

§ 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

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
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 resi-

dences 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

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
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; restated 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 Depart-