



COMPTROLLER GENERAL OF THE UNITED STATES  
WASHINGTON 25

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The Honorable

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The Secretary of the Interior

My dear Mr. Secretary:

Reference is made to letter dated November 6, 1951, from the Administrative Assistant Secretary of the Interior presenting a question involving the interpretation of section 1312 of the Supplemental Appropriation Act, 1952, approved November 1, 1951, 65 Stat. 750, which reads as follows:

"Sec. 1312. Personnel, and appropriations or funds available for salaries and expenses to any department, agency, or corporation in the executive branch of the Government, shall be transferred to any defense activity under the jurisdiction of such department or agency in such numbers or amounts as may be necessary for the discharge of responsibilities relating to the national defense assigned to such department, agency, or corporation by or pursuant to law."

The question presented is whether funds transferred, pursuant to the foregoing authorization, to defense activities under the jurisdiction of your Department from appropriations provided in the Interior Department Appropriation Act, 1952, 65 Stat. 250, may be expended in accordance with the terms of the appropriation to which the transfers are made and without regard to the limitations applying to the appropriation from which transferred. It is stated that since funds transferred pursuant to the authority quoted would be merged with the appropriation for defense production

activities and would be used in the discharge of defense production responsibilities as distinguished from transfers or advances of funds which might be made under other authority to carry out functions for which the funds were originally appropriated, it would appear that the terms of the defense production appropriation should apply to funds transferred thereto under the provisions of section 1312.

While section 1312, supra, authorizes the transfer of appropriations or funds from a regular activity to a defense activity of an agency when necessary for the discharge of responsibilities relating to the national defense assigned to such agency, any transfer when accomplished, in effect, would constitute a reappropriation of such moneys for such purposes. See 18 Comp. Gen. 564. Under the circumstances, funds so transferred become divorced from other funds appropriated for regular activities and thereafter are available for the same objects and purposes and subject to the same limitations as the appropriation for defense production activities.

Accordingly, you are advised that funds transferred pursuant to section 1312, supra, to defense activities under the jurisdiction of the Department of the Interior are for expenditure in accordance with the terms of the appropriation to which transferred.

Sincerely yours,

(Signed) Frank L. Yates

Acting Comptroller General  
of the United States