

essary, in which case, the amount received is deposited in the Treasury as miscellaneous receipts.

(c) This section does not affect other laws about working funds.

(Pub. L. 97–258, Sept. 13, 1982, 96 Stat. 934.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
1536(a)	31:686(b)(1st, 2d sentences).	May 21, 1920, ch. 194, §7(b), 41 Stat. 613; restated June 30, 1932, ch. 314, §601, 47 Stat. 418.
1536(b)	31:686(b)(3d, last sentences).	
1536(c)	31:686b(c)(related to 31:686).	June 30, 1932, ch. 314, §602(c)(related to §601), 47 Stat. 418.

In subsection (b), the words “providing goods or services” are substituted for “furnishing the materials, supplies, or equipment, or in performing the work or services” to eliminate unnecessary words.

§ 1537. Services between the United States Government and the District of Columbia government

(a) To prevent duplication and to promote efficiency and economy, an officer or employee of—

(1) the United States Government may provide services to the District of Columbia government; and

(2) the District of Columbia government may provide services to the United States Government.

(b)(1) Services under this section shall be provided under an agreement—

(A) negotiated by officers and employees of the 2 governments; and

(B) approved by the Director of the Office of Management and Budget and the Mayor of the District of Columbia.

(2) Each agreement shall provide that the cost of providing the services shall be borne in the way provided in subsection (c) of this section by the government to which the services are provided at rates or charges based on the actual cost of providing the services.

(3) To carry out an agreement made under this subsection, the agreement may provide for the delegation of duties and powers of officers and employees of—

(A) the District of Columbia government to officers and employees of the United States Government; and

(B) the United States Government to officers and employees of the District of Columbia government.

(c) In providing services under an agreement made under subsection (b) of this section—

(1) costs incurred by the United States Government may be paid from appropriations available to the District of Columbia government officer or employee to whom the services were provided; and

(2) costs incurred by the District of Columbia government may be paid from amounts available to the United States Government officer or employee to whom the services were provided.

(d) When requested by the Director of the United States Secret Service, the Chief of the

Metropolitan Police shall assist the Secret Service and the Secret Service Uniformed Division on a non-reimbursable basis in carrying out their protective duties under sections 3056 and 3056A of title 18.

(Pub. L. 97–258, Sept. 13, 1982, 96 Stat. 934; Pub. L. 109–177, title VI, §605(d)(1), Mar. 9, 2006, 120 Stat. 255.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
1537(a)	31:685a(a)(1st sentence).	Dec. 24, 1973, Pub. L. 93–198, §731, 87 Stat. 822.
1537(b)	31:685a(a)(2d, last sentences), (b).	
1537(c)	31:685a(c)(less last sentence words after last comma).	
1537(d)	31:685a(c)(last sentence words after last comma).	

In the section, the words “District of Columbia” are substituted for “District” for clarity and consistency.

In subsection (a), the word “duplication” is substituted for “duplication of effort” to eliminate unnecessary words. The words “officer or employee of the United States Government” are substituted for “any Federal officer or agency”, and the words “officer or employee of the District of Columbia government” are substituted for “any District officer or agency”, for consistency.

In subsection (b)(1), before clause (A), the words “Except where the terms and conditions governing the furnishing of such services are prescribed by other provisions of law” are omitted as surplus. In clause (A), the words “officers and employees of the 2 governments” are substituted for “Federal and District authorities” for consistency. In clause (B), the words “of the District of Columbia” are added for clarity.

In subsection (b)(3), before clause (A), the words “duties and powers” are substituted for “functions” for consistency in the revised title and with other titles of the United States Code. The text of 31:685a(b)(last sentence) is omitted as surplus.

In subsection (c)(1), the words “United States Government” are substituted for “each Federal officer and agency” for clarity.

In subsection (c)(2), the words “District of Columbia government” are substituted for “each District officer and agency” for consistency.

Editorial Notes

AMENDMENTS

2006—Subsec. (d). Pub. L. 109–177 substituted “and the Secret Service Uniformed Division” for “and the Executive Protective Service” and “their protective duties under sections 3056 and 3056A of title 18” for “their protective duties under section 302 of title 3 and section 3056 of title 18”.

Statutory Notes and Related Subsidiaries

TRANSFER OF FUNCTIONS

For transfer of the functions, personnel, assets, and obligations of the United States Secret Service, including the functions of the Secretary of the Treasury relating thereto, to the Secretary of Homeland Security, and for treatment of related references, see sections 381, 551(d), 552(d), and 557 of Title 6, Domestic Security, and the Department of Homeland Security Reorganization Plan of November 25, 2002, as modified, set out as a note under section 542 of Title 6.

SUBCHAPTER IV—CLOSING ACCOUNTS

§ 1551. Definitions; applicability of subchapter

(a) In this subchapter—

(1) An obligated balance of an appropriation account as of the end of a fiscal year is the amount of unliquidated obligations applicable to the appropriation less amounts collectible as repayments to the appropriation.

(2) An unobligated balance is the difference between the obligated balance and the total unexpended balance.

(3) A fixed appropriation account is an appropriation account available for obligation for a definite period.

(b) The limitations on the availability for expenditure prescribed in this subchapter apply to all appropriations unless specifically otherwise authorized by a law that specifically—

(1) identifies the appropriate account for which the availability for expenditure is to be extended;

(2) provides that such account shall be available for recording, adjusting, and liquidating obligations properly chargeable to that account; and

(3) extends the availability for expenditure of the obligated balances.

(c) This subchapter does not apply to—

(1) appropriations for the District of Columbia government; or

(2) appropriations to be disbursed by the Secretary of the Senate or the Chief Administrative Officer of the House of Representatives.

(Pub. L. 97–258, Sept. 13, 1982, 96 Stat. 935; Pub. L. 101–510, div. A, title XIV, § 1405(a)(1), Nov. 5, 1990, 104 Stat. 1676; Pub. L. 102–484, div. A, title X, § 1054(e)(2), Oct. 23, 1992, 106 Stat. 2503; Pub. L. 104–186, title II, § 219(b)(1), Aug. 20, 1996, 110 Stat. 1748.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
1551(a)	31:701(c)(1st sentence).	July 25, 1956, ch. 727, § 1(c)(1st sentence), 70 Stat. 648; July 8, 1959, Pub. L. 86–79, § 210(b), 73 Stat. 167.
1551(b)	31:707.	July 25, 1956, ch. 727, § 8, 70 Stat. 650.

In subsection (b)(1), the words “District of Columbia government” are substituted for “District of Columbia” for consistency.

Editorial Notes

AMENDMENTS

1996—Subsec. (c)(2). Pub. L. 104–186 substituted “Chief Administrative Officer” for “Clerk”.

1992—Pub. L. 102–484 substituted “Definitions; applicability of subchapter” for “Definitions and applications” as section catchline.

1990—Pub. L. 101–510 amended text generally, re-enacting former subsec. (a)(1) and (2) with a change in capitalization, adding subsecs. (a)(3) and (b), and re-stating former subsec. (b) as (c).

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 1990 AMENDMENT; TRANSITIONAL PROVISIONS

Pub. L. 101–510, div. A, title XIV, § 1405(b), Nov. 5, 1990, 104 Stat. 1679, as amended by Pub. L. 102–484, div. A, title X, § 1004, Oct. 23, 1992, 106 Stat. 2481, provided that:

“(1) APPLICATION OF AMENDMENTS.—The amendments made by subsection (a) [amending this section and sec-

tions 1552 to 1557 of this title] shall apply to any appropriation account the obligated balance of which, on the date of the enactment of this Act [Nov. 5, 1990], has not been transferred under section 1552(a)(1) of title 31, United States Code, as in effect on the day before the date of the enactment of this section.

“(2) RESTORATION OF CERTAIN UNOBLIGATED AMOUNTS.—The balance of any unobligated amount withdrawn under section 1552(a)(2) of title 31, United States Code, as in effect on the day before the date of the enactment of this Act, from an account the obligated balance of which has not been transferred under section 1552(a)(1) of title 31, United States Code, as in effect on the day before the date of the enactment of this section, is hereby restored to that account.

“(3) CANCELLATION OF UNOBLIGATED BALANCES.—All balances of unobligated funds withdrawn from an account under subsection 1552(a)(2) of title 31, United States Code, as in effect on the day before the date of the enactment of this Act (other than funds restored under paragraph (2)) are canceled, effective at the end of the 30-day period beginning on the date of the enactment of this Act.

“(4) CANCELLATION OF OBLIGATED BALANCES.—On the third September 30th after the date of the enactment of this Act, all obligated balances transferred under subsection 1552(a)(1) of title 31, United States Code, as in effect on the day before the date of the enactment of this Act, shall be canceled.

“(5) OBLIGATION OF EXISTING BALANCES.—After the date of the enactment of this Act, an obligation of any part of a balance transferred before the date of the enactment of this Act under section 1552(a)(1) of title 31, United States Code, shall be subject to section 1553(c) of such title, as amended by subsection (a).

“(6) CANCELLATION OF OLDEST OBLIGATED BALANCES.—(A) At the end of the 30-day period beginning on the date on which the President submits to Congress the budget for fiscal year 1992, any amount in an account established under paragraph (1) of section 1552 of title 31, United States Code, as in effect before the date of the enactment of this Act, that has been in that account as of that date for a period in excess of five years shall be deobligated and shall be withdrawn in the manner provided in paragraph (2) of that section. Amounts so deobligated and withdrawn may not be restored.

“(B) Subparagraph (A) shall not apply so as to require the deobligation of amounts—

“(i) for which there is documentary evidence that payment will be required within 180 days of the date of the enactment of this Act; or

“(ii) that are determined to be necessary for severance payments for foreign national employees.

“(7) OBLIGATIONS AND ADJUSTMENT OF OBLIGATIONS.—(A) After cancellation of unobligated balances under paragraph (3) or cancellation of obligated balances under paragraph (4) or paragraph (6) and subject to the provisions of subparagraph (B), obligations and adjustments to obligations that would have been chargeable to those balances before such cancellations and that are not otherwise chargeable to current appropriations of the agency concerned may be charged to current appropriations of that agency available for the same purpose. Any charge made pursuant to this subsection shall be limited to the unobligated expired balances of the original appropriation available for the same purpose.

“(B) Any charge made pursuant to subparagraph (A) shall be subject to the maximum amount chargeable under subsection (b) of section 1553 of title 31, United States Code, as amended by this section, and shall be included in the calculation of the total amount charged to any account under that section.

“(8) OBLIGATIONS AND ADJUSTMENTS OF OBLIGATIONS FOR EXPIRED BUT NOT CLOSED ACCOUNTS.—(A) Subject to subparagraphs (B), (C), and (D), in the case of an appropriation account for a fiscal year before fiscal year 1992 for which the period of availability for obligation has expired but which has not been closed under the provisions of section 1552(a) of title 31, United States Code,

or paragraph (4) of this section, an obligation and an adjustment of an obligation may be charged to any current appropriation account of the Department of Defense that is available for the same purpose as the expired account if—

“(i) the obligation would have been properly chargeable (except as to amount) to the expired account before the end of the period of availability of that account; and

“(ii) the obligation is not otherwise properly chargeable to any current appropriation account of the Department of Defense.

“(B) The total amount charged to a current appropriation account under subparagraph (A) may not exceed an amount equal to the lesser of—

“(i) one percent of the total amount of the appropriations for that account; or

“(ii) one percent of the total amount of the appropriations for the expired account.

“(C) No obligation or adjustment of an obligation may be charged pursuant to the provisions of this paragraph until the Committees on Armed Services and the Committees on Appropriations of the Senate and House of Representatives are notified of the intent to make such a charge and a period of 30 days elapses after the notification is submitted.

“(D) CERTIFICATIONS.—No obligation or adjustment of an obligation may be charged pursuant to the provisions of this paragraph until the Secretary of Defense (except as otherwise provided in subparagraph (E)) certifies to Congress the following:

“(i) That the limitations on expending and obligating amounts established pursuant to section 1341 of title 31, United States Code, are being observed within the Department of Defense.

“(ii) That reports on any violations of such section 1341, whether intentional or inadvertent, are being submitted to the President and Congress immediately and with all relevant facts and a statement of actions taken as required by section 1351 of title 31, United States Code.

“(E) ALTERNATIVE TO CERTIFICATION.—If the Secretary of Defense is unable to make the certifications referred to in subparagraph (D) within 60 days after the date of the enactment of this subparagraph [Oct. 23, 1992], the Secretary shall submit to the Congress a report stating that the Secretary is unable to make such certifications and setting forth the actions that the Secretary will take in order to enable the Secretary to make such certifications after the end of that period.”

§ 1552. Procedure for appropriation accounts available for definite periods

(a) On September 30th of the 5th fiscal year after the period of availability for obligation of a fixed appropriation account ends, the account shall be closed and any remaining balance (whether obligated or unobligated) in the account shall be canceled and thereafter shall not be available for obligation or expenditure for any purpose.

(b) Collections authorized or required to be credited to an appropriation account, but not received before closing of the account under subsection (a) or under section 1555 of this title shall be deposited in the Treasury as miscellaneous receipts.

(Pub. L. 97–258, Sept. 13, 1982, 96 Stat. 935; Pub. L. 101–510, div. A, title XIV, § 1405(a)(1), Nov. 5, 1990, 104 Stat. 1676.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
1552(a)	31:701(a)(1).	July 25, 1956, ch. 727, §1(a)(1), 70 Stat. 647; restated July 12, 1974, Pub. L. 93–344, § 503(a), 88 Stat. 321.

HISTORICAL AND REVISION NOTES—CONTINUED

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
	31:701(a)(2).	July 25, 1956, ch. 727, §1(a)(2), 70 Stat. 648; June 29, 1960, Pub. L. 86–533, §1(25), 74 Stat. 249.
	31:701(b).	July 25, 1956, ch. 727, §1(b), 70 Stat. 648; restated July 12, 1974, Pub. L. 93–344, § 503(b), 88 Stat. 322; Apr. 21, 1976, Pub. L. 94–273, § 45, 90 Stat. 382.
1552(b)	31:701(c)(last sentence).	July 25, 1956, ch. 727, §1(c)(last sentence), (d), 5, 70 Stat. 648, 649.
1552(c)	31:701(d).	
1552(d)	31:705.	

In subsection (a), the text of 31:701(b)(1)(A) and (2)(A) and the words “for the period commencing on July 1, 1976, and ending on September 30, 1976, and for any fiscal year commencing on or after October 1, 1976” are omitted as executed.

In subsection (a)(1), the words “period of availability ends” are substituted for “that period or the fiscal year or years, as the case may be, for which the appropriation is available for obligation” to eliminate unnecessary words.

In subsection (a)(2), the words “reverts to the Treasury” are substituted for “if the appropriation was derived in whole or in part from the general fund, shall revert to such fund” to eliminate unnecessary words.

In subsection (b), the words “not received before” are substituted for “not received until after” for clarity. The words “unless otherwise authorized by law” are omitted as surplus. The words “Comptroller General” are substituted for “General Accounting Office” for consistency.

In subsection (c), the text of 31:701(d)(last sentence) is omitted as executed.

In subsection (d), before clause (1), the word “heading” is substituted for “heads” for clarity and consistency.

Editorial Notes

AMENDMENTS

1990—Pub. L. 101–510 amended text generally, revising and restating former subsecs. (a) to (d) as subsecs. (a) and (b).

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 1990 AMENDMENT

Amendment by Pub. L. 101–510 applicable to any appropriation account the obligated balance of which, on Nov. 5, 1990, has not been transferred under subsec. (a)(1) of this section, as in effect Nov. 4, 1990, with transitional provisions, see section 1405(b) of Pub. L. 101–510, set out as a note under section 1551 of this title.

AUDIT OF OBLIGATED BALANCES OF DEPARTMENT OF DEFENSE

Pub. L. 101–510, div. A, title XIV, § 1406, Nov. 5, 1990, 104 Stat. 1680, required the Secretary of Defense to provide for an audit of each account of the Department of Defense established under subsec. (a)(1) of this section, as in effect on the day before Nov. 5, 1990, and to provide Congress with a final report on the audit by Dec. 31, 1991.

§ 1553. Availability of appropriation accounts to pay obligations

(a) After the end of the period of availability for obligation of a fixed appropriation account and before the closing of that account under section 1552(a) of this title, the account shall retain its fiscal-year identity and remain available for recording, adjusting, and liquidating obligations properly chargeable to that account.