of the head of the department. The direction shall state the reasons for the change.

(d) An appropriation apportioned under this subchapter may be divided and subdivided administratively within the limits of the apportionment.

(e) This section does not affect the initiation and operation of agricultural price support programs.

(Pub. L. 97–258, Sept. 13, 1982, 96 Stat. 930.)

HISTORICAL AND REVISION NOTES

Revised Section	*Source (U.S. Code)*	*Source (Statutes at Large)*
1513(a)	31:665(d)(1).	R.S. §3679(d)(1), (2)(1st–4th sentences, 6th sentence 1st–22d words), (g)(1st sentence); 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. 766, 767; Reorg. Plan No. 2 of 1970, eff. July 1, 1970, §102(a), 84 Stat. 2085; Jan. 3, 1975, Pub. L. 93–618, §175(a)(2), 88 Stat. 2011.
1513(b)	31:665(d)(2)(1st–4th sentences).	
1513(c)	31:669(words before semicolon).	Aug. 23, 1912, ch. 350, §6(words before semicolon), 37 Stat. 414.
1513(d)	31:665(g)(1st sentence).	
1513(e)	31:665(d)(2)(6th sentence 1st–22d words).	

In the section, the word ''apportion'' is substituted for ''apportionment or reapportionment'' because of section 1512(a)(last sentence) of the revised title.

In subsection (a), before clause (1), the word ''official'' is substituted for ''officer'' for consistency in the revised title. The words ''judicial branch'' are substituted for ''judiciary'', and the words ''District of Columbia government'' are substituted for ''District of Columbia'', for consistency.

In subsection (b), the word ''President'' is substituted for ''Director of the Office of Management and Budget'', ''Office of Management and Budget'', and ''Director'' 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.

In subsection (b)(1), the words ''(except the Commission)'' are added because the International Trade Commission is covered specifically by the source provisions restated in subsection (a).

In subsection (b)(2), the words ''head of the executive agency'' are substituted for ''agency'' as being more precise and because of section 102 of the revised title.

In subsection (c), the words ''In addition to the apportionment required by section 665 of this title'' are omitted as unnecessary because of the restatement. The words ''By the first day'' are substituted for ''on or before the beginning'', and the words ''of the United States Government'' are added, for clarity. The words ''major organizational unit'' are substituted for ''office or bureau'' for consistency in the revised section. The word ''changed'' is substituted for ''increased or diminished'' to eliminate unnecessary words.

In subsection (e), the words ''initiation and operation'' are substituted for ''initiation, operation, and administration'' to eliminate unnecessary words.

§ 1514. Administrative division of apportionments

(a) The official having administrative control of an appropriation available to the legislative branch, the judicial branch, the United States International Trade Commission, or the District of Columbia government, and, subject to the approval of the President, the head of each executive agency (except the Commission) shall prescribe by regulation a system of administrative control not inconsistent with accounting procedures prescribed under law. The system shall be designed to—

(1) restrict obligations or expenditures from each appropriation to the amount of apportionments or reapportionments of the appropriation; and

(2) enable the official or the head of the executive agency to fix responsibility for an obligation or expenditure exceeding an apportionment or reapportionment.

(b) To have a simplified system for administratively dividing appropriations, the head of each executive agency (except the Commission) shall work toward the objective of financing each operating unit, at the highest practical level, from not more than one administrative division for each appropriation affecting the unit.

(Pub. L. 97–258, Sept. 13, 1982, 96 Stat. 930.)

HISTORICAL AND REVISION NOTES

Revised Section	*Source (U.S. Code)*	*Source (Statutes at Large)*
1514(a)	31:665(g)(2d sentence).	R.S. §3679(g)(2d sentence); 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. 767; Reorg. Plan No. 2 of 1970, eff. July 1, 1970, §102(a), 84 Stat. 2085; Jan. 3, 1975, Pub. L. 93–618, §175(a)(2), 88 Stat. 2011.
1514(b)	31:665(g)(last sentence).	R.S. §3679(g)(last sentence); added Aug. 1, 1956, ch. 814, §3, 70 Stat. 783.

In the section, the words ''(except the Commission)'' are added because the International Trade Commission is covered specifically by the source provisions restated in this section.

In subsection (a), the word ''official'' is substituted for ''officer'' for consistency in the revised title. The words ''judicial branch'' are substituted for ''judiciary'', and the words ''District of Columbia government'' are substituted for ''District of Columbia'', for consistency. The word ''President'' is substituted for ''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.

In subsection (b), the words ''dividing'' and ''division'' are substituted for ''subdivision'' for consistency in the revised section. The word ''appropriations'' is substituted for ''appropriations or funds'' because of the definition of ''appropriation'' in section 1511 of the revised title.

§ 1515. Authorized apportionments necessitating deficiency or supplemental appropriations

(a) An appropriation required to be apportioned under section 1512 of this title may be apportioned on a basis that indicates the need for a deficiency or supplemental appropriation to the extent necessary to permit payment of such pay increases as may be granted pursuant to law to civilian officers and employees (including prevailing rate employees whose pay is fixed and adjusted under subchapter IV of chapter 53 of title 5) and to retired and active military personnel.

(b)(1) Except as provided in subsection (a) of this section, an official may make, and the head of an executive agency may request, an apportionment under section 1512 of this title that would indicate a necessity for a deficiency or supplemental appropriation only when the official or agency head decides that the action is required because of—

(A) a law enacted after submission to Congress of the estimates for an appropriation that requires an expenditure beyond administrative control; or

(B) an emergency involving the safety of human life, the protection of property, or the immediate welfare of individuals when an appropriation that would allow the United States Government to pay, or contribute to, amounts required to be paid to individuals in specific amounts fixed by law or under formulas prescribed by law, is insufficient.

(2) If an official making an apportionment decides that an apportionment would indicate a necessity for a deficiency or supplemental appropriation, the official shall submit immediately a detailed report of the facts to Congress. The report shall be referred to in submitting a proposed deficiency or supplemental appropriation.

(Pub. L. 97–258, Sept. 13, 1982, 96 Stat. 931; Pub. L. 100–202, § 105, Dec. 22, 1987, 101 Stat. 1329–433.)

HISTORICAL AND REVISION NOTES

Revised Section	*Source (U.S. Code)*	*Source (Statutes at Large)*
1515(a)	31:665a.	June 5, 1957, Pub. L. 85–48, § 210, 71 Stat. 55.
1515(b)(1)	31:665(e)(1).	R.S. § 3679(e)(1); Mar. 3, 1905, ch. 1484, § 4(1st par.), 33 Stat. 1257; Feb. 27, 1906, ch. 510, § 3, 34 Stat. 48; Sept. 6, 1950, ch. 896, § 1211, 64 Stat. 767; restated Aug. 28, 1957, Pub. L. 85–170, § 1401, 71 Stat. 440.
1515(b)(2)	31:665(e)(2).	R.S. § 3679(e)(2); 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. 767.

In subsection (a), the words ''On and after June 5, 1957'' are omitted as executed. The words ''deficiency or supplemental appropriation'' are substituted for ''supplemental or deficiency estimate of appropriation'' for consistency with chapter 11 of the revised title. The words ''prevailing rate employees whose pay is fixed and adjusted under subchapter IV of chapter 53 of title 5'' are substituted for ''those employees (commonly known as wage-board employees) whose compensation is fixed and adjusted from time to time in accordance with prevailing rates (5 U.S.C. 5102(c)(7), 5341 et seq.)'' for consistency with title 5.

In subsection (b), the word ''apportionment'' is substituted for ''apportionment or reapportionment'' because of section 1512(a)(last sentence) of the revised title.

In subsection (b)(1), before clause (A), the words ''Except as provided in subsection (a) of this section'' are added because of the restatement. The word ''appropriation'' is substituted for ''estimate'' for consistency in the revised section. The words ''is insufficient'' are added for clarity.

In subsection (b)(2), the words ''proposed deficiency or supplemental appropriation'' are substituted for ''deficiency or supplemental estimates'' for consistency with chapter 11 of the revised title.

AMENDMENTS

1987—Subsec. (a). Pub. L. 100–202 added subsec. (a) and struck out former subsec. (a) which read as follows: ''An appropriation required to be apportioned under section 1512 of this title may be apportioned on a basis that indicates a necessity for a deficiency or supplemental appropriation to the extent necessary to permit payment of pay increases for prevailing rate employees whose pay is fixed and adjusted under subchapter IV of chapter 53 of title 5.''

§ 1516. Exemptions

An official designated in section 1513 of this title to make apportionments may exempt from apportionment—

(1) a trust fund or working fund if an expenditure from the fund has no significant effect on the financial operations of the United States Government;

(2) a working capital fund or a revolving fund established for intragovernmental operations;

(3) receipts from industrial and power operations available under law; and

(4) appropriations made specifically for—

(A) interest on, or retirement of, the public debt;

(B) payment of claims, judgments, refunds, and drawbacks;

(C) items the President decides are of a confidential nature;

(D) payment under a law requiring payment of the total amount of the appropriation to a designated payee; and

(E) grants to the States under the Social Security Act (42 U.S.C. 301 et seq.).

(Pub. L. 97–258, Sept. 13, 1982, 96 Stat. 931.)

HISTORICAL AND REVISION NOTES

Revised Section	*Source (U.S. Code)*	*Source (Statutes at Large)*
1516	31:665(f)(1).	R.S. § 3679(f)(1); 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. 767.

In the section, before clause (1), the word ''apportionments'' is substituted for ''apportionments and reapportionments'' because of section 1512(a)(last sentence) of the revised title. In subclause (D), the word ''law'' is substituted for ''private relief acts or other laws'' to eliminate unnecessary words.

REFERENCES IN TEXT

The Social Security Act, referred to in par. (4)(E), is act Aug. 14, 1935, ch. 531, 49 Stat. 620, as amended, which is classified generally to chapter 7 (§ 301 et seq.) of Title 42, The Public Health and Welfare. For complete classification of this Act to the Code, see section 1305 of Title 42 and Tables.

§ 1517. Prohibited obligations and expenditures

(a) An officer or employee of the United States Government or of the District of Columbia government may not make or authorize an expenditure or obligation exceeding—

(1) an apportionment; or

(2) the amount permitted by regulations prescribed under section 1514(a) of this title.

(b) If an officer or employee of an executive agency or of the District of Columbia govern-