

(Pub. L. 97-258, Sept. 13, 1982, 96 Stat. 928.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
1502(a) .....	31:200(d). 31:712a.	Aug. 26, 1954, ch. 935, §1311(d), 66 Stat. 831. July 6, 1949, ch. 299, §1, 63 Stat. 407.
1502(b) .....	31:665b.	July 1, 1973, Pub. L. 93-52, §111, 87 Stat. 134.

Subsection (a) restates the source provisions to eliminate unnecessary words and for consistency.

In subsection (b), the words “balance of an appropriation or fund” are substituted for “unexpended funds” for clarity and consistency in the revised chapter.

QUARTERLY REPORTS

Pub. L. 113-235, div. G, title V, §523, Dec. 16, 2014, 128 Stat. 2518, provided that: “Not later than 30 days after the end of each calendar quarter, beginning with the first quarter of fiscal year 2013, 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 quarterly report on the status of balances of appropriations: *Provided*, That for balances that are unobligated and uncommitted, committed, and obligated but unexpended, the quarterly 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. 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.

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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.

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; re-stated 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 indi-

cate 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

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
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).	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(c) .....	31:665(c)(2).	
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.

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, as amended, 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.

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 appor-