

From the U.S. Code Online via GPO Access  
 [wais.access.gpo.gov]  
 [Laws in effect as of January 6, 1999]  
 [Document affected by Public Law 106-31 Section 5005(l)]  
 [CITE: 31USC1301]

TITLE 31--MONEY AND FINANCE  
 SUBTITLE II--THE BUDGET PROCESS  
 CHAPTER 13--APPROPRIATIONS  
 SUBCHAPTER I--GENERAL

Sec. 1301. Application

(a) Appropriations shall be applied only to the objects for which the appropriations were made except as otherwise provided by law.

(b) The reappropriation and diversion of the unexpended balance of an appropriation for a purpose other than that for which the appropriation originally was made shall be construed and accounted for as a new appropriation. The unexpended balance shall be reduced by the amount to be diverted.

(c) An appropriation in a regular, annual appropriation law may be construed to be permanent or available continuously only if the appropriation--

(1) is for rivers and harbors, lighthouses, public buildings, or the pay of the Navy and Marine Corps; or

(2) expressly provides that it is available after the fiscal year covered by the law in which it appears.

(d) A law may be construed to make an appropriation out of the Treasury or to authorize making a contract for the payment of money in excess of an appropriation only if the law specifically states that an appropriation is made or that such a contract may be made.

(Pub. L. 97-258, Sept. 13, 1982, 96 Stat. 917.)

Historical and Revision Notes

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
1301(a).....	31:628.	R.S. Sec. 3678.
1301(b).....	31:717.	Mar. 4, 1915, ch. 147, Sec. 4, 38 Stat. 1161.
1301(c).....	31:718.	Aug. 24, 1912, ch. 355, Sec. 7, 37 Stat. 487; Mar. 3, 1919, ch. 99, Sec. 6(last

---

In subsection (a), the word "Appropriations" is substituted for "sums appropriated for the various branches of expenditure in the public service" to eliminate unnecessary words. The words "they are respectively" and "and for no others" are omitted as surplus. The words "except as otherwise provided by law" are substituted for "All" in section 3678 of the Revised Statutes to inform the reader that there are exceptions to the source provisions restated in the subsection.

In subsection (c), before clause (1), the words "specific or indefinite" are omitted as surplus. The words "made subsequent to August 24, 1912" are omitted as executed. The words "without reference to a fiscal year" are omitted as surplus. In clause (1), the words "is for" are substituted for "belongs to one of the following four classes" to eliminate unnecessary words. The words "last specifically named in and excepted from the operation of the provisions of section 713 of this title" and the words related to section 5 of the Act of June 20, 1874 (31:713), in section 6(last sentence) of the Act of March 3, 1919 (ch. 99, 40 Stat. 1309), are omitted because section 5 was repealed by section 3 of the Act of July 6, 1949 (ch. 299, 63 Stat. 407).

In subsection (d), the words "passed after June 30, 1906" are omitted as executed.

#### Short Title of 1984 Amendment

Pub. L. 98-359, Sec. 1, July 13, 1984, 98 Stat. 402, provided: "That this Act [amending section 1322 of this title] may be cited as the 'Postal Savings System Statute of Limitations Act'."

#### Transfers From Appropriation Accounts; Salaries of Temporarily Reassigned Employees

Pub. L. 105-277, div. A, Sec. 101(f) [title V, Sec. 510], Oct. 21, 1998, 112 Stat. 2681-337, 2681-385, provided that: "Notwithstanding any other provision of law, hereafter--

(1) no amount may be transferred from an appropriation account for the Departments of Labor, Health and Human Services, and Education except as authorized in this or any subsequent appropriation Act, or in the Act establishing the program or

activity for which funds are contained in this Act [see Tables for classification];

“(2) no department, agency, or other entity, other than the one responsible for administering the program or activity for which an appropriation is made in this Act, may exercise authority for the timing of the obligation and expenditure of such appropriation, or for the purpose for which it is obligated and expended, except to the extent and in the manner otherwise provided in sections 1512 and 1513 of title 31, United States Code; and

“(3) no funds provided under this Act shall be available for the salary (or any part thereof) of an employee who is reassigned on a temporary detail basis to another position in the employing agency or department or in any other agency or department, unless the detail is independently approved by the head of the employing department or agency.”

Pub. L. 103-333, title V, Sec. 515, Sept. 30, 1994, 108 Stat. 2574, provided that: “Notwithstanding any other provision of law--

“(1) no amount may be transferred from an appropriation account for the Departments of Labor, Health and Human Services, and Education except as authorized in this or any subsequent appropriation act, or in the Act establishing the program or activity for which funds are contained in this Act [see Tables for classification];

“(2) no department, agency, or other entity, other than the one responsible for administering the program or activity for which an appropriation is made in this Act, may exercise authority for the timing of the obligation and expenditure of such appropriation, or for the purposes for which it is obligated and expended, except to the extent and in the manner otherwise provided in sections 1512 and 1513 of title 31, United States Code; and

“(3) no funds provided under this or any subsequent appropriation act shall be available for the salary (or any part thereof) of an employee who is reassigned on a temporary detail basis to another position in the employing agency or department or in any other agency or department, unless the detail is independently approved by the head of the employing department or agency.”

Provisions similar to those in section 515 of Pub. L. 103-333 were contained in the following appropriation acts:

Pub. L. 105-78, title V, Sec. 511, Nov. 13, 1997, 111 Stat. 1516.

Pub. L. 104-208, div. A, title I, Sec. 101(e) [title V, Sec. 509], Sept. 30, 1996, 110 Stat. 3009-233, 3009-269.

Pub. L. 104-134, title I, Sec. 101(d) [title V, Sec. 509], Apr. 26, 1996, 110 Stat. 1321-211, 1321-244; renumbered title I, Pub. L. 104-140, Sec. 1(a), May 2, 1996, 110 Stat. 1327.

## Section Referred to in Other Sections

This section is referred to in title 10 section 2633; title 40 section 481; title 42 section 9619.