H. R. 810

To grant the Secretary of Defense the authority to transfer funding under a continuing resolution, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

February 25, 2013

Ms. HANABUSA introduced the following bill; which was referred to the Committee on Appropriations, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

A BILL

To grant the Secretary of Defense the authority to transfer funding under a continuing resolution, and for other purposes.

1 Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

3 SECTION 1. FINDINGS.

4 Congress finds the following:

5 (1) On September 14, 2010, Secretary of Defense Robert M. Gates outlined an efficiencies initiative relating to contracting for goods and services by
the Department of Defense, designed to save the Department $100 billion over the next five years.

(2) On January 26, 2012, Secretary of Defense Leon Panetta announced that the Department of Defense was on the path to save $259 billion over the next 5 years and $487 billion over the next 10. Secretary Panetta called the budget “a balanced, complete package” that keeps the American military the preeminent force in the world.

(3) On February 13, 2012, Assistant Secretary of Defense Ashton Carter, along with the Joint Chiefs of Staff, testified to the House Armed Services Committee that, if limitations on the transfer of funds were lifted in the Continuing Appropriations Resolution (Public Law 112–175), significant shortfalls in the Operations & Maintenance accounts of their respective services could be alleviated.

SEC. 2. REPORT FROM SECRETARY OF DEFENSE TO CONGRESS.

(a) IN GENERAL.—Not later than 30 days after the date of enactment of this Act, the Secretary shall submit to the congressional defense committees a report containing the following:

(1) A detailed outline of—
(A) the efficiencies initiative announced by
the Secretary on September 14, 2010, relating
to contracting for goods and services by the De-
partment of Defense; and

(B) the budget initiate announced by the
Secretary on January 26, 2012.

(2) A detailed accounting of how the initiatives
described in paragraph (1) are being used to con-
form with the discretionary spending limit for the
security category in fiscal year 2013 in section
251(c)(2)(A) of the Balanced Budget and Emer-

(3) A detailed accounting of how the initiatives
described in paragraph (1) will be used to conform
with the discretionary spending limit for the security
category for each of fiscal years 2014 through 2021
in section 251(c)(2) of such Act.

(b) COORDINATION.—For purposes of providing the
information required under subsections (a)(2) and (a)(3),
the Secretary shall coordinate with the heads of the other
agencies covered by the security category.

SEC. 3. TRANSFER AUTHORITY FOR DEPARTMENT OF DE-
FENSE UNDER A CONTINUING RESOLUTION.

(a) IN GENERAL.—The Secretary may transfer
amounts made available to the Department of Defense by
a continuing resolution among accounts of the Department of Defense

(b) LIMITATION.—In the event of a transfer under subsection (a), the total amount in any account of the Department of Defense that is available for obligation in fiscal year 2013 may not exceed the amount authorized to be appropriated for the account for fiscal year 2013 by applicable provisions of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239).

(c) SUBSEQUENT APPROPRIATIONS ACT.—In the event that a regular appropriations Act for the Department of Defense is enacted for fiscal year 2013, the transfer authority provided under this section shall have no force or effect.

(d) NOTICE TO CONGRESS.—Not later than 15 days before any transfer under subsection (a), the Secretary shall submit to the congressional defense committees a report setting forth a description of the transfer, including the amount of the transfer and the accounts from and to which the funds were transferred.

(e) TRANSFER SUBJECT TO NOTIFICATION REQUIREMENTS.—In addition to the notice required under subsection (d), a transfer under subsection (a) shall be subject to the applicable notification requirements for reprogramming in division A of Public Law 112–74.
SEC. 4. DEFINITIONS.

In this Act—

(1) the term “congressional defense committees” has the meaning given that term in section 101(a)(16) of title 10, United States Code;

(2) the term “Secretary” means the Secretary of Defense; and

(3) the term “security category” has the meaning given that term in section 250(c)(4)(B) of the Balanced Budget and Emergency Deficit Control Act of 1985.