Air Force and Air National Guard Modular Airborne Fire-Fighting Systems units and other Department of Defense assets to fight wildfires to ensure that, in accordance with applicable legal requirements, such assets are available in the most expeditious manner to fight wildfires on Federal lands or non-Federal lands at the request of a Federal agency or State government. In conducting the review, the Director shall specifically consider—

''(1) any adverse impact caused by the restrictions contained in section 1535(a)(4) of title 31, United States Code, or caused by the interpretation of such restrictions, on the ability of the Forest Service and other Federal agencies to procure such firefighting services; and

''(2) whether the authorities under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.), including section 403(c) of such Act (42 U.S.C. 5170b), are being properly utilized to facilitate an expeditious Department of Defense response to State requests under, and consistent with, such Act for firefighting services.

''(b) DETERMINATION REQUIRED.—On the basis of the review, the Director shall make a determination regarding whether existing authorities are being used in a manner consistent with using the available capabilities of Department of Defense assets to fight wildfires in the most expeditious and efficacious way to minimize the risk to public safety.

''(c) EXPEDITED ECONOMY ACT REVIEW PROCESS.—If the Director determines under subsection (b) that existing authorities are adequate for the deployment of Department of Defense assets to fight wildfires, the Director shall develop and implement, subject to subsection (f), such modifications to the process for conducting the cost comparison required by section 1535(a)(4) of title 31, United States Code, as the Director considers appropriate to further expedite the procurement of such firefighting services.

''(d) DEVELOPMENT AND IMPLEMENTATION OF REVISED POLICIES.—If the Director determines under subsection (b) that the existing authorities or their use is inadequate or can be improved, the Director shall develop and implement, subject to subsection (f), such regulations, policies, and interagency procedures as may be necessary to improve the ability of the Department of Defense to respond to a request by a Federal agency or State government to assist in fighting wildfires on Federal lands or non-Federal lands under section 1535(a) of title 31, United States Code, or the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.), or both.

''(e) REPORTING REQUIREMENT.—Not later than 120 days after the date of the enactment of this Act [Nov. 24, 2003], the Director shall transmit to Congress a report—

''(1) containing the results of the review conducted under subsection (a) and the determination made under subsection (b); and

''(2) based on such determination, describing the modifications proposed to be made to existing authorities under subsection (c) or (d), including whether there is a need for legislative changes to further improve the procedures for using Department of Defense assets to fight wildfires.

''(f) DELAYED IMPLEMENTATION.—The modifications described in the report prepared under subsection (e) to

be made to existing authorities under subsection (c) or (d) shall not take effect until the end of the 30-day period beginning on the date on which the report is transmitted to Congress.

''(g) UPDATED REVIEW AND ENHANCEMENT OF AUTHORITIES.—(1) Not later than 120 days after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2022 [Dec. 27, 2021], the Director shall—

''(A) conduct a second review under subsection (a) and make a second determination under subsection (b); and

''(B) submit to Congress a report that includes—

''(i) the results of the second review and second determination required by subparagraph (A); and

''(ii) a description, based on such second determination, of any new modifications proposed to be made to existing authorities under subsection (c) or (d), including whether there is a need for legislative changes to further improve the procedures for using Department of Defense assets to fight wildfires.

''(2) Pursuant to the second determination under subsection (b) required by paragraph (1)(A), the Director shall develop and implement such modifications, regulations, policies, and interagency procedures as the Director determines appropriate pursuant to subsections (c) and (d). Any such modification, regulation, policy, or interagency procedure shall not take effect until the end of the 30-day period beginning on the date on which the report is submitted to Congress under paragraph (1)(B).''

PLACEMENT OF ORDERS BY CHIEF ADMINISTRATIVE OFFICER OF THE HOUSE OF REPRESENTATIVES

Pub. L. 107–206, title I, § 904, Aug. 2, 2002, 116 Stat. 876, provided that: ''Nothing in section 1535 of title 31, U.S.C. (commonly referred to as the 'Economy Act'), or any other provision of such title may be construed to prevent or restrict the Chief Administrative Officer of the House of Representatives from placing orders under such section during any fiscal year in the same manner and to the same extent as the head of any other major organizational unit with an agency may place orders under such section during a fiscal year.''

ECONOMY ACT PURCHASES

Pub. L. 103–355, title I, § 1074, Oct. 13, 1994, 108 Stat. 3271, provided that the Federal Acquisition Regulation was to be revised to include regulations governing the exercise of authority under this section for Federal agencies to purchase goods and services under contracts entered into or administered by other agencies, and further provided for content of regulations, establishment of system to monitor procurements under regulations, and that section would cease to be effective one year after date on which final regulations took effect. Final regulations were published in the Federal Register Sept. 26, 1995, effective Oct. 1, 1995. See 60 F.R. 49720.

DEPARTMENT OF DEFENSE PURCHASES THROUGH OTHER AGENCIES

Pub. L. 105–261, div. A, title VIII, § 814, Oct. 17, 1998, 112 Stat. 2087, which directed Secretary of Defense, not later than 90 days after Oct. 17, 1998, to revise regulations issued pursuant to section 844 of the National Defense Authorization Act for Fiscal Year 1994 (Pub. L. 103–160, see below) to cover certain purchases greater than the micro-purchase threshold and to provide for a streamlined method of compliance for any such purchase that is not greater than the simplified acquisition threshold, ceased to be effective 1 year after date on which final regulations took effect. Final regulations were published in the Federal Register Mar. 25, 1999, effective on that date. See 64 F.R. 14399.

Pub. L. 103–160, div. A, title VIII, § 844, Nov. 30, 1993, 107 Stat. 1720, directed Secretary of Defense, not later than six months after Nov. 30, 1993, to prescribe regulations governing exercise by Department of Defense of authority under this section to purchase goods and services under contracts entered into or administered by another agency, and provided for content of regulations, establishment of system to monitor procurements under regulations, and that section would cease to be effective one year after date on which final regulations took effect. Final regulations were published in the Federal Register Sept. 26, 1995, effective Oct. 1, 1995. See 60 F.R. 49720.

ACQUISITION OF GOODS, SERVICES, OR SPACE BY SECRETARY OF SENATE AND SERGEANT AT ARMS AND DOORKEEPER OF SENATE

Pub. L. 101–163, title I, § 8, Nov. 21, 1989, 103 Stat. 1046, as amended by Pub. L. 112–10, div. B, title IX, § 1904, Apr. 15, 2011, 125 Stat. 170, provided that:

''(1) The Secretary of the Senate and the Sergeant at Arms and Doorkeeper of the Senate are authorized to acquire goods, services, or space from government agencies and units by agreement under the provisions of the Economy Act, 31 U.S.C. 1535, and to make advance payments in conjunction therewith, if required by the providing agency or establishment.

''(2) No advance payment may be made under paragraph (1) unless specifically provided for in the agreement. No agreement providing for advance payment may be entered into unless it contains a provision requiring the refund of any unobligated balance of the advance.

''(3) Agreement under paragraph (1) shall be in accordance with regulations prescribed by the Committee on Rules and Administration of the Senate.''

§ 1536. Crediting payments from purchases between executive agencies

(a) An advance payment made on an order under section 1535 of this title is credited to a special working fund that the Secretary of the Treasury considers necessary to be established. Except as provided in this section, any other payment is credited to the appropriation or fund against which charges were made to fill the order.

(b) An amount paid under section 1535 of this title may be expended in providing goods or services or for a purpose specified for the appropriation or fund credited. Where goods are provided from stocks on hand, the amount received in payment is credited so as to be available to replace the goods unless—

(1) another law authorizes the amount to be credited to some other appropriation or fund; or

(2) the head of the executive agency filling the order decides that replacement is not necessary, in which case, the amount received is deposited in the Treasury as miscellaneous receipts.

(c) This section does not affect other laws about working funds.

(Pub. L. 97–258, Sept. 13, 1982, 96 Stat. 934.)

HISTORICAL AND REVISION NOTES

Revised Section	*Source (U.S. Code)*	*Source (Statutes at Large)*
1536(a)	31:686(b)(1st, 2d sentences).	May 21, 1920, ch. 194, § 7(b), 41 Stat. 613; restated June 30, 1932, ch. 314, § 601, 47 Stat. 418.
1536(b)	31:686(b)(3d, last sentences).	
1536(c)	31:686b(c)(related to 31:686).	June 30, 1932, ch. 314, § 602(c)(related to § 601), 47 Stat. 418.

In subsection (b), the words ''providing goods or services'' are substituted for ''furnishing the materials,

supplies, or equipment, or in performing the work or services'' to eliminate unnecessary words.

§ 1537. Services between the United States Government and the District of Columbia government

(a) To prevent duplication and to promote efficiency and economy, an officer or employee of—

(1) the United States Government may provide services to the District of Columbia government; and

(2) the District of Columbia government may provide services to the United States Government.

(b)(1) Services under this section shall be provided under an agreement—

(A) negotiated by officers and employees of the 2 governments; and

(B) approved by the Director of the Office of Management and Budget and the Mayor of the District of Columbia.

(2) Each agreement shall provide that the cost of providing the services shall be borne in the way provided in subsection (c) of this section by the government to which the services are provided at rates or charges based on the actual cost of providing the services.

(3) To carry out an agreement made under this subsection, the agreement may provide for the delegation of duties and powers of officers and employees of—

(A) the District of Columbia government to officers and employees of the United States Government; and

(B) the United States Government to officers and employees of the District of Columbia government.

(c) In providing services under an agreement made under subsection (b) of this section—

(1) costs incurred by the United States Government may be paid from appropriations available to the District of Columbia government officer or employee to whom the services were provided; and

(2) costs incurred by the District of Columbia government may be paid from amounts available to the United States Government officer or employee to whom the services were provided.

(d) When requested by the Director of the United States Secret Service, the Chief of the Metropolitan Police shall assist the Secret Service and the Secret Service Uniformed Division on a non-reimbursable basis in carrying out their protective duties under sections 3056 and 3056A of title 18.

(Pub. L. 97–258, Sept. 13, 1982, 96 Stat. 934; Pub. L. 109–177, title VI, § 605(d)(1), Mar. 9, 2006, 120 Stat. 255.)

HISTORICAL AND REVISION NOTES

Revised Section	*Source (U.S. Code)*	*Source (Statutes at Large)*
1537(a)	31:685a(a)(1st sentence).	Dec. 24, 1973, Pub. L. 93–198, § 731, 87 Stat. 822.
1537(b)	31:685a(a)(2d, last sentences), (b).	
1537(c)	31:685a(c)(less last sentence words after last comma).	
1537(d)	31:685a(c)(last sentence words after last comma).	

In the section, the words ''District of Columbia'' are substituted for ''District'' for clarity and consistency.

In subsection (a), the word ''duplication'' is substituted for ''duplication of effort'' to eliminate unnecessary words. The words ''officer or employee of the United States Government'' are substituted for ''any Federal officer or agency'', and the words ''officer or employee of the District of Columbia government'' are substituted for ''any District officer or agency'', for consistency.

In subsection (b)(1), before clause (A), the words ''Except where the terms and conditions governing the furnishing of such services are prescribed by other provisions of law'' are omitted as surplus. In clause (A), the words ''officers and employees of the 2 governments'' are substituted for ''Federal and District authorities'' for consistency. In clause (B), the words ''of the District of Columbia'' are added for clarity.

In subsection (b)(3), before clause (A), the words ''duties and powers'' are substituted for ''functions'' for consistency in the revised title and with other titles of the United States Code. The text of 31:685a(b)(last sentence) is omitted as surplus.

In subsection (c)(1), the words ''United States Government'' are substituted for ''each Federal officer and agency'' for clarity.

In subsection (c)(2), the words ''District of Columbia government'' are substituted for ''each District officer and agency'' for consistency.

Editorial Notes

AMENDMENTS

2006—Subsec. (d). Pub. L. 109–177 substituted ''and the Secret Service Uniformed Division'' for ''and the Executive Protective Service'' and ''their protective duties under sections 3056 and 3056A of title 18'' for ''their protective duties under section 302 of title 3 and section 3056 of title 18''.

Statutory Notes and Related Subsidiaries

TRANSFER OF FUNCTIONS

For transfer of the functions, personnel, assets, and obligations of the United States Secret Service, including the functions of the Secretary of the Treasury relating thereto, to the Secretary of Homeland Security, and for treatment of related references, see sections 381, 551(d), 552(d), and 557 of Title 6, Domestic Security, and the Department of Homeland Security Reorganization Plan of November 25, 2002, as modified, set out as a note under section 542 of Title 6.

SUBCHAPTER IV—CLOSING ACCOUNTS

§ 1551. Definitions; applicability of subchapter

(a) In this subchapter—

(1) An obligated balance of an appropriation account as of the end of a fiscal year is the amount of unliquidated obligations applicable to the appropriation less amounts collectible as repayments to the appropriation.

(2) An unobligated balance is the difference between the obligated balance and the total unexpended balance.

(3) A fixed appropriation account is an appropriation account available for obligation for a definite period.

(b) The limitations on the availability for expenditure prescribed in this subchapter apply to

all appropriations unless specifically otherwise authorized by a law that specifically—

(1) identifies the appropriate account for which the availability for expenditure is to be extended;

(2) provides that such account shall be available for recording, adjusting, and liquidating obligations properly chargeable to that account; and

(3) extends the availability for expenditure of the obligated balances.

(c) This subchapter does not apply to—

(1) appropriations for the District of Columbia government; or

(2) appropriations to be disbursed by the Secretary of the Senate or the Chief Administrative Officer of the House of Representatives.

(Pub. L. 97–258, Sept. 13, 1982, 96 Stat. 935; Pub. L. 101–510, div. A, title XIV, §1405(a)(1), Nov. 5, 1990, 104 Stat. 1676; Pub. L. 102–484, div. A, title X, §1054(e)(2), Oct. 23, 1992, 106 Stat. 2503; Pub. L. 104–186, title II, §219(b)(1), Aug. 20, 1996, 110 Stat. 1748.)

HISTORICAL AND REVISION NOTES

Revised Section	*Source (U.S. Code)*	*Source (Statutes at Large)*
1551(a)	31:701(c)(1st sentence).	July 25, 1956, ch. 727, §1(c)(1st sentence), 70 Stat. 648; July 8, 1959, Pub. L. 86–79, §210(b), 73 Stat. 167.
1551(b)	31:707.	July 25, 1956, ch. 727, §8, 70 Stat. 650.

In subsection (b)(1), the words ''District of Columbia government'' are substituted for ''District of Columbia'' for consistency.

Editorial Notes

AMENDMENTS

1996—Subsec. (c)(2). Pub. L. 104–186 substituted ''Chief Administrative Officer'' for ''Clerk''.

1992—Pub. L. 102–484 substituted ''Definitions; applicability of subchapter'' for ''Definitions and applications'' as section catchline.

1990—Pub. L. 101–510 amended text generally, reenacting former subsec. (a)(1) and (2) with a change in capitalization, adding subsecs. (a)(3) and (b), and restating former subsec. (b) as (c).

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 1990 AMENDMENT; TRANSITIONAL PROVISIONS

Pub. L. 101–510, div. A, title XIV, §1405(b), Nov. 5, 1990, 104 Stat. 1679, as amended by Pub. L. 102–484, div. A, title X, §1004, Oct. 23, 1992, 106 Stat. 2481, provided that:

''(1) APPLICATION OF AMENDMENTS.—The amendments made by subsection (a) [amending this section and sections 1552 to 1557 of this title] shall apply to any appropriation account the obligated balance of which, on the date of the enactment of this Act [Nov. 5, 1990], has not been transferred under section 1552(a)(1) of title 31, United States Code, as in effect on the day before the date of the enactment of this section.

''(2) RESTORATION OF CERTAIN UNOBLIGATED AMOUNTS.—The balance of any unobligated amount withdrawn under section 1552(a)(2) of title 31, United States Code, as in effect on the day before the date of the enactment of this Act, from an account the obligated balance of which has not been transferred under section 1552(a)(1) of title 31, United States Code, as in effect on the day before the date of the enactment of this section, is hereby restored to that account.

''(3) CANCELLATION OF UNOBLIGATED BALANCES.—All balances of unobligated funds withdrawn from an account under subsection 1552(a)(2) of title 31, United States Code, as in effect on the day before the date of the enactment of this Act (other than funds restored under paragraph (2)) are canceled, effective at the end of the 30-day period beginning on the date of the enactment of this Act.

''(4) CANCELLATION OF OBLIGATED BALANCES.—On the third September 30th after the date of the enactment of this Act, all obligated balances transferred under subsection 1552(a)(1) of title 31, United States Code, as in effect on the day before the date of the enactment of this Act, shall be canceled.

''(5) OBLIGATION OF EXISTING BALANCES.—After the date of the enactment of this Act, an obligation of any part of a balance transferred before the date of the enactment of this Act under section 1552(a)(1) of title 31, United States Code, shall be subject to section 1553(c) of such title, as amended by subsection (a).

''(6) CANCELLATION OF OLDEST OBLIGATED BALANCES.—(A) At the end of the 30-day period beginning on the date on which the President submits to Congress the budget for fiscal year 1992, any amount in an account established under paragraph (1) of section 1552 of title 31, United States Code, as in effect before the date of the enactment of this Act, that has been in that account as of that date for a period in excess of five years shall be deobligated and shall be withdrawn in the manner provided in paragraph (2) of that section. Amounts so deobligated and withdrawn may not be restored.

''(B) Subparagraph (A) shall not apply so as to require the deobligation of amounts—

''(i) for which there is documentary evidence that payment will be required within 180 days of the date of the enactment of this Act; or

''(ii) that are determined to be necessary for severance payments for foreign national employees.

''(7) OBLIGATIONS AND ADJUSTMENT OF OBLIGATIONS.—(A) After cancellation of unobligated balances under paragraph (3) or cancellation of obligated balances under paragraph (4) or paragraph (6) and subject to the provisions of subparagraph (B), obligations and adjustments to obligations that would have been chargeable to those balances before such cancellations and that are not otherwise chargeable to current appropriations of the agency concerned may be charged to current appropriations of that agency available for the same purpose. Any charge made pursuant to this subsection shall be limited to the unobligated expired balances of the original appropriation available for the same purpose.

''(B) Any charge made pursuant to subparagraph (A) shall be subject to the maximum amount chargeable under subsection (b) of section 1553 of title 31, United States Code, as amended by this section, and shall be included in the calculation of the total amount charged to any account under that section.

''(8) OBLIGATIONS AND ADJUSTMENTS OF OBLIGATIONS FOR EXPIRED BUT NOT CLOSED ACCOUNTS.—(A) Subject to subparagraphs (B), (C), and (D), in the case of an appropriation account for a fiscal year before fiscal year 1992 for which the period of availability for obligation has expired but which has not been closed under the provisions of section 1552(a) of title 31, United States Code, or paragraph (4) of this section, an obligation and an adjustment of an obligation may be charged to any current appropriation account of the Department of Defense that is available for the same purpose as the expired account if—

''(i) the obligation would have been properly chargeable (except as to amount) to the expired account before the end of the period of availability of that account; and

''(ii) the obligation is not otherwise properly chargeable to any current appropriation account of the Department of Defense.

''(B) The total amount charged to a current appropriation account under subparagraph (A) may not exceed an amount equal to the lesser of—

''(i) one percent of the total amount of the appropriations for that account; or

''(ii) one percent of the total amount of the appropriations for the expired account.

''(C) No obligation or adjustment of an obligation may be charged pursuant to the provisions of this paragraph until the Committees on Armed Services and the Committees on Appropriations of the Senate and House of Representatives are notified of the intent to make such a charge and a period of 30 days elapses after the notification is submitted.

''(D) CERTIFICATIONS.—No obligation or adjustment of an obligation may be charged pursuant to the provisions of this paragraph until the Secretary of Defense (except as otherwise provided in subparagraph (E)) certifies to Congress the following:

''(i) That the limitations on expending and obligating amounts established pursuant to section 1341 of title 31, United States Code, are being observed within the Department of Defense.

''(ii) That reports on any violations of such section 1341, whether intentional or inadvertent, are being submitted to the President and Congress immediately and with all relevant facts and a statement of actions taken as required by section 1351 of title 31, United States Code.

''(E) ALTERNATIVE TO CERTIFICATION.—If the Secretary of Defense is unable to make the certifications referred to in subparagraph (D) within 60 days after the date of the enactment of this subparagraph [Oct. 23, 1992], the Secretary shall submit to the Congress a report stating that the Secretary is unable to make such certifications and setting forth the actions that the Secretary will take in order to enable the Secretary to make such certifications after the end of that period.''

§ 1552. Procedure for appropriation accounts available for definite periods

(a) On September 30th of the 5th fiscal year after the period of availability for obligation of a fixed appropriation account ends, the account shall be closed and any remaining balance (whether obligated or unobligated) in the account shall be canceled and thereafter shall not be available for obligation or expenditure for any purpose.

(b) Collections authorized or required to be credited to an appropriation account, but not received before closing of the account under subsection (a) or under section 1555 of this title shall be deposited in the Treasury as miscellaneous receipts.

(Pub. L. 97–258, Sept. 13, 1982, 96 Stat. 935; Pub. L. 101–510, div. A, title XIV, §1405(a)(1), Nov. 5, 1990, 104 Stat. 1676.)

HISTORICAL AND REVISION NOTES

Revised Section	*Source (U.S. Code)*	*Source (Statutes at Large)*
1552(a)	31:701(a)(1).	July 25, 1956, ch. 727, §1(a)(1), 70 Stat. 647; restated July 12, 1974, Pub. L. 93–344, §503(a), 88 Stat. 321.
	31:701(a)(2).	July 25, 1956, ch. 727, §1(a)(2), 70 Stat. 648; June 29, 1960, Pub. L. 86–533, §1(25), 74 Stat. 249.
	31:701(b).	July 25, 1956, ch. 727, §1(b), 70 Stat. 648; restated July 12, 1974, Pub. L. 93–344, §503(b), 88 Stat. 322; Apr. 21, 1976, Pub. L. 94–273, §45, 90 Stat. 382.
1552(b)	31:701(c)(last sentence).	July 25, 1956, ch. 727, §§1(c)(last sentence), (d), 5, 70 Stat. 648, 649.
1552(c)	31:701(d).	
1552(d)	31:705.	

In subsection (a), the text of 31:701(b)(1)(A) and (2)(A) and the words ''for the period commencing on July 1, 1976, and ending on September 30, 1976, and for any fiscal year commencing on or after October 1, 1976'' are omitted as executed.

In subsection (a)(1), the words ''period of availability ends'' are substituted for ''that period or the fiscal year or years, as the case may be, for which the appropriation is available for obligation'' to eliminate unnecessary words.

In subsection (a)(2), the words ''reverts to the Treasury'' are substituted for ''if the appropriation was derived in whole or in part from the general fund, shall revert to such fund'' to eliminate unnecessary words.

In subsection (b), the words ''not received before'' are substituted for ''not received until after'' for clarity. The words ''unless otherwise authorized by law'' are omitted as surplus. The words ''Comptroller General'' are substituted for ''General Accounting Office'' for consistency.

In subsection (c), the text of 31:701(d)(last sentence) is omitted as executed.

In subsection (d), before clause (1), the word ''heading'' is substituted for ''heads'' for clarity and consistency.

Editorial Notes

AMENDMENTS

1990—Pub. L. 101–510 amended text generally, revising and restating former subsecs. (a) to (d) as subsecs. (a) and (b).

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 1990 AMENDMENT

Amendment by Pub. L. 101–510 applicable to any appropriation account the obligated balance of which, on Nov. 5, 1990, has not been transferred under subsec. (a)(1) of this section, as in effect Nov. 4, 1990, with transitional provisions, see section 1405(b) of Pub. L. 101–510, set out as a note under section 1551 of this title.

AUDIT OF OBLIGATED BALANCES OF DEPARTMENT OF DEFENSE

Pub. L. 101–510, div. A, title XIV, §1406, Nov. 5, 1990, 104 Stat. 1680, required the Secretary of Defense to provide for an audit of each account of the Department of Defense established under subsec. (a)(1) of this section, as in effect on the day before Nov. 5, 1990, and to provide Congress with a final report on the audit by Dec. 31, 1991.

§ 1553. Availability of appropriation accounts to pay obligations

(a) After the end of the period of availability for obligation of a fixed appropriation account and before the closing of that account under section 1552(a) of this title, the account shall retain its fiscal-year identity and remain available for recording, adjusting, and liquidating obligations properly chargeable to that account.

(b)(1) Subject to the provisions of paragraph (2), after the closing of an account under section 1552(a) or 1555 of this title, obligations and adjustments to obligations that would have been properly chargeable to that account, both as to purpose and in amount, before closing and that are not otherwise chargeable to any current appropriation account of the agency may be charged to any current appropriation account of the agency available for the same purpose.

(2) The total amount of charges to an account under paragraph (1) may not exceed an amount equal to 1 percent of the total appropriations for that account.

(c)(1) In the case of a fixed appropriation account with respect to which the period of avail-

ability for obligation has ended, if an obligation of funds from that account to provide funds for a program, project, or activity to cover amounts required for contract changes would cause the total amount of obligations from that appropriation during a fiscal year for contract changes for that program, project, or activity to exceed $4,000,000, the obligation may only be made if the obligation is approved by the head of the agency (or an officer of the agency within the Office of the head of the agency to whom the head of the agency has delegated the authority to approve such an obligation).

(2) In the case of a fixed appropriation account with respect to which the period of availability for obligation has ended, if an obligation of funds from that account to provide funds for a program, project, or activity to cover amounts required for contract changes would cause the total amount obligated from that appropriation during a fiscal year for that program, project, or activity to exceed $25,000,000, the obligation may not be made until—

(A) the head of the agency submits to the appropriate authorizing committees of Congress and the Committees on Appropriations of the Senate and the House of Representatives a notice in writing of the intent to obligate such funds, together with a description of the legal basis for the proposed obligation and the policy reasons for the proposed obligation; and

(B) a period of 30 days has elapsed after the notice is submitted.

(3) In this subsection, the term ''contract change'' means a change to a contract under which the contractor is required to perform additional work. Such term does not include adjustments to pay claims or increases under an escalation clause.

(d)(1) Obligations under this section may be paid without prior action of the Comptroller General.

(2) This subchapter does not—

(A) relieve the Comptroller General of the duty to make decisions requested under law; or

(B) affect the authority of the Comptroller General to settle claims and accounts.

(Pub. L. 97–258, Sept. 13, 1982, 96 Stat. 936; Pub. L. 101–510, div. A, title XIV, § 1405(a)(1), Nov. 5, 1990, 104 Stat. 1676.)

HISTORICAL AND REVISION NOTES

Revised Section	*Source (U.S. Code)*	*Source (Statutes at Large)*
1553(a)	31:702(1st sentence).	July 25, 1956, ch. 727, §2, 70 Stat. 648.
1553(b)	31:702(last sentence).	

In subsection (a), the word ''separately'' is substituted for ''as one fund'' for clarity. The words ''remains available until expended'' are substituted for ''shall be available without fiscal year limitation'' for consistency in the revised title.

In subsection (b), the words ''Comptroller General'' are substituted for ''Comptroller General of the United States'' and ''General Accounting Office'' for consistency. The words ''affect the authority'' are substituted for ''abridge the existing authority'' to eliminate unnecessary words. The words ''settle claims and accounts'' are substituted for ''settle and adjust claims, demands, and accounts'' for consistency with chapter 35 of the revised title.

Editorial Notes

AMENDMENTS

1990—Pub. L. 101–510 amended text generally. Prior to amendment, text read as follows:

''(a) Each appropriation account established under section 1552 of this title is accounted for separately and remains available until expended to pay obligations chargeable against any appropriation from which the account is derived.

''(b) Under regulations prescribed by the Comptroller General, obligations under subsection (a) of this section may be paid without prior action of the Comptroller General. However, this subchapter does not—

''(1) relieve the Comptroller General of the duty to make decisions requested under law; or

''(2) affect the authority of the Comptroller General to settle claims and accounts.''

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 1990 AMENDMENT

Amendment by Pub. L. 101–510 applicable to any appropriation account the obligated balance of which, on Nov. 5, 1990, has not been transferred under section 1552(a)(1) of this title, as in effect Nov. 4, 1990, with transitional provisions, see section 1405(b) of Pub. L. 101–510, set out as a note under section 1551 of this title.

§ 1554. Audit, control, and reporting

(a) Any audit requirement, limitation on obligations, or reporting requirement that is applicable to an appropriation account shall remain applicable to that account after the end of the period of availability for obligation of that account.

(b)(1) After the close of each fiscal year, the head of each agency shall submit to the President and the Secretary of the Treasury a report regarding the unliquidated obligations, unobligated balances, canceled balances, and adjustments made to appropriation accounts of that agency during the completed fiscal year. The report shall be submitted no later than 15 days after the date on which the President's budget for the next fiscal year is submitted to Congress under section 1105 of this title.

(2) Each report required by this subsection shall—

(A) provide a description, with reference to the fiscal year of appropriations, of the amount in each account, its source, and an itemization of the appropriations accounts;

(B) describe all current and expired appropriations accounts;

(C) describe any payments made under section 1553 of this title;

(D) describe any adjustment of obligations during that fiscal year pursuant to section 1553 of this title;

(E) contain a certification by the head of the agency that the obligated balances in each appropriation account of the agency reflect proper existing obligations and that expenditures from the account since the preceding review were supported by a proper obligation of funds and otherwise were proper;

(F) describe all balances canceled under sections 1552 and 1555 of this title.

(3) The head of each Federal agency shall provide a copy of each such report to the Speaker

of the House of Representatives and the Committee on Appropriations, the Committee on Governmental Affairs, and other appropriate oversight and authorizing committees of the Senate.

(c) The head of each agency shall establish internal controls to assure that an adequate review of obligated balances is performed to support the certification required by section 1108(c) of this title.

(Pub. L. 97–258, Sept. 13, 1982, 96 Stat. 936; Pub. L. 101–510, div. A, title XIV, §1405(a)(1), Nov. 5, 1990, 104 Stat. 1677; Pub. L. 102–190, div. A, title X, §1004(b), Dec. 5, 1991, 105 Stat. 1457.)

HISTORICAL AND REVISION NOTES

Revised Section	*Source (U.S. Code)*	*Source (Statutes at Large)*
1554(a)	31:703(a)(1st, 2d sentences, last sentence proviso).	July 25, 1956, ch. 727, §3(a), 70 Stat. 649; Reorg. Plan No. 2 of 1970, eff. July 1, 1970, §102(a), 84 Stat. 2085; Apr. 21, 1976, Pub. L. 94–273, §8(1), 90 Stat. 378.
1554(b)	31:703(a)(3d sentence, last sentence less proviso).	

In subsection (a), the words ''head of the agency'' are substituted for ''agency concerned'' 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 ''withdrawal or restoration'' are substituted for ''transactions'' the first time it appears.

Editorial Notes

AMENDMENTS

1991—Subsecs. (c), (d). Pub. L. 102–190 redesignated subsec. (d) as (c) and struck out former subsec. (c) which read as follows:

''(1) The Director of the Congressional Budget Office shall estimate each year the effect on the Federal deficit of payments and adjustments made with respect to sections 1552 and 1553 of this title. Such estimate shall be made separately for accounts of each agency.

''(2) The Director shall include in the annual report of the Director to the Committees on the Budget of the Senate and House of Representatives under paragraph (1) of section 202(f) of the Congressional Budget Act of 1974 a statement of the estimates made pursuant to paragraph (1) of this subsection during the preceding year (including any revisions to estimates contained in earlier reports under such paragraph). The Director shall include in any report under paragraph (2) of that section any revisions to such estimates made since the most recent report under paragraph (1) of such section.''

1990—Pub. L. 101–510 substituted ''Audit, control, and reporting'' for ''Review of appropriation accounts'' in section catchline and amended text generally, substituting subsecs. (a) to (d) for former subsecs. (a) and (b) which required the head of each agency to annually review each appropriation account established by the agency under section 1552 of this title.

Statutory Notes and Related Subsidiaries

CHANGE OF NAME

Committee on Governmental Affairs of Senate changed to Committee on Homeland Security and Governmental Affairs of Senate, effective Jan. 4, 2005, by Senate Resolution No. 445, One Hundred Eighth Congress, Oct. 9, 2004.

EFFECTIVE DATE OF 1990 AMENDMENT

Amendment by Pub. L. 101–510 applicable to any appropriation account the obligated balance of which, on Nov. 5, 1990, has not been transferred under section 1552(a)(1) of this title, as in effect Nov. 4, 1990, with transitional provisions, see section 1405(b) of Pub. L. 101–510, set out as a note under section 1551 of this title.

REPORTING REQUIREMENT REGARDING EFFECT OF CERTAIN PAYMENTS AND ADJUSTMENTS ON FEDERAL DEFICIT

Pub. L. 102–190, div. A, title X, §1004(a), Dec. 5, 1991, 105 Stat. 1457, provided that: ''At the same time that the President submits to Congress the budget for each of fiscal years 1993, 1994, 1995, and 1996 under section 1105 of title 31, United States Code, the Director of the Office of Management and Budget shall submit to Congress a report regarding the effect on the Federal deficit of payments and adjustments made with respect to sections 1552 and 1553 of such title for the fiscal year in which such budget is submitted, the fiscal year preceding that fiscal year, and the fiscal year covered by that budget. The report shall include separate estimates for the accounts of each agency.''

§ 1555. Closing of appropriation accounts available for indefinite periods

An appropriation account available for obligation for an indefinite period shall be closed, and any remaining balance (whether obligated or unobligated) in that account shall be canceled and thereafter shall not be available for obligation or expenditure for any purpose, if—

(1) the head of the agency concerned or the President determines that the purposes for which the appropriation was made have been carried out; and

(2) no disbursement has been made against the appropriation for two consecutive fiscal years.

(Pub. L. 97–258, Sept. 13, 1982, 96 Stat. 937; Pub. L. 101–510, div. A, title XIV, §1405(a)(1), Nov. 5, 1990, 104 Stat. 1678.)

HISTORICAL AND REVISION NOTES

Revised Section	*Source (U.S. Code)*	*Source (Statutes at Large)*
1555(a)	31:706(less proviso).	July 25, 1956, ch. 727, §6, 70 Stat. 649.
1555(b)	31:706(proviso).	

In subsection (a), the words ''indefinite period'' are substituted for ''not limited to a definite period of time'' for consistency in the revised title. The words ''consecutive fiscal years'' are substituted for ''full consecutive fiscal years'' to eliminate an unnecessary word.

In subsection (b), the words ''or were heretofore withdrawn from the appropriation account by administrative action'' are omitted as executed.

Editorial Notes

AMENDMENTS

1990—Pub. L. 101–510 substituted ''Closing of appropriation accounts available'' for ''Withdrawal of unobligated balances of appropriations'' in section catchline and amended text generally. Prior to amendment, text read as follows:

''(a) An unobligated balance of an appropriation for an indefinite period shall be withdrawn in the way pro-

vided in section 1552(a)(2) of this title when the head of the agency concerned decides that the purposes for which the appropriation was made have been carried out or when no disbursement is made against the appropriation for 2 consecutive fiscal years.

''(b) An amount of an appropriation withdrawn under this section may be restored to the applicable appropriation account to pay obligations and to settle accounts.''

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 1990 AMENDMENT

Amendment by Pub. L. 101–510 applicable to any appropriation account the obligated balance of which, on Nov. 5, 1990, has not been transferred under section 1552(a)(1) of this title, as in effect Nov. 4, 1990, with transitional provisions, see section 1405(b) of Pub. L. 101–510, set out as a note under section 1551 of this title.

§ 1556. Comptroller General: reports on appropriation accounts

(a) In carrying out audit responsibilities, the Comptroller General shall report on operations under this subchapter to—

(1) the head of the agency concerned;

(2) the Secretary of the Treasury; and

(3) the President.

(b) A report under this section shall include an appraisal of unpaid obligations under fixed appropriation accounts for which the period of availability for obligation has ended.

(Pub. L. 97–258, Sept. 13, 1982, 96 Stat. 937; Pub. L. 101–510, div. A, title XIV, §1405(a)(1), Nov. 5, 1990, 104 Stat. 1678.)

HISTORICAL AND REVISION NOTES

Revised Section	*Source (U.S. Code)*	*Source (Statutes at Large)*
1556(a)	31:703(b)(1st sentence words before 4th comma).	July 25, 1956, ch. 727, §3(b), 70 Stat. 649; Reorg. Plan No. 2 of 1970, eff. July 1, 1970, §102(a), 84 Stat. 2085.
1556(b)	31:703(b)(1st sentence words after 4th comma, last sentence).	

In the section, 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.

Editorial Notes

AMENDMENTS

1990—Pub. L. 101–510 substituted ''General: reports'' for ''General reports'' in section catchline and amended text generally. Prior to amendment, text read as follows:

''(a) In carrying out audit responsibilities, the Comptroller General shall report on operations under this subchapter to—

''(1) the head of the agency concerned;

''(2) the Secretary of the Treasury; and

''(3) the President.

''(b) A report under this section shall include an appraisal of unpaid obligations under appropriation accounts established under section 1552 of this title. By the 30th day after receiving a report, the head of the agency concerned shall carry out actions required by section 1554 of this title that the report shows is necessary.''

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 1990 AMENDMENT

Amendment by Pub. L. 101–510 applicable to any appropriation account the obligated balance of which, on Nov. 5, 1990, has not been transferred under section 1552(a)(1) of this title, as in effect Nov. 4, 1990, with transitional provisions, see section 1405(b) of Pub. L. 101–510, set out as a note under section 1551 of this title.

§ 1557. Authority for exemptions in appropriation laws

A provision of an appropriation law may exempt an appropriation from the provisions of this subchapter and fix the period for which the appropriation remains available for expenditure.

(Pub. L. 97–258, Sept. 13, 1982, 96 Stat. 937; Pub. L. 101–510, div. A, title XIV, §1405(a)(1), Nov. 5, 1990, 104 Stat. 1679.)

HISTORICAL AND REVISION NOTES

Revised Section	*Source (U.S. Code)*	*Source (Statutes at Large)*
1557	31:708.	July 25, 1956, ch. 727, §9, 70 Stat. 650.

Editorial Notes

AMENDMENTS

1990—Pub. L. 101–510 substituted ''Authority for exemptions in appropriation laws'' for ''Authorization to exempt'' in section catchline and amended text generally. Prior to amendment, text read as follows: ''A provision of an appropriation law may exempt an appropriation from this subchapter and fix the period for which the appropriation remains available for expenditure.''

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 1990 AMENDMENT

Amendment by Pub. L. 101–510 applicable to any appropriation account the obligated balance of which, on Nov. 5, 1990, has not been transferred under section 1552(a)(1) of this title, as in effect Nov. 4, 1990, with transitional provisions, see section 1405(b) of Pub. L. 101–510, set out as a note under section 1551 of this title.

§ 1558. Availability of funds following resolution of a formal protest or other challenge

(a) Notwithstanding section 1552 of this title or any other provision of law, funds available to an agency for obligation for a contract at the time a protest or other action referred to in subsection (b) is filed in connection with a solicitation for, proposed award of, or award of such contract shall remain available for obligation for 100 days after the date on which the final ruling is made on the protest or other action. A ruling is considered final on the date on which the time allowed for filing an appeal or request for reconsideration has expired, or the date on which a decision is rendered on such an appeal or request, whichever is later.

(b) Subsection (a) applies with respect to—

(1) any protest filed under subchapter V of chapter 35 of this title; or

(2) an action commenced under administrative procedures or for a judicial remedy if—

(A) the action involves a challenge to—

(i) a solicitation for a contract;

(ii) a proposed award of a contract;

(iii) an award of a contract; or

(iv) the eligibility of an offeror or potential offeror for a contract or of the contractor awarded the contract; and

(B) commencement of the action delays or prevents an executive agency from making an award of a contract or proceeding with a procurement.

(Added Pub. L. 101–189, div. A, title VIII, § 813(a), Nov. 29, 1989, 103 Stat. 1494; amended Pub. L. 104–106, div. E, title LV, § 5502(a), (b), Feb. 10, 1996, 110 Stat. 698, 699.)

Editorial Notes

AMENDMENTS

1996—Pub. L. 104–106, § 5502(b), substituted ''of a formal protest or other challenge'' for ''of a protest'' in section catchline.

Subsec. (a). Pub. L. 104–106, § 5502(a)(1), inserted ''or other action referred to in subsection (b)'' after ''time a protest'', substituted ''100 days'' for ''90 working days'', and inserted ''or other action'' after ''on the protest''.

Subsec. (b). Pub. L. 104–106, § 5502(a)(2), added subsec. (b) and struck out former subsec. (b) which read as follows: ''Subsection (a) applies with respect to any protest filed under subchapter V of chapter 35 of this title or under section 111(f) of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 759(f)).''

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 1996 AMENDMENT

Amendment by Pub. L. 104–106 effective 180 days after Feb. 10, 1996, see section 5701 of Pub. L. 104–106, div. E, title LVII, Feb. 10, 1996, 110 Stat. 702.

SUBTITLE III—FINANCIAL MANAGEMENT

Chap.		Sec.
31.	**Public Debt**	**3101**
33.	**Depositing, Keeping, and Paying Money**	**3301**
35.	**Accounting and Collection**	**3501**
37.	**Claims**	**3701**
38.	**Administrative Remedies for False Claims and Statements**	**3801**
39.	**Prompt Payment**	**3901**

Editorial Notes

AMENDMENTS

1986—Pub. L. 99–509, title VI, § 6103(b), Oct. 21, 1986, 100 Stat. 1948, added item for chapter 38.

1983—Pub. L. 97–452, § 1(18)(B), Jan. 12, 1983, 96 Stat. 2477, added item for chapter 39.

CHAPTER 31—PUBLIC DEBT

SUBCHAPTER I—BORROWING AUTHORITY

Sec.
3101. Public debt limit.
3101A. Presidential modification of the debt ceiling.
3102. Bonds.
3103. Notes.
3104. Certificates of indebtedness and Treasury bills.
3105. Savings bonds and savings certificates.
3106. Retirement and savings bonds.
3107. Increasing interest rates and investment yields on retirement bonds.
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3109. Tax and loss bonds.
3110. Sale of obligations of governments of foreign countries.
3111. New issue used to buy, redeem, or refund outstanding obligations.
3112. Sinking fund for retiring and cancelling bonds and notes.
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SUBCHAPTER II—ADMINISTRATIVE

3121. Procedure.
3122. Banks and trust companies as depositaries.
3123. Payment of obligations and interest on the public debt.
3124. Exemption from taxation.
3125. Relief for lost, stolen, destroyed, mutilated, or defaced obligations.
3126. Losses and relief from liability related to redeeming savings bonds and notes.
3127. Credit to officers, employees, and agents for stolen Treasury notes.
3128. Proof of death to support payment.
3129. Appropriation to pay expenses.
3130. Annual public debt report.

Editorial Notes

AMENDMENTS

2011—Pub. L. 112–25, title III, § 301(b), Aug. 2, 2011, 125 Stat. 255, added item 3101A.

1993—Pub. L. 103–202, title II, § 201(b), Dec. 17, 1993, 107 Stat. 2356, added item 3130.

SUBCHAPTER I—BORROWING AUTHORITY

§ 3101. Public debt limit

(a) In this section, the current redemption value of an obligation issued on a discount basis and redeemable before maturity at the option of its holder is deemed to be the face amount of the obligation.

(b) The face amount of obligations issued under this chapter and the face amount of obligations whose principal and interest are guaranteed by the United States Government (except guaranteed obligations held by the Secretary of the Treasury) may not be more than $14,294,000,000,000, outstanding at one time, subject to changes periodically made in that amount as provided by law through the congressional budget process described in Rule XLIX[1] of the Rules of the House of Representatives or as provided by section 3101A or otherwise.

(c) For purposes of this section, the face amount, for any month, of any obligation issued on a discount basis that is not redeemable before maturity at the option of the holder of the obligation is an amount equal to the sum of—

(1) the original issue price of the obligation, plus

(2) the portion of the discount on the obligation attributable to periods before the beginning of such month (as determined under the principles of section 1272(a) of the Internal Revenue Code of 1986 without regard to any exceptions contained in paragraph (2) of such section).

(Pub. L. 97–258, Sept. 13, 1982, 96 Stat. 938; Pub. L. 98–34, § 1(a), May 26, 1983, 97 Stat. 196; Pub. L. 98–161, Nov. 21, 1983, 97 Stat. 1012; Pub. L. 98–342, § 1(a), July 6, 1984, 98 Stat. 313; Pub. L. 98–475,

[1] See References in Text note below.