

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 1998 AMENDMENT

Pub. L. 105-264, §3(b), Oct. 19, 1998, 112 Stat. 2354, provided that: "The amendments made by this section [amending this section and sections 3528 and 3726 of this title] shall become effective 18 months after the date of the enactment of this Act [Oct. 19, 1998]."

EFFECTIVE DATE OF 1996 AMENDMENT

Pub. L. 104-134, title III, §31001(a)(2)(A), Apr. 26, 1996, 110 Stat. 1321-358, provided that: "The provisions of this section [enacting sections 3720B to 3720E of this title, amending this section, sections 3325, 3331, 3332, 3343, 3701, 3711, 3712, 3716 to 3719, 3720A, and 7701 of this title, section 5514 of Title 5, Government Organization and Employees, sections 6050P, 6103, and 6402 of Title 26, Internal Revenue Code, and sections 404 and 664 of Title 42, The Public Health and Welfare, enacting provisions set out as notes under sections 3701, 3711, 3716, and 3719 of this title and section 2461 of Title 28, Judiciary and Judicial Procedure, amending provisions set out as notes under section 7701 of this title and section 2461 of Title 28, and repealing provisions set out as notes under section 3718 of this title] and the amendments made by this section shall take effect on the date of the enactment of this Act [Apr. 26, 1996]."

EFFECTIVE DATE OF 1984 AMENDMENT

Amendment by Pub. L. 98-216 effective Sept. 13, 1982, see section 4(c) of Pub. L. 98-216, set out as a note under section 490 of Title 18, Crimes and Criminal Procedure.

§ 3323. Warrants

(a) Except as provided in section 3326 of this title, the Secretary of the Treasury may pay out money only against a warrant. A warrant shall be—

- (1) authorized by law;
- (2) signed by the Secretary; and
- (3) countersigned by the Comptroller General.

(b)(1) A disbursing official shall send to the Secretary with a warrant a certificate under section 3526 of this title, or a requisition for an advance. The certificate or requisition shall state the appropriation to which the payment is to be charged.

(2) The Secretary shall return the certificate or requisition to the Comptroller General with the date and amount endorsed on the certificate or requisition.

(c) A requisition for the payment of money on an audited account or for depositing money in the Treasury is not required.

(d) The Secretary and the Comptroller General shall charge to the appropriate appropriation in their books any money paid by a warrant.

(Pub. L. 97-258, Sept. 13, 1982, 96 Stat. 950.)

HISTORICAL AND REVISION NOTES

| Revised Section | Source (U.S. Code) | Source (Statutes at Large) |
|-----------------|---|---|
| 3323(a) | 31:44(1st sentence). | June 10, 1921, ch. 18, §304(1st par. 1st sentence), 42 Stat. 24. |
| | 31:76(2d sentence words before 3d comma). | July 31, 1894, ch. 174, §11(2d, 3d sentences), 28 Stat. 209. |
| | 31:147(related to disbursement). | R.S. §305(related to disbursement); July 31, 1894, ch. 174, §11(last sentence related to §305), 28 Stat. 209. |
| 3323(b) | 31:76(2d sentence words after 3d comma). | |

HISTORICAL AND REVISION NOTES—CONTINUED

| Revised Section | Source (U.S. Code) | Source (Statutes at Large) |
|-----------------|--------------------------------|----------------------------|
| 3323(c) | 31:76(3d sentence). | |
| 3323(d) | 31:44(1st sentence). 31:77. | R.S. §3675. |

In the section, the words "Comptroller General" are substituted for "General Accounting Office" for consistency.

Subsection (a) is substituted for 31:76(2d sentence words before 3d comma) and 147(related to disbursement) to eliminate unnecessary words and for clarity and consistency.

In subsection (b), the word "Secretary" is substituted for "Treasurer" because of the source provisions restated in section 321 of the revised title.

In subsection (b)(1), the words "instead of being specified on the warrant" are omitted as surplus. The reference to "section 3526 of this title" is used because section 72, referred to in 31:76, has been omitted from the restatement superseded by 31:82i and 31:82i is restated in section 3526.

In subsection (c), the word "depositing" is substituted for "covering" for clarity and consistency.

§ 3324. Advances

(a) Except as provided in this section, a payment under a contract to provide a service or deliver an article for the United States Government may not be more than the value of the service already provided or the article already delivered.

(b) An advance of public money may be made only if it is authorized by—

- (1) a specific appropriation or other law; or
- (2) the President to be made to—

(A) a disbursing official if the President decides the advance is necessary to carry out—

- (i) the duties of the official promptly and faithfully; and
- (ii) an obligation of the Government; or

(B) an individual serving in the armed forces at a distant station if the President decides the advance is necessary to disburse regularly pay and allowances.

(c) Before the Secretary of the Treasury acts on a requisition for an advance, the Comptroller General shall act on the requisition under section 3522 of this title. The Comptroller General does not countersign a requisition for an advance.

(d) The head of an agency may pay in advance from appropriations available for the purpose—

- (1) to the Secretary of the Army, charges for messages sent by the Secretary of the Army for the head of the agency, including charges for—

- (A) payment of tolls of commercial carriers;
- (B) leasing facilities for sending messages; and
- (C) installing and maintaining facilities for sending messages; and

- (2) charges for a publication printed or recorded in any way for the auditory or visual use of the agency.

(Pub. L. 97-258, Sept. 13, 1982, 96 Stat. 950.)