

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 indicate 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—CONTINUED

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
1512(c)	31:665(c)(2).	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(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

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
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).	