11645), a point of order was raised against the following provision:

The Clerk read as follows:

Salaries and expenses, Mexican farm labor program

For expenses, not otherwise provided for, necessary to carry out the functions of the Department of Labor under the act of July 12, 1951, as amended, $1,550,000, to be derived by transfer from the farm labor supply revolving fund: *Provided,* That reimbursement to the United States under agreements hereafter entered into pursuant to section 502 of the act of July 12, 1951, as amended, shall include all expenses of program operations except those compliance activities separately provided for herein.

MR. [WILLIAM R.] POAGE [of Texas]: Mr. Chairman, I make the point of order that this is legislation on an appropriation bill. . . .

THE CHAIRMAN:[2] Does the gentleman from Rhode Island desire to be heard on the point of order?

MR. [JOHN E.] FOGARTY [of Rhode Island]: Mr. Chairman, we must concede the point of order.

THE CHAIRMAN: The point of order is sustained.

§ 29. Transfer of Funds Within Same Bill

Transfers of appropriations within the confines of the same bill are normally considered in order on a general appropriation bill if not accompanied by legislative language.

Bestowing New Authority on Bureau of the Budget

§ 29.1 Language in a general appropriation bill authorizing the Secretary of Labor to allot or transfer, with the approval of the Director of the Budget, funds from a certain appropriation in the bill to any bureau of the Department of Labor, to enable such agency to perform certain services, was held to be legislation and not in order on a general appropriation bill.

On Jan. 20, 1939,[3] the Committee of the Whole was considering H.R. 2868, a deficiency appropriation bill. The Clerk read a paragraph providing an appropriation for the Department of Labor, Wage and Hour Division, which contained the following proviso:

Provided, That the Secretary of Labor may allot or transfer, with the approval of the Director of the Bureau of the Budget, funds from this appropriation to any bureau or office of the

2. Eugene J. Keogh (N.Y.).

3. 84 CONG. REC. 591, 592, 76th Cong. 1st Sess.

Department of Labor to enable such agency to perform services for the Wage and Hour Division.

MR. [JOHN] TABER [of New York]: Mr. Chairman, I make a point of order against the proviso beginning in line 3, page 5, and including the rest of the section on the ground that it is legislation on an appropriation bill that imposes additional duties upon the Bureau of the Budget.

THE CHAIRMAN:[4] Does the gentleman from Virginia desire to be heard on the point of order?

MR. [CLIFTON A.] WOODRUM of Virginia: No.

THE CHAIRMAN: The Chair sustains the point of order.

In General; Permissive Authority to Transfer Indefinite Amount

§ 29.2 On one occasion, a provision in a general appropriation bill which permitted the transfer to an appropriation therein of amounts contained in other items in that bill, while not constituting a reappropriation proscribed by Rule XXI clause 6 (then clause 5), was conceded to be in violation of the rules (as legislative in character) and was therefore ruled out on a point of order.

On June 4, 1971,[5] during consideration in the Committee of the Whole of the legislative branch appropriation bill (H.R. 8825), a point of order was raised against the following provision:

GOVERNMENT CONTRIBUTIONS

For contributions to employees life insurance fund, retirement fund, and health benefits fund, as authorized by law, $5,245,000, and in addition, such amount as may be necessary may be transferred from the preceding appropriation for "miscellaneous items".

MR. [H. R.] GROSS [of Iowa]: Mr. Chairman, I make a point of order against the language to be found on page 6, line 7, after the figure "$5,245,000." It is this language:

> And in addition, such amount as may be necessary may be transferred from the preceding appropriation for "miscellaneous items".

Mr. Chairman, I make a point of order against this language on the grounds that it is legislation on an appropriation bill.

THE CHAIRMAN:[6] Does the gentleman from Alabama desire to be heard on the point of order?

MR. [GEORGE W.] ANDREWS of Alabama: Mr. Chairman, I will say to the gentleman from Iowa this is merely a facilitating provision. This is an amount that must be paid. It is subject to a point of order, but it is going to be paid one way or the other, because it is provided by law for Government contributions. We have no way of determining precisely what amount will be needed.

Some Members have 15 employees. Some have 16. Some have four or five.

4. Wall Doxey (Miss.).

5. 117 CONG. REC. 18039, 92d Cong. 1st Sess.

6. John M. Murphy (N.Y.).

Regardless of the amount, it has to be paid.

MR. GROSS: Then I submit, Mr. Chairman, the Members of the House have no way of knowing what constitutes "miscellaneous items."

MR. ANDREWS of Alabama: It refers to the "preceding appropriation for 'miscellaneous items'." This is transfer authority. That is what it amounts to.

Does the gentleman insist on his point of order?

MR. GROSS: Yes, Mr. Chairman; I insist on the point of order.

MR. ANDREWS of Alabama: Mr. Chairman, we concede the point of order.

THE CHAIRMAN: Does the gentleman from Alabama concede the point of order?

MR. ANDREWS of Alabama: We do, Mr. Chairman.

THE CHAIRMAN: The point of order is sustained.

Transfer of Funds to Account in Bill

§ 29.3 A provision in an appropriation bill that the Secretary may transfer funds, from appropriations available for authorized activities of the Department of Agriculture, for use in formulating programs for such authorized activities, was held in order.

On Mar. 25, 1939,[7] the Committee of the Whole was considering H.R. 5269, an Agriculture Department appropriation bill. Proceedings were as follows:

Economic investigations: For acquiring and diffusing useful information among the people of the United States, and for aiding in formulating programs for authorized activities of the Department of Agriculture, relative to agricultural production, distribution, land utilization, and conservation in their broadest aspects, including farm management and practice, utilization of farm and food products, purchasing of farm supplies, farm population and rural life, farm labor, farm finance, insurance and taxation, adjustments in production to probable demand for the different farm and food products; land ownership and values, costs, prices, and income in their relation to agriculture, including causes for their variations and trends, $839,100: Provided, That the Secretary may transfer to this appropriation from the funds available for authorized activities of the Department of Agriculture such sums as may be necessary for aiding in formulating programs for such authorized activities, including expenditures for employment of persons and means in the District of Columbia and elsewhere. . . .

MR. [JOHN] TABER [of New York]: Mr. Chairman, I renew the point of order [that the provision] is legislation

7. 86 CONG. REC. 3306, 3307, 76th Cong. 1st Sess. Admistinction may be made between actual permissible transfer of funds and the conferral of a general discretionary authority to make transfers which might be impermissible if having reference to transfer of funds not contained within the same bill.

upon an appropriation bill and a delegation to the Secretary of authority to transfer funds, and delegates to or requires of the Secretary of Agriculture additional duties in violation of the rules. . . .

MR. [CLARENCE] CANNON of Missouri: Mr. Chairman, no funds are affected here except funds which have been appropriated by Congress, and the Secretary of Agriculture under the terms of the organic law is authorized to administer the Department, and he may, as administrator of that Department at any time transfer such funds from one activity to another. The point of order is not well taken, Mr. Chairman, the appropriation is for the use of the Secretary of Agriculture in the discharge of his official duties, as provided by law. . . .

THE CHAIRMAN:[8] . . . The first point of order made by the gentleman from New York [Mr. Taber] is overruled because an examination of section 511 of title 5 of the United States Code discloses that it is certainly in order. The last part is related to the transfer of funds. The Chair quotes from Cannon's Precedents, volume VII, section 1470, the following:

> A proposition to transfer funds from one department of the Government to another for purposes authorized by law was held not to involve legislation and to be in order in an appropriation bill.

The gentleman makes the point of order that it is legislation in an appropriation bill. The point of order is overruled.

Granting Transfer Authority

§ 29.4 Language in the District of Columbia appropriation bill authorizing the commissioners to transfer money from a specific appropriation to another appropriation was held to be legislative in nature and not in order on an appropriation bill.

On Apr. 2, 1937,[9] during consideration in the Committee of the Whole of the District of Columbia appropriation bill, a point of order was raised against the following provision:

The Clerk read as follows:

POLICE COURT

> Salaries: For personal services, $107,030: *Provided* That upon occupancy of the new police court building the Commissioners are authorized to transfer such part of this appropriation for payment of custodial employees as may be necessary to the appropriation in this act for "Care of the District Buildings."—

MR. [JACK] NICHOLS [of Oklahoma]: Mr. Chairman, I make the point of order on the language contained in the paragraph beginning in line 22 of page 48, after the "$107,030", which reads:

> *Provided*, That upon occupancy of the new police court building the Commissioners are authorized to transfer such part of this appropriation for payment of custodial employees as may be necessary to the appropriation in this act for "Care of the District buildings"—

That it is legislation and changes existing law. . . .

8. Wright Patman (Tex.).

9. 81 CONG. REC. 3108, 3109, 75th Cong. 1st Sess.

THE CHAIRMAN:[10] Does the gentleman from Mississippi desire to be heard on the point of order?

MR. [ROSS A.] COLLINS [of Mississippi]: I do not, Mr. Chairman.

THE CHAIRMAN: The gentleman from Oklahoma makes a point of order against the proviso on page 48, line 22, which reads:

> *Provided*, That upon occupancy of the new police-court building the Commissioners are authorized to transfer such part of this appropriation for payment of custodial employees as may be necessary to the appropriation in this act for "Care of the District buildings."

This provision seeks to authorize the Commissioners of the District of Columbia to transfer funds appropriated for one specific purpose to another purpose, and, apparently, seeks also to impose an additional duty on the Commissioners. Therefore, it is legislation on a general appropriation bill, and the Chair sustains the point of order.

Limiting Amounts Transferred Within Accounts in Bill

§ 29.5 A general provision in an appropriation bill permitting transfers of sums appropriated therein from one subhead to another in the same enactment was held not to constitute legislation.

On June 29, 1959,[11] during consideration in the Committee of the Whole of a supplemental appropriation bill (H.R. 7978), a point of order was raised against the following provision:

The Clerk read as follows:

GENERAL PROVISIONS

> Not to exceed 5 per centum of any appropriation made available to the National Aeronautics and Space Administration by this Act may be transferred to any other such appropriation, but the "Salaries and expenses" appropriation shall not be thereby increased.

MR. [H. R.] GROSS [of Iowa]: Mr. Chairman, a point of order.

THE CHAIRMAN:[12] The gentleman will state it.

MR. GROSS: Mr. Chairman, I make a point of order against the language on page 5, lines 17 to 21, inclusive, as being legislation on an appropriation bill.

THE CHAIRMAN: Does the gentleman from Texas desire to be heard on the point of order?

MR. [ALBERT] THOMAS [of Texas]: Yes, Mr. Chairman. We think this is not legislation. It refers entirely to funds within this bill. It starts off as a limitation and applies only to funds in this bill.

MR. [BEN F.] JENSEN [of Iowa]: Mr. Chairman, will the gentleman yield?

MR. THOMAS: I yield to my friend from Iowa.

MR. JENSEN: This is nothing more nor less than a limitation on an appropriation bill.

THE CHAIRMAN: The Chair is prepared to rule. The gentleman from

10. Jere Cooper (Tenn.).

11. 105 CONG. REC. 12131, 86th Cong. 1st Sess.

12. Paul J. Kilday (Tex.).

Iowa [Mr. Gross] makes a point of order against that portion of the bill appearing on page 5, lines 17 through 21, that it constitutes legislation on an appropriation bill. It appears to the Chair that the transfer applies to funds only within this bill, that it is not legislation on an appropriation bill, and overrules the point of order.

§ 29.6 An amendment to a title of an appropriation bill providing that not to exceed five percent of any appropriation in the title may be transferred to any other appropriation therein, but no such appropriation shall be increased by more than five percent by any such transfer was held not to constitute legislation.

On Apr. 25, 1950,[13] the Committee of the Whole was considering H.R. 7786, the Labor Department and Federal Security Agency chapter of the general appropriation bill for 1951. The Clerk read as follows:

Amendment offered by Mr. [John E.] Fogarty [of Rhode Island]: On page 124, line 13, insert "Sec. 106. Not to exceed 5 percent of any appropriation in this title may be transferred to any other such appropriation, but no such appropriation shall be increased by more than 5 percent by any such transfer: *Provided*, That no such transfer shall be used for creation of new functions within the Department."

MR. [JOHN] TABER [of New York]: Mr. Chairman, a point of order.

THE CHAIRMAN:[14] The gentleman will state it.

MR. TABER: Mr. Chairman, this is legislation upon an appropriation bill in that it gives authority to somebody else to perform a budgetary act in a department. It goes beyond the pale of a direct appropriation or a limitation and it gives authority to the department to transfer funds. That authority does not exist without this language and it is clearly a delegation of additional duties to the department that do not already exist. . . .

THE CHAIRMAN: The Chair is prepared to rule. The gentleman from Rhode Island has offered an amendment which has been reported. The gentleman from New York has made a point of order against the amendment on the ground that it is legislation on an appropriation bill in violation of the rules of the House.

The Chair has examined the amendment offered by the gentleman from Rhode Island and has listened to the argument presented by the gentleman from New York. The Chair is of the opinion that the language contained in this amendment does not constitute legislation, and invites attention to section 1468 of Cannon's Precedents, volume 7, in which it is stated:

> A proposition to transfer a sum previously appropriated from one subhead to another in the same enactment was held not to constitute legislation.

There are quite a number of decisions cited in approval of that holding.

13. 96 CONG. REC. 5732, 81st Cong. 2d Sess.

14. Jere Cooper (Tenn.).

Therefore the Chair overrules the point of order.

29.7 Language in a general appropriation bill permitting appropriations to be used interchangeably among several offices with approval of the Bureau of the Budget provided that no office exceed the amount appropriated for it by more than a designated percentage, was held to be legislative in character.

On Mar. 16, 1945,[15] during consideration in the Committee of the Whole of a general appropriation bill (H.R. 2603), a point of order was raised against the following provision, and proceedings ensued as indicated below:

> Not to exceed 5 percent of the foregoing appropriations for personal services shall be available interchangeably, subject to the approval of the Bureau of the Budget, for expenditures in the various offices and divisions named, but not more than 5 percent shall be added to the amount appropriated for any one of said offices or divisions and any interchange of appropriations hereunder shall be reported to Congress in the annual Budget, and not to exceed $250,000 of said appropriations shall be available for the employment, on duties properly chargeable to each of said appropriations, of special assistants to the Attorney General without regard to the Classification Act of 1923, as amended.
>
> MR. [ROBERT F.] JONES [of Ohio]: Mr. Chairman, I make a point of order against the language on page 36 beginning with line 23 and continuing to the end of the page, and on page 37, the first 10 lines, inclusive, on the ground that it is legislation on an appropriation bill not provided for by law.
>
> MR. [LOUIS C.] RABAUT [of Michigan]: Mr. Chairman, I concede the point of order. It has been in the bill for many years, however.
>
> THE CHAIRMAN:[16] The point of order is sustained.

Parliamentarian's Note: The language in this paragraph giving approval authority to the Bureau of the Budget, requiring reporting to Congress, and waiving the Classification Act of 1923 was clearly legislation.

Interchange of Appropriations

§ 29.8 Language in an appropriation bill permitting interchange of appropriations in the bill for purposes authorized by law was in order on an appropriation bill.

On Mar. 28, 1939,[17] the Committee of the Whole was considering H.R. 5269, an Agriculture

15. 91 CONG. REC. 2353, 79th Cong. 1st Sess.

16. Wilbur D. Mills (Ark.).

17. 84 CONG. REC. 3458, 3459, 76th Cong. 1st Sess.

Department appropriation bill. The Clerk read as follows:

INTERCHANGE OF APPROPRIATIONS

Not to exceed 5 percent of the foregoing amounts for the miscellaneous expenses of the work of any bureau, division, or office herein provided for shall be available interchangeably for expenditures on the objects included within the general expenses of such bureau, division, or office, but not more than 5 percent shall be added to any one item of appropriation except in cases of extraordinary emergency.

MR. [JOHN] TABER [of New York]: Mr. Chairman, I make the point of order against the paragraph that it is legislation on an appropriation bill and delegates authority and requires the performance of further duties on the part of the Secretary of Agriculture.

MR. [CLARENCE] CANNON of Missouri: Mr. Chairman, the Chair ruled on that point of order when a similar provision was before the Committee Friday.

THE CHAIRMAN:[18] On a number of occasions a similar point of order has been overruled. The Chair overrules the point of order.

Restrictions on Transfers Between Accounts in Paragraph

§ 29.9 A provision restricting the amount which could be transferred between accounts under that paragraph was held in order as a limitation.

On Aug. 1, 1973,[19] during consideration in the Committee of the Whole of a general appropriation bill (H.R. 9590), a point of order was raised against the proviso in the following paragraph:

PROPERTY MANAGEMENT AND DISPOSAL SERVICE

OPERATING EXPENSES

For expenses, not otherwise provided for, necessary for carrying out the functions of the Administrator with respect to the utilization of excess property; the disposal of surplus property; the rehabilitation of personal property . . . the supplemental stockpile established by section 104(b) of the Agricultural Trade Development and Assistance Act of 1954 (68 Stat. 456, as amended by 73 Stat. 607); including services as authorized by 5 U.S.C. 3109 and reimbursement for security guard services, $33,000,000, to be derived from proceeds from transfers of excess property, disposal of surplus property, and sales of stockpile materials . . . *Provided further*, That none of the funds available under this heading shall be available for transfer to any other account nor for the funding of any activities other than those specifically authorized under this heading.

MR. [JOHN D.] DINGELL [of Michigan]: Mr. Chairman, a point of order.

THE CHAIRMAN:[20] The gentleman will state it.

After points of order had been conceded with respect to other language in the paragraph (omit-

18. Wright Patman (Tex.).

19. 119 CONG. REC. 27288, 27289, 93d Cong. 1st Sess.

20. Richard Bolling (Mo.).

ted here),[1] the following colloquy occurred:

MR. [THOMAS J.] STEED [of Oklahoma]: Mr. Chairman, the points of order made against the language are conceded down to line 7, page 23, but the language of that "*Provided further,*" is a simple limitation on an appropriation bill and is not subject to a point of order.

THE CHAIRMAN: The Chair agrees with the gentleman from Oklahoma.

The various points of order that are conceded are sustained, and that language is stricken. The language:

> *Provided further,* That none of the funds available under this heading shall be available for transfer to any other account nor for the funding of any activities other than those specifically authorized under this heading.

Which is a proper limitation and appears beginning in line 7, page 23, through line 10, remains in the bill, since the point of order has not been made against the entire paragraph.

1. Points of order were directed against provisions in a paragraph of the appropriation bill (1) authorizing the General Services Administration to acquire lease-hold interests in property; (2) removing limitations imposed by law on the value of surplus strategic materials which may be transferred without reimbursement to the national stockpile; and (3) authorizing materials in certain stockpiles and inventories to be available without reimbursement for transfer to contractors as payment for expenses. These provisions were conceded to be legislation and were stricken from the bill.

See § 38.7, infra, for more detailed treatment of the points of order.

Unallocated Funds in Pending Bill

§ 29.10 To a general appropriation bill making appropriations for certain public works, an amendment providing that a particular authorized project should be financed out of "any available unallocated funds contained in this act" was held to be in order.

On June 5, 1959,[2] during consideration in the Committee of the Whole of a bill (H.R. 7509), making appropriations for the civil functions of the Department of the Army, a point of order was raised against the following amendment:

MR. [ROBERT L.F.] SIKES [of Florida]: Mr. Chairman, I offer an amendment.

The Clerk read as follows:

> Amendment offered by Mr. Sikes: On page 4, line 16, strike out the period, add a semicolon and the words "*Provided further,* That the improvement of the Escambra River, Fla., according to authorized specification may be undertaken with any available unallocated funds contained in this act." . . .

MR. [JOHN] TABER [of New York]: Mr. Chairman, I make the point of order against the amendment that it

2. 105 CONG. REC. 10054, 10055, 86th Cong. 1st Sess.

changes existing law. It attempts to control funds that have been appropriated in previous acts in a way that is different from the way those acts now stand and as those old appropriations stood.

THE CHAIRMAN:[3] The Chair would like to be informed as to whether or not the particular project referred to in the amendment offered by the gentleman from Florida is authorized by law.

MR. TABER: That I do not know.

MR. SIKES: May I respectfully state, Mr. Chairman, that the project is authorized by law. It was carried in the last rivers and harbors omnibus bill, which was signed by the President, and I am informed the number of that law is 500 of the 85th Congress. I further point out that this is permissive and as such would not constitute legislation upon an appropriation bill.

MR. TABER: The previous act carried a provision "to remain available until expended." This particular amendment would mean that they would be using it for something that was not in the original bill, and that would result in a change in existing law That is the idea that I had in making the point of order.

THE CHAIRMAN: The Chair is prepared to rule.

Apparently the gentleman from New York is not making the point of order on whether or not the project is authorized. The Chair has been informed by the gentleman from Florida that the project is authorized by law.

Insofar as the point of order made by the gentleman from New York is concerned, the Chair overrules the point of order because this language is quite specific in that it makes available unallocated funds contained in this act, the act now being debated before the committee, and does not affect heretofore made appropriations.

3. Hale Boggs (La.).

Discretionary Transfer of Funds

§ 29.11 Language in an appropriation bill making an appropriation for specific objects "together with such amounts (transferred) from other appropriations . . . as may be determined by the Secretary," was held to be legislation on an appropriation bill and not in order.

On May 17, 1951,[4] during consideration in the Committee of the Whole of the Agriculture Department appropriation bill (H.R. 3973), a point of order was raised against the following provision:

The Clerk read as follows:

OFFICE OF INFORMATION

For necessary expenses in connection with the publication . . . and distribution of bulletins, documents, and reports, the preparation, distribution, and display of agricultural motion and sound pictures . . . and the coordination of informational work and programs authorized by Congress in the Department, $1,271,000, together with such

4. 97 CONG. REC. 5468, 5469, 82d Cong. 1st Sess.

amounts from other appropriations or authorizations as are provided in the schedules in the budget for the current fiscal year for such expenses, which several amounts or portions thereof, as may be determined by the Secretary, not exceeding a total of $16,200, shall be transferred to and made a part of this appropriation, of which total appropriation amounts not exceeding those specified may be used for the purposes enumerated as follows: For preparation and display of exhibits, $104,725. . . .

MR. [KENNETH B.] KEATING [of New York]: Mr. Chairman, I make a point of order against the language in lines 4 to 9, inclusive, page 46, on the ground that it involves additional duties on the part of the Secretary of Agriculture.

THE CHAIRMAN:[5] Does the gentleman from Mississippi care to be heard on the point of order?

MR. [JAMIE L.] WHITTEN [of Mississippi]: Mr. Chairman, we concede the point of order.

THE CHAIRMAN: The point of order is sustained.

Transfer With Approval of Committee on Appropriations

§ 29.12 A paragraph in a general appropriation bill authorizing the transfer of funds within an appropriation for allowances and expenses, with the approval of the Committee on Appropriations, was conceded to constitute legislation in violation of Rule XXI clause 2 and was stricken from the bill on a point of order.

On Mar. 16, 1977,[6] during consideration in the Committee of the Whole of H.R. 4877 (supplemental appropriation bill), a point of order was sustained against a provision in the bill, as follows:

The Clerk read as follows:

Such amounts as deemed necessary for the payment of allowances and expenses within this appropriation may be transferred among accounts upon approval of the Committee on Appropriations of the House of Representatives.

MR. [ROBERT E.] BAUMAN [of Maryland]: Mr. Chairman, I make a point of order against the language on page 29, lines 17 through 20, inclusive, on the grounds that the language as it is written constitutes legislation on an appropriation bill.

In previous instances where an appropriation bill has contained similar language—and I emphasize the word "similar"—the Chair has held that it is permissible to allow language that would transfer appropriations from one subhead to another in the same enactment.

The language before us, if it is read carefully, makes it rather clear that what is being permitted is the transfer of amounts, and they may be transferred, as the language says, among accounts upon approval.

It is not in fact an authorization to transfer amongst the various moneys in this bill, but in fact could be used to

5. Aime J. Forand (R.I.).

6. 123 CONG. REC. 7747, 95th Cong. 1st Sess.

authorize the transfer of previously appropriated amounts not in this bill.

Therefore, it exceeds the authority of the committee to in fact consider it. . . .

MR. [GEORGE E.] SHIPLEY [of Illinois] . . . The committee will concede the point of order.

THE CHAIRMAN:[7] The gentleman from Illinois [Mr. Shipley] concedes the point of order. Therefore, the Chair sustains the point of order raised by the gentleman from Maryland [Mr. Bauman] and the language is stricken from the bill.

§ 30. Transfer of Funds Not Limited to Same Bill

Section 139(c) of the Legislative Reorganization Act of 1946, later incorporated into the standing rules as clause 5 (now clause 6) of Rule XXI in 1953, sought to prohibit inclusion in general appropriation bills of reappropriations, which were understood to be legislative methods (1) for making an appropriation available after the period in which it may be obligated has expired, or (2) for transferring to a given appropriation an amount not needed in another appropriation. See Chapter 25, § 3, supra, for further discussion of decisions involving reappropriations of unexpended balances on general appropriation bills. In that section, the emphasis is on the prohibition against reappropriations, while in the precedents cited in this section, the Chair's rulings focus on the proposed language as changing existing law. This section includes rulings wherein the Chair has relied upon both clauses 2 and 6 of Rule XXI to rule out provisions which sought to authorize the transfer of previously appropriated funds into new accounts (see §§ 30.17, 30.19, and 30.20, infra).

Prior to enactment of the Legislative Reorganization Act of 1946, provisions which reappropriated in a direct manner unexpended balances and continued their availability for the same purpose for an extended period of time were not prohibited by Rule XXI because they were not deemed to change existing law by conferring new authority (see, e.g., 4 Hinds' Precedents § 3592; 7 Cannon's Precedents § 1152; Ch. 25, § 3.14, supra). Indeed, some precedents indicated that provisions in or amendments to general appropriation bills were in order which not only constituted reappropriations of unexpended balances, but which conferred new authority on federal officials to expend such balances for purposes different from those for which originally appropriated. (See, e.g., 4 Hinds'

7. Walter Flowers (Ala.).