

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
1345	31:551. 31:552.	Feb. 2, 1935, ch. 4, 49 Stat. 19. June 17, 1935, ch. 271, 49 Stat. 387.

In the section, before clause (1), the word “appropriation” is substituted for “no moneys from funds appropriated for any purpose” in 31:551 for consistency in the revised title. The words “travel, transportation, and subsistence expenses for a meeting” are substituted for “the purpose of lodging, feeding, conveying, or furnishing transportation to, any conventions or other form of assemblage or gathering” to eliminate unnecessary words. The words “to be held in the District of Columbia or elsewhere” are omitted as unnecessary.

In clause (1), the words “agency from paying” are substituted for “the payment of” for clarity and because of section 101 of the revised title.

AVAILABILITY OF APPROPRIATIONS FOR EXPENSES OF ATTENDING MEETINGS

Pub. L. 102-394, title V, §505, Oct. 6, 1992, 106 Stat. 1825, provided that: “Appropriations contained in this Act or subsequent Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Acts, available for salaries and expenses, shall be available for expenses of attendance at meetings which are concerned with the functions or activities for which the appropriation is made or which will contribute to improved conduct, supervision, or management of those functions or activities.”

Similar provisions were contained in the following prior appropriation acts:

Pub. L. 102-170, title V, §505, Nov. 26, 1991, 105 Stat. 1141.

Pub. L. 101-517, title V, §505, Nov. 5, 1990, 104 Stat. 2221.

Pub. L. 101-166, title V, §505, Nov. 21, 1989, 103 Stat. 1189.

Pub. L. 100-202, §101(h) [title V, §505], Dec. 22, 1987, 101 Stat. 1329-256, 1329-287.

Pub. L. 99-500, §101(i) [H.R. 5233, title V, §505], Oct. 18, 1986, 100 Stat. 1783-287, and Pub. L. 99-591, §101(i) [H.R. 5233, title V, §505], Oct. 30, 1986, 100 Stat. 3341-287.

Pub. L. 99-178, title V, §505, Dec. 12, 1985, 99 Stat. 1132.

Pub. L. 98-619, title V, §505, Nov. 8, 1984, 98 Stat. 3333.

Pub. L. 98-139, title V, §505, Oct. 31, 1983, 97 Stat. 899.

Pub. L. 97-377, title I, §101(e)(1) [title V, §505], Dec. 21, 1982, 96 Stat. 1878, 1904.

§ 1346. Commissions, councils, boards, and inter-agency and similar groups

(a) Except as provided in this section—

(1) public money and appropriations are not available to pay—

(A) the pay or expenses of a commission, council, board, or similar group, or a member of that group;

(B) expenses related to the work or the results of work or action of that group; or

(C) for the detail or cost of personal services of an officer or employee from an executive agency in connection with that group; and

(2) an accounting or disbursing official, absent a special appropriation to pay the account or charge, may not allow or pay an account or charge related to that group.

(b) Appropriations of an executive agency are available for the expenses of an interagency group conducting activities of interest common to executive agencies when the group includes a representative of the agency. The representa-

tives receive no additional pay because of membership in the group. An officer or employee of an executive agency not a representative of the group may not receive additional pay for providing services for the group.

(c) Subject to section 1347 of this title, this section does not apply to—

(1) commissions, councils, boards, or similar groups authorized by law;

(2) courts-martial or courts of inquiry of the armed forces; or

(3) the contingent fund related to foreign relations at the disposal of the President.

(Pub. L. 97-258, Sept. 13, 1982, 96 Stat. 925.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
1346(a)	31:672(1st sentence less words between 4th and 5th commas). 31:673(less words between 11th comma and semi-colon).	R.S. §3681. Mar. 4, 1909, ch. 299, §9, 35 Stat. 1027.
1346(b)	31:691.	May 3, 1945, ch. 106, §214, 59 Stat. 134.
1346(c)	31:672(1st sentence words between 4th and 5th commas), (last sentence). 31:673(words between 11th comma and semi-colon).	

In the section, the words “executive agency” are substituted for “any executive department or other Government establishment” for clarity and because of section 102 of the revised title.

In subsection (a)(1), before subclause (A), the words “made by Congress” are omitted as surplus. In subclause (C), the words “the detail or cost of personal services of an officer” are substituted for “by detail, hereafter or heretofore made, or otherwise personal services” to eliminate unnecessary words and for clarity.

In subsection (a)(2), the words “of the Government” are omitted as surplus. The words “absent a special appropriation” are substituted for “until special appropriations shall have been made by law” to eliminate unnecessary words.

In subsection (b), the words “On or after May 3, 1945” are omitted as executed. The words “interagency group” are substituted for “committees, boards, or other interagency groups” to eliminate unnecessary words. The words “includes a representative of the agency” are substituted for “composed in whole or in part of representatives thereof” for clarity.

In subsection (c)(1), the words “authorized by law” are substituted for “unless the creation . . . shall be or shall have been authorized by law” to eliminate unnecessary words.

In subsection (c)(2), the words “armed forces” are substituted for “military or naval service of the United States” for consistency.

Subsection (c)(3) is substituted for the last sentence of 31:672 to eliminate unnecessary words.

§ 1347. Appropriations or authorizations required for agencies in existence for more than one year

(a) An agency in existence for more than one year may not use amounts otherwise available for obligation to pay its expenses without a specific appropriation or specific authorization by law. If the principal duties and powers of the agency are substantially the same as or similar

to the duties and powers of an agency established by executive order, the agency established later is deemed to have been in existence from the date the agency established by the order came into existence.

(b) Except as specifically authorized by law, another agency may not use amounts available for obligation to pay expenses to carry out duties and powers substantially the same as or similar to the principal duties and powers of an agency that is prohibited from using amounts under this section.

(Pub. L. 97-258, Sept. 13, 1982, 96 Stat. 925.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
1347(a)	31:696(1st, 2d sentences).	June 27, 1944, ch. 286, §213, 58 Stat. 387.
1347(b)	31:696(last sentence).	

In the section, the word “agency” is substituted for “agency or instrumentality” because of section 101 of the revised title and for consistency. The words “amounts otherwise available for obligation” are substituted for “any appropriation or fund made available by this or any other Act”, and the words “duties and powers” are substituted for “functions”, for consistency in the revised title.

In subsection (a), the words “After January 1, 1945” are omitted as executed. The words “including those established by Executive order” are omitted the first time they appear as surplus. The words “from the date . . . came into existence” are substituted for “during the existence” for clarity.

In subsection (b), the word “amounts” is substituted for “appropriations” for consistency in the revised title.

§ 1348. Telephone installation and charges

(a)(1) Except as provided in this section, appropriations are not available to install telephones in private residences or for tolls or other charges for telephone service from private residences.

(2) Under regulations of the Secretary of State, appropriations may be used to install and pay for the use of telephones in residences owned or leased by the United States Government in foreign countries for the use of the Foreign Service.

(b) Under regulations prescribed by the Secretary of the Army on recommendation of the Chief of Engineers, not more than \$30,000 may be expended each fiscal year to install and use in private residences telephones required for official business in constructing and operating locks and dams for navigation, flood control, and related water uses.

(c) Under regulations prescribed by the Secretary of Defense, funds appropriated to the Department of Defense are available to install, repair, and maintain telephone wiring in residences owned or leased by the United States Government and, if necessary for national defense purposes, in other private residences.

(Pub. L. 97-258, Sept. 13, 1982, 96 Stat. 926; Pub. L. 98-407, title VIII, §811(a), Aug. 28, 1984, 98 Stat. 1523; Pub. L. 104-201, div. A, title XVII, §1721, Sept. 23, 1996, 110 Stat. 2758.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
1348(a)(1)	31:679(words before 2d comma).	Aug. 23, 1912, ch. 350, §7(less proviso), 37 Stat. 414.
1348(a)(2)	31:679(proviso).	Aug. 23, 1912, ch. 350, 37 Stat. 360, §7(proviso); added Apr. 30, 1940, ch. 175, 54 Stat. 175.
1348(b)	31:679(words between 2d comma and proviso). 31:680a.	May 10, 1939, ch. 119, §4, 53 Stat. 738.
1348(c)	31:680.	Sept. 22, 1922, ch. 427, §7, 42 Stat. 1042; May 17, 1950, ch. 188, §203, 64 Stat. 170; re-stated June 28, 1955, ch. 198, 69 Stat. 188.

In subsection (a)(1), the words “or private apartment” are omitted as being included in “private residences”.

In subsection (a)(2), the word “appropriations” is substituted for “Government funds”, and the word “calls” is substituted for “tolls”, for consistency. The word “official” is omitted as surplus.

In subsection (b), the words “On and after May 10, 1939” in 31:680a are omitted as executed. The word “agency” is substituted for “executive department, establishment, or agency” for clarity and because of section 101 of the revised title. The words “official business” are substituted for “public business” in 31:679 and “transaction of public business which the interests of the Government require to be so transacted” in 31:680a to eliminate unnecessary words. The words “division, bureau, or office” in 31:679 are omitted as being included in “agency”. The words “or such subordinates as he may specially designate” in 31:680a are omitted as surplus.

In subsection (c), the words “On and after September 22, 1922 the provisions of section 679 of this title, or any other law prohibiting the expenditure of public money . . . shall not be construed to apply to or forbid” are omitted as unnecessary because of the restatement.

AMENDMENTS

1996—Subsec. (a)(2). Pub. L. 104-201, §1721(1), struck out at end “Subsection (b) of this section applies to long-distance calls made on those telephones.”

Subsecs. (b) to (d). Pub. L. 104-201, §1721(2), (3), redesignated subsecs. (c) and (d) as (b) and (c), respectively, and struck out former subsec. (b) which read as follows: “Appropriations of an agency are available to pay charges for a long-distance call if required for official business and the voucher to pay for the call is sworn to by the head of the agency. Appropriations of an executive agency are available only if the head of the agency also certifies that the call is necessary in the interest of the Government.”

1984—Subsec. (d). Pub. L. 98-407 added subsec. (d).

EFFECTIVE DATE OF 1996 AMENDMENT

Amendment by Pub. L. 104-201 effective 180 days after Sept. 23, 1996, see section 1725(a) of Pub. L. 104-201, set out as a note under section 5722 of Title 5, Government Organization and Employees.

EFFECTIVE DATE OF 1984 AMENDMENT

Pub. L. 98-407, title VIII, §811(b), Aug. 28, 1984, 98 Stat. 1523, provided that: “The amendment made by subsection (a) [amending this section] shall be effective as of January 1, 1984. Funds appropriated to the Department of Defense may be used to reimburse persons for expenditures made after December 31, 1983, for the installation, repair, and maintenance of telephone wiring in any Government-owned or leased housing unit before the date of the enactment of this Act [Aug. 28, 1984].”

EMPLOYEES AUTHORIZED TO WORK AT HOME

Pub. L. 104-52, title VI, §620, Nov. 19, 1995, 109 Stat. 501, provided that: “Notwithstanding any provisions of