



A-15225

COMPTROLLER GENERAL OF THE UNITED STATES
WASHINGTON

SEP 24 1926

The Honorable

The Secretary of the Navy.

Sir:

There has been received your letter of August 30, 1926, requesting decision as to what appropriation, if any, would be available for the additional cost resulting from a proposed modification of the contract dated August 30, 1924, with

By decision of August 17, 1926, on your submission of July 28, 1926, you were advised that, upon the assumption that the project was such that the work done under the original contract would be utilized and form a part of the work to be done under the contract as proposed, the additional work could be accomplished under a modification or change in the original contract rather than by the execution of a new contract, it appearing from your former submission that the purpose of the proposed modification or supplemental contract was not to increase the number or quantity of the articles to be furnished under the original contract but to provide for certain improvements in the design thereof. Upon this understanding the original contract may be considered as having obligated the applicable appropriation under which it was made, to wit, "Aviation, Navy, 1925"

for the entire amount to be paid under the original contract and the modification or amendment thereof. See decision of the Comptroller of the Treasury, June 10, 1921, to

, U. S. Army.

In view of the provision in the act of May 28, 1924, 43 Stat. 199, that "the money herein specifically appropriated for 'Aviation' shall be disbursed and accounted for in accordance with existing laws as 'Aviation' and for that purpose shall constitute one fund," if there remains an unobligated balance in the appropriation, "Aviation, Navy, 1925," such balance may be used for authorized payments under the contract as amended or modified regardless of whether there is an unexpended balance under the specific item for continuing experiments and development work of aircraft.

Respectfully,

(Signed) J. E. MICKEL

Comptroller General
of the United States.