

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

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
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 placing an order or making a contract under this section applies to the placing of the order or the making of the contract.

(d) An order placed or agreement made under this section obligates an appropriation of the ordering agency or unit. The amount obligated is deobligated to the extent that the agency or unit filling the order has not incurred obligations, before the end of the period of availability of the appropriation, in—

(1) providing goods or services; or

(2) making an authorized contract with another person to provide the requested goods or services.

(e) This section does not—

(1) authorize orders to be placed for goods or services to be provided by convict labor; or

(2) affect other laws about working funds.

(Pub. L. 97-258, Sept. 13, 1982, 96 Stat. 933; Pub. L. 98-216, § 1(2), Feb. 14, 1984, 98 Stat. 3.)

HISTORICAL AND REVISION NOTES

1982 ACT

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
1535(a)	31:686(a)(1st sentence words before 15th comma, last proviso).	Mar. 4, 1915, ch. 143, § 1(3d proviso on p. 1084), 38 Stat. 1084; May 21, 1920, ch. 194, § 7(a), 41 Stat. 613; June 30, 1932, ch. 314, § 601, 47 Stat. 417; re-stated July 20, 1942, ch. 507, 56 Stat. 661; Aug. 23, 1958, Pub. L. 85-726, § 1407, 72 Stat. 808; Aug. 6, 1981, Pub. L. 97-31, § 12(11), 95 Stat. 154; Dec. 29, 1981, Pub. L. 97-136, § 11, 95 Stat. 1707.
1535(b)	31:686(a)(1st sentence 1st proviso).	
1535(c)	31:686(a)(1st sentence words between 15th comma and 1st proviso, last sentence).	
1535(d)	31:686(c).	May 21, 1920, ch. 194, § 7(c), 41 Stat. 613; June 30, 1932, ch. 314, § 601, 47 Stat. 417; re-stated June 26, 1943, ch. 150, § 1, 57 Stat. 219.
	31:686-1.	Sept. 6, 1950, ch. 896, § 1210(last proviso), 64 Stat. 765.
1535(e)(1)	31:686b(a), (b).	June 30, 1932, ch. 314, § 602(a), (b), (c)(related to § 602), 47 Stat. 418.
1535(e)(2)	31:686b(c)(related to 31:686, 686b).	

In the section, the word “agency” is substituted for “executive department or independent establishment of the Government” for clarity. See 12 Comp. Gen. 442 (1932) and *United States v. Mitchell*, 425 F. Supp. 917 (D.D.C. 1976). The words “major organizational unit” or “unit” are substituted for “bureau or office” for consistency in the revised title. The words “to fill the order” or “filling the order” are substituted for “such requisitioned” and “as may be requisitioned” for clarity and because of the restatement. The words “goods or services” are substituted for “materials, supplies, equipment, work, or services” to eliminate unnecessary words.

In subsection (a)(4), the words “the head of the agency decides” are added, and the words “commercial enterprise” are substituted for “private agencies”, for clarity. The words “by competitive bids” are omitted as surplus because of various procurement laws.