

other titles of the United States Code. The words “On and after August 1, 1953” are omitted as executed. The words “Secretary of the Treasury” are substituted for “Treasury of the United States” because of section 1(a) of Reorganization Plan No. 26 of 1950 (eff. July 31, 1950, 64 Stat. 1280), restated in section 321 of the revised title contained in section 1 of the bill. The words “from sales or other sources” are omitted as surplus. The words “with” and “being” are added because of the restatement. The words “of appropriations, funds, and accounts to be . . . in the settlement of their disbursing accounts” are omitted as unnecessary.

#### PRIOR PROVISIONS

Act Aug. 1, 1953, cited as the source of this section in the Historical and Revision Notes above, is known as the Department of Defense Appropriation Act, 1954. Similar provisions were contained in the following appropriation acts:

July 10, 1952, ch. 630, title VI, § 613, 66 Stat. 532.  
 Oct. 18, 1951, ch. 512, title VI, § 613, 65 Stat. 446.  
 Sept. 6, 1950, ch. 896, Ch. X, title VI, § 615, 64 Stat. 753.  
 Oct. 29, 1949, ch. 787, title VI, § 618, 63 Stat. 1020.  
 June 24, 1948, ch. 632, 62 Stat. 651.  
 July 30, 1947, ch. 357, title I, § 1, 61 Stat. 551.  
 July 16, 1946, ch. 583, § 1, 60 Stat. 543.  
 July 3, 1945, ch. 265, § 1, 59 Stat. 386.  
 June 28, 1944, ch. 303, § 1, 58 Stat. 575.  
 July 1, 1943, ch. 185, § 1, 57 Stat. 349.  
 July 2, 1942, ch. 477, § 1, 56 Stat. 613.  
 June 30, 1941, ch. 262, § 1, 55 Stat. 369.  
 June 13, 1940, ch. 343, § 1, 54 Stat. 355.  
 Apr. 26, 1939, ch. 88, § 1, 53 Stat. 597.  
 June 11, 1938, ch. 347, § 1, 52 Stat. 646.  
 July 1, 1937, ch. 423, § 1, 50 Stat. 446.

#### § 2777. Requisitions for advances and removal of charges outstanding in accounts of advances

(a) The Secretary of a military department may issue to a disbursing official or agent of the department a requisition for an advance of not more than the total appropriation for the department. The amount advanced shall be—

- (1) under an “account of advances” for the department;
- (2) on a proper voucher;
- (3) only for obligations payable under specific appropriations;
- (4) charged to, and within the limits of, each specific appropriation; and
- (5) returned to the account of advances.

(b) A charge outstanding in an account of advances of a military department shall be removed by crediting the account of advances of the department and deducting the amount of the charge from an appropriation made available for advances to the department when—

- (1) relief has been granted or may be granted later to a disbursing official or agent of the department operating under an account of advances and under a law having no provision for removing charges outstanding in an account of advances; or
- (2) the charge has been—
  - (A) outstanding in the account of advances of the department for 2 complete fiscal years; and
  - (B) certified by the head of the department as uncollectable.

(c) Subsection (b) does not affect the financial liability of a disbursing official or agent.

(Added Pub. L. 97-258, § 2(b)(8)(B), Sept. 13, 1982, 96 Stat. 1055; amended Pub. L. 98-525, title XIV,

§ 1405(43), Oct. 19, 1984, 98 Stat. 2625; Pub. L. 104-316, title I, § 105(c), Oct. 19, 1996, 110 Stat. 3830.)

#### HISTORICAL AND REVISION NOTES

Revised section	Source (U.S. Code)	Source (Statutes at Large)
2777(a) .....	31:536, 537.	June 5, 1920, ch. 240 (1st, 2d pars. under heading “Advances to Disbursing Officers”), 41 Stat. 975.
	31:539, 540.	June 19, 1878, ch. 312, §§ 1, 2, 20 Stat. 167.
2777(b), (c).	31:95b (related to Army, Navy, Air Force).	June 4, 1954, ch. 264, § 1 (related to Army, Navy, Air Force), 68 Stat. 175; June 6, 1972, Pub. L. 92-310, § 231(gg), 86 Stat. 213.

In the section, the words “disbursing official” are substituted for “disbursing officers” for consistency with other titles of the United States Code.

In subsection (a), before clause (1), the words “Secretary of a military department” are substituted for “Secretary of the Army” in 31:536 and for “Secretary of the Navy” in 31:539 because of 10:101(7). The title of Secretary of War was changed to Secretary of the Army by section 205(a) of the Act of July 26, 1947 (ch. 343, 61 Stat. 501), and by sections 1 and 53 of the Act of August 10, 1956 (ch. 1041, 70A Stat. 157, 676). The Secretary of the Air Force is included 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). In clause (1), the word “General” in 31:539 is omitted as surplus. In clause (3), the words “and ‘Pay of the Navy’ shall be used only for its legitimate purpose, as provided by law” are omitted as unnecessary. In clause (5), the words “by pay and counterwarrant” in 31:537 and 540 are omitted as unnecessary.

In subsection (b), before clause (1), the word “appropriate” is omitted as surplus. The words “deducting the amount of the charge from” are substituted for “debiting” for clarity. In clause (2)(B), the word “concerned” is omitted as surplus.

In subsection (c), the words “in any way” and “of the United States” are omitted as surplus.

#### AMENDMENTS

1996—Subsec. (b)(2)(B). Pub. L. 104-316 struck out “to the Comptroller General” after “head of the department”.

1984—Subsec. (c). Pub. L. 98-525 struck out “of this section” after “Subsection (b)”.

#### [§ 2778. Repealed. Pub. L. 104-316, title I, § 105(d), Oct. 19, 1996, 110 Stat. 3830]

Section, added Pub. L. 97-258, § 2(b)(8)(B), Sept. 13, 1982, 96 Stat. 1055, related to management of accounts of military departments by Comptroller General.

#### § 2779. Use of funds because of fluctuations in currency exchange rates of foreign countries

(a) TRANSFERS BACK TO FOREIGN CURRENCY FLUCTUATIONS APPROPRIATION.—(1) Funds transferred from the appropriation “Foreign Currency Fluctuations, Defense” may be transferred back to the appropriation—

(A) when the funds are not needed to pay obligations incurred because of fluctuations in currency exchange rates of foreign countries in the appropriation to which the funds were originally transferred; and

(B) because of subsequent favorable fluctuations in the rates or because other funds are, or become, available to pay the obligations.