

COMPTROLLER GENERAL OF THE UNITED STATES
WASHINGTON 25

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JUN 16 1948

The Secretary,
Smithsonian Institution.

Dear Mr. Wetmore:

Reference is made to the Acting Secretary's letter of April 20, 1948, as follows:

"Executive Order 9912, approved by the President December 24, 1947, established the Interdepartmental Committee on Scientific Research and Development.

"Section 213 of the Independent Offices Appropriation Act, 1945, approved June 27, 1944, states:

"After January 1, 1945, no part of any appropriation or fund made available by this or any other Act shall be allotted or made available to, or used to pay the expenses of, any agency or instrumentality including those established by Executive order after such agency or instrumentality has been in existence for more than one year, if the Congress has not appropriated any money specifically for such agency or instrumentality or specifically authorized the expenditure of funds by it."

"Section 214 of the Independent Offices Appropriation Act, 1946, approved May 3, 1945, states:

"Hereafter appropriations of the executive departments and independent establishments of the Government shall be available for the expenses of committees, boards, or other interagency groups engaged in authorized activities of common interest to such departments and establishments and composed in whole or in part of representatives thereof who receive no additional compensation by virtue of such membership; Provided, that employees of such departments and establishments rendering service for such committees, boards, or other groups, other than as representatives shall receive no additional compensation by virtue of such service."

Your opinion is respectfully requested as to whether or not the language contained in Section 214, Independent Offices Appropriation

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Act, 1946, removes the limitation upon the availability of funds for said authorized agency which availability, by Section 213, Independent Offices Appropriation Act, 1945, is limited to one year after date of establishment by Executive order."

Both the language and the legislative history of the said section 214 of the Independent Offices Appropriation Act, 1946, 59 Stat. 134, indicate that it was intended as an amendment of section 213 of the Independent Offices Appropriation Act, 1945, 58 Stat. 387. In this connection, see House Report No. 54, 79th Congress, accompanying H.R. 1984—which became the said appropriation act of 1946—at page 19 of which report is a statement that the said section 214 was proposed as a specific amendment of section 213 of the Independent Offices Appropriation Act, 1945.

In view of the foregoing, the question presented in the final paragraph of your letter is answered in the affirmative.

Respectfully,
(Signed) Lindsay C. Warren

Comptroller General
of the United States.