

**(c) Availability of appropriations**

(1) Beginning with fiscal year 1985 and thereafter appropriations for any fiscal year for programs and activities assisted or conducted under this chapter shall be available for obligation only on the basis of a program year. The program year shall begin on July 1 in the fiscal year for which the appropriation is made.

(2) Funds obligated for any program year may be expended by the State during that program year and the two succeeding program years and no amount shall be deobligated on account of a rate of expenditure which is consistent with the program plan.

(June 6, 1933, ch. 49, § 5, 48 Stat. 114; May 10, 1935, ch. 102, 49 Stat. 216; June 29, 1938, ch. 816, 52 Stat. 1244; Sept. 8, 1950, ch. 933, § 2, 64 Stat. 822; Aug. 1, 1956, ch. 852, § 17(b), 70 Stat. 910; Pub. L. 86-778, title V, § 543(c), Sept. 13, 1960, 74 Stat. 987; Pub. L. 94-566, title I, § 116(c), Oct. 20, 1976, 90 Stat. 2672; Pub. L. 97-35, title VII, § 702, Aug. 13, 1981, 95 Stat. 521; Pub. L. 97-300, title VI, § 601(b), formerly title V, § 501(b), Oct. 13, 1982, 96 Stat. 1392; renumbered title VI, § 601(b), Pub. L. 100-628, title VII, § 712(a)(1), (2), Nov. 7, 1988, 102 Stat. 3248; Pub. L. 105-220, title III, § 304, Aug. 7, 1998, 112 Stat. 1081.)

## REFERENCES IN TEXT

The Federal Unemployment Tax Act, referred to in subsec. (b)(1), is act Aug. 16, 1954, ch. 736, §§ 3301 to 3311, 68A Stat. 454, as amended, which is classified generally to chapter 23 (§ 3301 et seq.) of Title 26, Internal Revenue Code. For complete classification of this Act to the Code, see section 3311 of Title 26 and Tables.

## AMENDMENTS

1998—Subsec. (c)(3). Pub. L. 105-220 struck out par. (3) which read as follows:

“(3)(A) Appropriations for fiscal year 1984 shall be available both to fund activities for the period between October 1, 1983, and July 1, 1984, and for the program year beginning July 1, 1984.

“(B) There are authorized to be appropriated such additional sums as may be necessary to carry out the provisions of this paragraph for the transition to program year funding.”

1982—Subsec. (b). Pub. L. 97-300 added subsec. (b). Former subsec. (b), which related to certification of compliance by the Secretary to the Secretary of the Treasury with regard to the Federal Unemployment Tax Act by State programs and payment of monies for the operation of the State systems, was struck out.

Subsec. (c). Pub. L. 97-300 added subsec. (c).

1981—Subsec. (b). Pub. L. 97-35 inserted provisions authorizing appropriations for fiscal year beginning Oct. 1, 1981, and definition of “proper and efficient administration of its public employment offices”.

1976—Subsec. (b). Pub. L. 94-566 substituted “Guam” for “Guam and the Virgin Islands”.

1960—Subsec. (b). Pub. L. 86-778 substituted “Guam and the Virgin Islands” for “Puerto Rico, Guam, and the Virgin Islands”.

1956—Subsec. (b). Act Aug. 1, 1956, inserted “Guam” after “Puerto Rico”.

1950—Subsec. (a). Act, Sept. 8, 1950, struck out apportionment formula and requirement that States match the funds granted them.

1938—Subsec. (a). Act June 29, 1938, substituted “The annual appropriation under this chapter shall designate the amount to” for “Seventy-five per centum of the amounts appropriated under this chapter shall”, at beginning of second sentence, and “the said amount among the several States” for “said 75 per centum of amounts appropriated after January 1, 1935, under this chapter” in proviso.

1935—Subsec. (a). Act May 10, 1935, inserted proviso.

## EFFECTIVE DATE OF 1998 AMENDMENT

Amendment by Pub. L. 105-220 effective July 1, 1999, see section 311 of Pub. L. 105-220, set out as a note under section 49a of this title.

## EFFECTIVE DATE OF 1982 AMENDMENT

Amendment by Pub. L. 97-300 effective Oct. 1, 1983, but with Secretary authorized to use funds appropriated for fiscal 1983 to plan for orderly implementation of amendment, see section 181(i) of Pub. L. 97-300, which was formerly classified to section 1591(i) of this title.

## EFFECTIVE DATE OF 1976 AMENDMENT

Amendment by Pub. L. 94-566 effective on later of Oct. 1, 1976, or day after day on which Secretary of Labor approves under section 3304(a) of Title 26, Internal Revenue Code, an unemployment compensation law submitted to him by Virgin Islands for approval, see section 116(f)(1) of Pub. L. 94-566, set out as a note under section 3304 of Title 26.

## EFFECTIVE DATE OF 1960 AMENDMENT

Pub. L. 86-778, title V, § 543(c), Sept. 13, 1960, 74 Stat. 987, provided that the amendment made by that section is effective on and after Jan. 1, 1961.

## SUSPENSION OF STATE APPROPRIATION REQUIREMENTS UNTIL JULY 1, 1952

Act Sept. 6, 1950, ch. 896, Ch. V, title I, 64 Stat. 643, provided in part that: “No State shall be required to make any appropriation as provided in section 5(a) of said Act of June 6, 1933 [subsec. (a) of this section], prior to July 1, 1952.”

Similar provisions suspending the requirement until July 1, 1950 were contained in acts June 16, 1948, ch. 472, title I, 62 Stat. 445; June 29, 1949, ch. 275, title II, 63 Stat. 284.

**§ 49d-1. Omitted**

## CODIFICATION

Section, act June 16, 1937, ch. 359, title IV, 50 Stat. 302, provided for reapportionment of unexpended appropriations.

**§ 49e. Allotment of funds**

(a) From the amounts appropriated pursuant to section 49d of this title for each fiscal year, the Secretary shall first allot to Guam and the Virgin Islands an amount which, in relation to the total amount available for the fiscal year, is equal to the allotment percentage which each received of amounts available under this chapter in fiscal year 1983.

(b)(1) Subject to paragraphs (2), (3), and (4) of this subsection, the Secretary shall allot the remainder of the sums appropriated and certified pursuant to section 49d of this title for each fiscal year among the States as follows:

(A) two-thirds of such sums shall be allotted on the basis of the relative number of individuals in the civilian labor force in each State as compared to the total number of such individuals in all States; and

(B) one-third of such sums shall be allotted on the basis of the relative number of unemployed individuals in each State as compared to the total number of such individuals in all States.

For purposes of this paragraph, the number of individuals in the civilian labor force and the