

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
1517(a)	31:665(h).	R.S. §3679(h), (i)(2)(related to (h)); 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. 768.
1517(b)	31:665(i)(2)(related to (h)).	

In subsection (a), before clause (1), the words “District of Columbia government” are added because of section 9 of the Act of June 26, 1912 (ch. 182, 37 Stat. 184). In clause (1), the word “apportionment” is substituted for “apportionment or reapportionment” because of section 1512(a)(last sentence) of the revised title.

In subsection (b), the word “Mayor” is used because of Reorganization Plan No. 3 of 1967 (eff. Aug. 11, 1967, 81 Stat. 948) and sections 421, 422, and 771 of the District of Columbia Self-Government and Governmental Reorganization Act (Pub. L. 93-198, 87 Stat. 789, 818). The word “President” is substituted for “President, through the Director of the Office of Management and Budget” because sections 101 and 102(a) of Reorganization Plan No. 2 of 1970 (eff. July 1, 1970, 84 Stat. 2085) designated the Bureau of the Budget as the Office of Management and Budget and transferred all functions of the Bureau to the President.

Editorial Notes

AMENDMENTS

2004—Subsec. (b). Pub. L. 108-447 inserted at end “A copy of each report shall also be transmitted to the Comptroller General on the same date the report is transmitted to the President and Congress.”

§ 1518. Adverse personnel actions

An officer or employee of the United States Government or of the District of Columbia government violating section 1517(a) of this title shall be subject to appropriate administrative discipline including, when circumstances warrant, suspension from duty without pay or removal from office.

(Pub. L. 97-258, Sept. 13, 1982, 96 Stat. 932.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
1518	31:665(i)(1)(words before semicolon related to (h)).	R.S. §3679(i)(1)(words before semicolon related to (h)); 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. 768.

The words “In addition to any penalty or liability under other law” are omitted as surplus. The words “District of Columbia government” are added because of section 9 of the Act of June 26, 1912 (ch. 182, 37 Stat. 184).

§ 1519. Criminal penalty

An officer or employee of the United States Government or of the District of Columbia government knowingly and willfully violating section 1517(a) of this title shall be fined not more than \$5,000, imprisoned for not more than 2 years, or both.

(Pub. L. 97-258, Sept. 13, 1982, 96 Stat. 932.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
1519	31:665(i)(1)(words after semicolon related to (h)).	R.S. §3679(i)(1)(words after semicolon related to (h)); 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. 768.

The words “District of Columbia government” are added because of section 9 of the Act of June 26, 1912 (ch. 182, 37 Stat. 184).

SUBCHAPTER III—TRANSFERS AND REIMBURSEMENTS

§ 1531. Transfers of functions and activities

(a) The balance of an appropriation available and necessary to finance or discharge a function or activity transferred or assigned under law within an executive agency or from one executive agency to another may be transferred to and used—

(1) by the organizational unit or agency to which the function or activity was transferred or assigned; and

(2) for a purpose for which the appropriation was originally available.

(b) The head of the executive agency determines the amount that, with the approval of the President, is necessary to be transferred when the transfer or assignment of the function or activity is within the agency. The President determines the amount necessary to be transferred when the transfer or assignment of the function or activity is from one executive agency to another.

(c) A balance transferred under this section is—

(1) credited to an applicable existing or new appropriation account;

(2) merged with the amount in an account to which the balance is credited; and

(3) with the amount with which the balance is merged, accounted for as one amount.

(d) New appropriation accounts may be established to carry out subsection (c)(1) of this section.

(Pub. L. 97-258, Sept. 13, 1982, 96 Stat. 932.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
1531(a), (b).	31:581c(a)(1st sentence), (b)(1st sentence).	Sept. 12, 1950, ch. 946, §202, 64 Stat. 838.
1531(c), (d).	31:581c(a)(last sentence), (b)(last sentence).	

In subsections (a) and (b), the defined term “executive agency” in section 102 of the revised title is substituted for “department or establishment” for consistency and clarity.

In subsection (a), the words “organizational unit or agency” are substituted for “agency”, and the word “appropriation” is substituted for “said funds”, for consistency and clarity.

Subsection (d) is substituted for “which are hereby authorized to be established” because of the restatement.

Statutory Notes and Related Subsidiaries**PROHIBITION ON TRANSFER OF FUNDS TO OTHER DEPARTMENTS AND AGENCIES**

Pub. L. 101-189, div. A, title XVI, §1604, Nov. 29, 1989, 103 Stat. 1598, provided that funds available for military functions of Department of Defense could not be made available to any other department or agency of Federal Government pursuant to a provision of law enacted after Nov. 29, 1989, unless, not less than 30 days before such funds were made available to such other department or agency, Secretary of Defense submitted to congressional defense committees a report describing effect on military preparedness of making such funds available to such department or agency, prior to repeal and restatement in section 2215 of Title 10, Armed Forces, by Pub. L. 103-160, div. A, title XI, §1106(a)(1), (b), Nov. 30, 1993, 107 Stat. 1750.

§ 1532. Withdrawal and credit

An amount available under law may be withdrawn from one appropriation account and credited to another or to a working fund only when authorized by law. Except as specifically provided by law, an amount authorized to be withdrawn and credited is available for the same purpose and subject to the same limitations provided by the law appropriating the amount. A withdrawal and credit is made by check and without a warrant.

(Pub. L. 97-258, Sept. 13, 1982, 96 Stat. 933.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
1532	31:628-1.	Sept. 6, 1950, ch. 896, §1210(less last proviso), 64 Stat. 765.

The word “limitations” is substituted for “limitations, conditions, and restrictions” to eliminate unnecessary words.

§ 1533. Transfers of appropriations for salaries and expenses to carry out national defense responsibilities

An appropriation of an executive agency for salaries and expenses is available to carry out national defense responsibilities assigned to the agency under law. A transfer necessary to carry out this section may be made between appropriations or allocations within the executive agency. An allocation may not be made to an executive agency that can carry out with its regular personnel a defense activity assigned to it by using the authority of this section to realign its regular programs.

(Pub. L. 97-258, Sept. 13, 1982, 96 Stat. 933.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
1533	31:697.	June 2, 1951, ch. 121, ch. XI(proviso immediately before heading “Independent Offices”), 65 Stat. 61.

The words “executive agency” are substituted for “department, agency, or corporation, in the executive branch of the Government” because of section 102 of the revised title. The words “authority of this section” are substituted for “foregoing authority” for clarity.

§ 1534. Adjustments between appropriations

(a) An appropriation available to an agency may be charged at any time during a fiscal year for the benefit of another appropriation available to the agency to pay costs—

(1) when amounts are available in both the appropriation to be charged and the appropriation to be benefited; and

(2) subject to limitations applicable to the appropriations.

(b) Amounts paid under this section are charged on a final basis during, or as of the close of, the fiscal year to the appropriation benefited. The appropriation charged under subsection (a) of this section shall be appropriately credited.

(Pub. L. 97-258, Sept. 13, 1982, 96 Stat. 933.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
1534(a)	31:628a(1st sentence).	June 29, 1966, Pub. L. 89-473, §1, 80 Stat. 221.
1534(b)	31:628a(last sentence).	

In subsection (a), the words “Subject to limitations applicable with respect to each appropriation concerned” are omitted as surplus. The words “or any bureau or office thereof” are omitted as being included in “agency”. The words “to pay costs” are substituted for “for the purpose of financing the procurement of materials and services, or financing other costs” to eliminate unnecessary words.

In subsection (b), the words “amounts paid under this section” are substituted for “such expenses so financed”, and the words “appropriations charged under subsection (a) of this section” are substituted for “financing appropriation”, for clarity.

§ 1535. Agency agreements

(a) The head of an agency or major organizational unit within an agency may place an order with a major organizational unit within the same agency or another agency for goods or services if—

(1) amounts are available;

(2) the head of the ordering agency or unit decides the order is in the best interest of the United States Government;

(3) the agency or unit to fill the order is able to provide or get by contract the ordered goods or services; and

(4) the head of the agency decides ordered goods or services cannot be provided by contract as conveniently or cheaply by a commercial enterprise.

(b) Payment shall be made promptly by check on the written request of the agency or unit filling the order. Payment may be in advance or on providing the goods or services ordered and shall be for any part of the estimated or actual cost as determined by the agency or unit filling the order. A bill submitted or a request for payment is not subject to audit or certification in advance of payment. Proper adjustment of amounts paid in advance shall be made as agreed to by the heads of the agencies or units on the basis of the actual cost of goods or services provided.

(c) A condition or limitation applicable to amounts for procurement of an agency or unit