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TITLE 31--MONEY AND FINANCE

SUBTITLE III--FINANCIAL MANAGEMENT

CHAPTER 33--DEPOSITING, KEEPING, AND PAYING MONEY

SUBCHAPTER II--PAYMENTS

Sec. 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.)

Historical and Revision Notes

Revised Section Source (Statutes at Large)	Source (U.S. Code)	
3324(a)..... 3648; Aug. 2, 1946, ch. 744, 11, 60 Stat. 809.	31:529(2d sentence).	R.S. Sec. Sec.
3324(b).....	31:529(1st, 3d, last sentences).	
3324(c)..... 1921, ch. 18, Sec. 304(1st par. sentence), 42 Stat. 24. 1894, ch. 174, Sec. 11(1st, 4th sentences), 28 Stat. 209.	31:44(1st sentence). 31:76(1st, last sentences).	June 10, 1st July 31,
3324(d)..... 1930, ch. 470, Sec. 1, 46 Stat. July 20, 1961, Pub. L. 87-91, Sec. Stat. 211.	31:530a. 31:530b.	June 12, 580; 1, 75 June 12,
1930, ch. 470, 46 Stat. 580, added Dec. 22, 1974, Pub. L. 93- Stat. 1731. 1926, ch. 146, Sec. 101(proviso 267), 44 Stat. 267.	 31:686-2.	Sec. 2; 534, 88 Apr. 15, on p.

In subsection (a), the words ``Except as provided in this section'' are added for clarity. The words ``already provided'' and ``already delivered'' are substituted for ``rendered . . . delivered previously to such payment'' for clarity and consistency.

In subsection (b), before clause (1), the words ``in any case'' and ``It shall, however, be lawful under the special direction of'' are omitted as surplus. In clause (2)(A)(i), the word ``official'' is substituted for ``officer'' for consistency in the revised title. The words ``of the Government'' are omitted as surplus. Clause (2)(A)(ii) is substituted for ``the public engagements'' for clarity. In clause (2)(B), the word ``individual'' is substituted for ``persons'' for consistency. The words ``armed forces'' are substituted for ``military and naval service'' for consistency with title 10. The words ``and proper'' are omitted as unnecessary. The words ``disburse regularly pay and allowances'' are substituted for ``discharge of the pay and emoluments to which they may be entitled cannot be regularly effected'' to eliminate unnecessary words, for clarity, and for consistency with title 37.

In subsection (c), the words ``Comptroller General'' are substituted for ``General Accounting Office'' for consistency.

In subsection (d), before clause (1), the words ``On and after April 15, 1926'' in 31:686-2 are omitted as executed. The word ``agency'' is substituted for ``department or establishment'' because of section 101 of the revised title and for consistency. The words ``may pay in advance from appropriations available for the purpose'' are substituted for ``may transfer in advance . . . such amounts as may be necessary to defray the expense of'' for clarity and consistency. In clause (1), the words ``Secretary of the Army'' are substituted for ``Signal Corps of the Army'' because of 10:3012. The title of Secretary of War was changed to Secretary of the Army, and the Department of War was designated the Department of the Army by section 205(a) of the Act of July 26, 1947 (ch. 343, 61 Stat. 501), and by sections 1 and 53 of the Act of August 10, 1956 (ch. 1041, 70A Stat. 157, 676). Clause (2) is substituted for 31:530a and 530b to eliminate unnecessary words. The words ``or the municipal government of the District of Columbia'' are omitted because of sections 441-445 and 736 of the Act of December 24, 1973 (Pub. L. 93-198, 87 Stat. 798, 823).

Exemption of Functions

Functions authorized by Foreign Assistance Act of 1961, as amended, as exempt, see Ex. Ord. No. 11223, May 12, 1965, 30 F.R. 6635, set out as a note under section 2393 of Title 22, Foreign Relations and Intercourse.

International Refugee Organization

Funds available for expenditure without regard to this section, see section 289c of Title 22, Foreign Relations and Intercourse.

Section Referred to in Other Sections

This section is referred to in sections 781, 3726 of this title; title 2 sections 68e, 95c, 475; title 5 sections 3381, 4109, 5923, 5924; title 7 sections 427i, 1624, 3318; title 8 section 1363a; title 10 sections 2013, 2127, 2371, 2388, 2852, 6154, 18239; title 12 sections 1701c, 1701z-2, 3012; title 15 sections 196, 634, 2056, 2451, 2609, 2626; title 16 sections 4601-1, 565a-1, 581i-1, 1645, 2107; title 18 sections 4109, 4204; title 19 sections 2076, 2080, 2081; title 20 sections 959, 2012, 2106, 4414, 4513, 5708; title 21 sections 360j, 360ii; title 22 sections 287e-1, 289c, 294, 2103, 2179; title 25 sections 3115, 3733; title 26 section 7608; title 28 sections 530C, 995; title 33 section 1254; title 37 section 1006; title 38 sections 7613, 7673; title 40 sections 590, 3502; title 42 sections 242m, 2541, 285a-2, 285b-3, 285n, 299c-4, 300c-22, 300u, 300cc-41, 1870, 2473, 3105, 4101, 4372, 7403, 7404; title 49 section 44505; title 50 sections 491, 502, 522; title 50 App. section 1918.