

and functions of the Secretary of Transportation relating thereto, to the Department of Homeland Security, and for treatment of related references, see sections 468(b), 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.]

Pub. L. 100-448, §24, Sept. 28, 1988, 102 Stat. 1847, provided that:

“(a) OPINION OF CONGRESS.—It is the opinion of the Congress that the programs and activities of the Coast Guard could be more effectively and efficiently planned and managed if funds for the Coast Guard were provided on a 2-year cycle rather than annually.

“(b) SUBMISSION OF 2-YEAR BUDGET BY PRESIDENT.—The President shall include in the budget for fiscal year 1990 submitted to the Congress pursuant to section 1105 of title 31, United States Code, a single proposed budget for the Coast Guard for fiscal years 1990 and 1991. Thereafter, the President shall submit a proposed 2-year budget for the Coast Guard every other year.

“(c) REPORT.—Not later than October 1, 1988, the Secretary of the department in which the Coast Guard is operating shall submit to the Committee on Commerce, Science, and Transportation and the Committee on Appropriations of the Senate and to the Committee on Merchant Marine and Fisheries and the Committee on Appropriations of the House of Representatives a report containing—

“(1) the Secretary’s views on the advantages and disadvantages of operating the Coast Guard on a 2-year budget cycle;

“(2) the Secretary’s plans for converting to a 2-year budget cycle; and

“(3) a description of any impediments (statutory or otherwise) to converting the operations of the Coast Guard to a 2-year budget cycle beginning with fiscal year 1990.”

[For transfer of authorities, functions, personnel, and assets of the Coast Guard, including the authorities and functions of the Secretary of Transportation relating thereto, to the Department of Homeland Security, and for treatment of related references, see sections 468(b), 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.]

#### WATER AND SEWER SERVICES FURNISHED TO GOVERNMENT FACILITIES IN DISTRICT OF COLUMBIA

Pub. L. 100-202, §101(c) [title I, §136], Dec. 22, 1987, 101 Stat. 1329-90, 1329-102, provided that: “After the effective date of this Joint Resolution [Dec. 22, 1987], the President shall include, without change, in each annual budget submitted to the Congress under section 1105 of title 31, United States Code, the values estimated by the Mayor of the District of Columbia for water and water services and sanitary sewer services furnished to facilities of the United States Government under sections 106 and 212 of the District of Columbia Public Works Act of 1954, as amended (D.C. Code, sections 43-1552, 43-1612).”

#### TWO-YEAR BUDGET CYCLE FOR DEPARTMENT OF DEFENSE

Pub. L. 99-145, title XIV, §1405, Nov. 8, 1985, 99 Stat. 744, which related to congressional findings concerning a two-year budget cycle for the Defense Department, requirement that President submit two-year budget proposals, and a report by the Secretary of Defense to be submitted not later than Apr. 1, 1986, was repealed by Pub. L. 110-181, div. A, title X, §1006, Jan. 28, 2008, 122 Stat. 303.

#### FEDERAL CAPITAL INVESTMENT PROGRAM; CONGRESSIONAL STATEMENT OF PURPOSES

Pub. L. 98-501, title II, §202, Oct. 19, 1984, 98 Stat. 2324, provided that: “The purposes of this title [amending this section and enacting provisions set out as notes under this section and section 1101 of this title] are—

“(1) to provide budget projections for major Federal capital investment programs;

“(2) to provide a summary of the most recent needs assessment analyses for these programs;

“(3) to provide information on the sensitivity of the needs estimates to major policy issues and technical and economic variables;

“(4) to assist the planning capabilities of State and local governments on the assessment of major capital investment programs; and

“(5) to improve legislative oversight over Federal capital investment programs.”

#### DEFICIT REDUCTION FUND

For provisions requiring information about Deficit Reduction Fund, including a separate statement of amounts in and Federal debt redeemed by that Fund to be included in budget transmitted under this section, see Ex. Ord. No. 12858, §3, Aug. 4, 1993, 58 F.R. 42185, set out as a note under section 900 of Title 2, The Congress.

#### BUDGET CONTROL

For provisions requiring annual review of direct spending and receipts to be part of each budget submitted under subsec. (a) of this section, see Ex. Ord. No. 12857, §3, Aug. 4, 1993, 58 F.R. 42181, formerly set out as a note under section 900 of Title 2, The Congress.

#### Executive Documents

EX. ORD. NO. 6715. FILING OF FUNCTIONAL ORGANIZATION CHARTS WITH THE DIRECTOR OF THE BUREAU OF THE BUDGET

Ex. Ord. No. 6715, May 23, 1934, provided in part:

(1) Each executive department, independent establishment, and emergency agency shall file with the Director of the Bureau of the Budget [now Director of Office of Management and Budget] a functional organization chart, indicating its various existing bureaus, divisions, sections, etc., and containing a description of the functions respectively performed, and shall file such additional charts from time to time, as may be necessary to show all changes made therein.

(2) Every executive department, independent establishment, and emergency agency hereafter created shall within 5 days after the appointment of the head thereof file a preliminary functional organization chart with the Director of the Bureau of the Budget.

(3) The Director of the Bureau of the Budget is hereby authorized to prescribe, subject to the approval of the President, such rules and regulations as will indicate the information desired and the form of chart to be furnished.

FRANKLIN D. ROOSEVELT.

#### ASSIGNMENT OF FUNCTION REGARDING MEDICARE FUNDING

Memorandum of the President of the United States, Feb. 14, 2008, 73 F.R. 9169, provided:

Memorandum for the Secretary of Health and Human Services

By the authority vested in me as President by the Constitution and the laws of the United States, including section 301 of title 3, United States Code, you are directed to perform the function of the President as described under section 802 of the Medicare Prescription Drug, Improvement, and Modernization Act of 2003 (Public Law 108-173, 31 U.S.C. 1105(h)(1)).

You are authorized and directed to publish this memorandum in the Federal Register.

GEORGE W. BUSH.

#### § 1106. Supplemental budget estimates and changes

(a) Before July 16 of each year, the President shall submit to Congress a supplemental summary of the budget for the fiscal year for which

the budget is submitted under section 1105(a) of this title. The summary shall include—

(1) for that fiscal year—

(A) substantial changes in or reappraisals of estimates of expenditures and receipts;

(B) substantial obligations imposed on the budget after its submission;

(C) current information on matters referred to in section 1105(a)(8) and (9)(B) and (C) of this title; and

(D) additional information the President decides is advisable to provide Congress with complete and current information about the budget and current estimates of the functions, obligations, requirements, and financial condition of the United States Government;

(2) for the 4 fiscal years following the fiscal year for which the budget is submitted, information on estimated expenditures for programs authorized to continue in future years, or that are considered mandatory, under law; and

(3) for future fiscal years, information on estimated expenditures of balances carried over from the fiscal year for which the budget is submitted.

(b) Before July 16 of each year, the President shall submit to Congress a statement of changes in budget authority requested, estimated budget outlays, and estimated receipts for the fiscal year for which the budget is submitted (including prior changes proposed for the executive branch of the Government) that the President decides are necessary and appropriate based on current information. The statement shall include the effect of those changes on the information submitted under section 1105(a)(1)–(14) and (b) of this title and shall include supporting information as practicable. The statement submitted before July 16 may be included in the information submitted under subsection (a)(1) of this section.

(c) Subsection (f) of section 1105 shall apply to revisions and supplemental summaries submitted under this section to the same extent that such subsection applies to the budget submitted under section 1105(a) to which such revisions and summaries relate.

(Pub. L. 97–258, Sept. 13, 1982, 96 Stat. 911; Pub. L. 99–177, title II, §242, Dec. 12, 1985, 99 Stat. 1063.)

#### HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
1106(a) .....	31:11(b), (c).	June 10, 1921, ch. 18, 42 Stat. 20, §201(b), (c); added Aug. 25, 1958, Pub. L. 85–759, §1, 72 Stat. 852; restated Oct. 26, 1970, Pub. L. 91–510, §221(b), 84 Stat. 1169; July 12, 1974, Pub. L. 93–344, §602, 88 Stat. 324.
1106(b) .....	31:11(g)(1st–3d sentences).	June 10, 1921, ch. 18, 42 Stat. 20, §201(g)(1st–3d sentences); added July 12, 1974, Pub. L. 93–344, §601, 88 Stat. 323.

In subsection (a), before clause (1), the words “Before July 16” are substituted for “on or before July 15” for consistency. The words “budget for the fiscal year for which the budget is submitted” are substituted for “Budget for the ensuing fiscal year transmitted to the

Congress by the President” to eliminate unnecessary words and for consistency in the chapter. The words “in such form and detail as he may determine” are omitted as unnecessary. In clause (1)(D), the words “in summary form” and “summary of” are omitted as unnecessary. The word “necessary” is omitted as being included in “advisable”. In clauses (2) and (3), the word “information” is substituted for “summaries” because of the restatement. In clause (2), the words “programs authorized to continue in future years, or that are considered mandatory, under law” are substituted for “continuing programs which have a legal commitment for future years or are considered mandatory under existing law” for consistency.

In subsection (b), the words “Before April 11 and July 16” are substituted for “on or before April 10 and July 15”, the word “changes” is substituted for “all amendments to or revisions in”, and the words “budget outlays” are substituted for “outlays”, the words “fiscal year for which the budget is submitted” are substituted for “ensuing fiscal year set forth in the Budget transmitted pursuant to subsection (a) of this section”, for consistency. The word “information” is substituted for “summary data” because of the restatement.

#### Editorial Notes

##### AMENDMENTS

1985—Subsec. (b). Pub. L. 99–177, §242(a), struck out “April 11 and” before “July 16”.

Subsec. (c). Pub. L. 99–177, §242(b), added subsec. (c).

#### Statutory Notes and Related Subsidiaries

##### EFFECTIVE AND TERMINATION DATES OF 1985 AMENDMENT

Amendment by Pub. L. 99–177 effective Dec. 12, 1985, and applicable with respect to fiscal years beginning after Sept. 30, 1985, but with subsec. (c) to expire Sept. 30, 2002, see section 275(a)(1), (b) of Pub. L. 99–177, formerly set out as an Effective and Termination Dates note under section 900 of Title 2, The Congress, prior to repeal by Pub. L. 112–25, title I, §104(a), Aug. 2, 2011, 125 Stat. 246.

#### § 1107. Deficiency and supplemental appropriations

The President may submit to Congress proposed deficiency and supplemental appropriations the President decides are necessary because of laws enacted after the submission of the budget or that are in the public interest. The President shall include the reasons for the submission of the proposed appropriations and the reasons the proposed appropriations were not included in the budget. When the total proposed appropriations would have required the President to make a recommendation under section 1105(c) of this title if they had been included in the budget, the President shall make a recommendation under that section. The President shall transmit promptly to Congress without change, proposed deficiency and supplemental appropriations submitted to the President by the legislative branch and the judicial branch.

(Pub. L. 97–258, Sept. 13, 1982, 96 Stat. 911; Pub. L. 112–74, div. C, title VI, §619, Dec. 23, 2011, 125 Stat. 926.)