

## CODIFICATION

This section was not enacted as part of the Wagner-Peyser Act which comprises this chapter.

**Statutory Notes and Executive Documents**

## TRANSFER OF FUNCTIONS

For history of transfer of functions of United States Employment Service to Secretary of Labor, see notes set out under section 49 of this title.

**§ 49c-2. Omitted****Editorial Notes**

## CODIFICATION

Section, act July 26, 1946, ch. 672, title I, 60 Stat. 684, 685, which authorized transfer to and retention in State system of public employment offices of Federal employees, was from the Department of Labor Act, 1947, and was not repeated in subsequent appropriation acts.

**§ 49c-3. Repealed. Pub. L. 89-554, § 8(a), Sept. 6, 1966, 80 Stat. 653**

Section, act July 26, 1946, ch. 672, title I, 60 Stat. 685, provided for refund of retirement deductions and interest to members of Social Security Boards returning to State employment.

**§ 49c-4. Transferred****Editorial Notes**

## CODIFICATION

Section, Pub. L. 88-136, title I, Oct. 11, 1963, 77 Stat. 226, which related to personnel standards, was transferred to section 49n of this title and subsequently omitted from the Code.

**§ 49c-5. Omitted****Editorial Notes**

## CODIFICATION

Section, act July 8, 1947, ch. 210, title I, 61 Stat. 263, which related to a joint budget, was from the Department of Labor Appropriation Act, 1948, and was not repeated in subsequent appropriation acts. Similar provisions were contained in act July 26, 1946, ch. 672, title I, § 101, 60 Stat. 686.

**§ 49d. Appropriations; certification for payment to States****(a) Authorization of appropriations**

There is authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, such amounts from time to time as the Congress may deem necessary to carry out the purposes of this chapter.

**(b) Certification for payment to States**

The Secretary shall from time to time certify to the Secretary of the Treasury for payment to each State which—

(1) except in the case of Guam, has an unemployment compensation law approved by the Secretary under the Federal Unemployment Tax Act [26 U.S.C. 3301 et seq.] and is found to be in compliance with section 503 of title 42,

(2) is found to have coordinated the public employment services with the provision of unemployment insurance claimant services, and

(3) is found to be in compliance with this chapter,

such amounts as the Secretary determines to be necessary for allotment in accordance with section 49e of this title.

**(c) Availability of appropriations**

(1) Beginning with fiscal year 1985 and thereafter appropriations for any fiscal year for programs and activities assisted or conducted under this chapter shall be available for obligation only on the basis of a program year. The program year shall begin on July 1 in the fiscal year for which the appropriation is made.

(2) Funds obligated for any program year may be expended by the State during that program year and the two succeeding program years and no amount shall be deobligated on account of a rate of expenditure which is consistent with the program plan.

(June 6, 1933, ch. 49, § 5, 48 Stat. 114; May 10, 1935, ch. 102, 49 Stat. 216; June 29, 1938, ch. 816, 52 Stat. 1244; Sept. 8, 1950, ch. 933, § 2, 64 Stat. 822; Aug. 1, 1956, ch. 852, § 17(b), 70 Stat. 910; Pub. L. 86-778, title V, § 543(c), Sept. 13, 1960, 74 Stat. 987; Pub. L. 94-566, title I, § 116(c), Oct. 20, 1976, 90 Stat. 2672; Pub. L. 97-35, title VII, § 702, Aug. 13, 1981, 95 Stat. 521; Pub. L. 97-300, title VI, § 601(b), formerly title V, § 501(b), Oct. 13, 1982, 96 Stat. 1392; renumbered title VI, § 601(b), Pub. L. 100-628, title VII, § 712(a)(1), (2), Nov. 7, 1988, 102 Stat. 3248; Pub. L. 105-220, title III, § 304, Aug. 7, 1998, 112 Stat. 1081.)

**Editorial Notes**

## REFERENCES IN TEXT

The Federal Unemployment Tax Act, referred to in subsec. (b)(1), is act Aug. 16, 1954, ch. 736, §§ 3301 to 3311, 68A Stat. 454, as amended, which is classified generally to chapter 23 (§ 3301 et seq.) of Title 26, Internal Revenue Code. For complete classification of this Act to the Code, see section 3311 of Title 26 and Tables.

## AMENDMENTS

1998—Subsec. (c)(3). Pub. L. 105-220 struck out par. (3) which read as follows:

“(3)(A) Appropriations for fiscal year 1984 shall be available both to fund activities for the period between October 1, 1983, and July 1, 1984, and for the program year beginning July 1, 1984.

“(B) There are authorized to be appropriated such additional sums as may be necessary to carry out the provisions of this paragraph for the transition to program year funding.”

1982—Subsec. (b). Pub. L. 97-300 added subsec. (b). Former subsec. (b), which related to certification of compliance by the Secretary to the Secretary of the Treasury with regard to the Federal Unemployment Tax Act by State programs and payment of monies for the operation of the State systems, was struck out.

Subsec. (c). Pub. L. 97-300 added subsec. (c).

1981—Subsec. (b). Pub. L. 97-35 inserted provisions authorizing appropriations for fiscal year beginning Oct. 1, 1981, and definition of “proper and efficient administration of its public employment offices”.

1976—Subsec. (b). Pub. L. 94-566 substituted “Guam” for “Guam and the Virgin Islands”.

1960—Subsec. (b). Pub. L. 86-778 substituted “Guam and the Virgin Islands” for “Puerto Rico, Guam, and the Virgin Islands”.

1956—Subsec. (b). Act Aug. 1, 1956, inserted “Guam” after “Puerto Rico”.

1950—Subsec. (a). Act, Sept. 8, 1950, struck out apportionment formula and requirement that States match the funds granted them.

1938—Subsec. (a). Act June 29, 1938, substituted “The annual appropriation under this chapter shall designate