

113TH CONGRESS
1ST SESSION

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 Representa-*
2 *tives 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 De-
6 fense Robert M. Gates outlined an efficiencies initia-
7 tive relating to contracting for goods and services by

1 the Department of Defense, designed to save the De-
2 partment \$100 billion over the next five years.

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

10 (3) On February 13, 2012, Assistant Secretary
11 of Defense Ashton Carter, along with the Joint
12 Chiefs of Staff, testified to the House Armed Serv-
13 ices Committee that, if limitations on the transfer of
14 funds were lifted in the Continuing Appropriations
15 Resolution (Public Law 112–175), significant short-
16 falls in the Operations & Maintenance accounts of
17 their respective services could be alleviated.

18 **SEC. 2. REPORT FROM SECRETARY OF DEFENSE TO CON-**

19 **GRESS.**

20 (a) IN GENERAL.—Not later than 30 days after the
21 date of enactment of this Act, the Secretary shall submit
22 to the congressional defense committees a report con-
23 taining the following:

24 (1) A detailed outline of—

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

5 (B) the budget initiative announced by the
6 Secretary on January 26, 2012.

7 (2) A detailed accounting of how the initiatives
8 described in paragraph (1) are being used to con-
9 form with the discretionary spending limit for the
10 security category in fiscal year 2013 in section
11 251(c)(2)(A) of the Balanced Budget and Emer-
12 gency Deficit Control Act of 1985.

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

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

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

24 (a) IN GENERAL.—The Secretary may transfer
25 amounts made available to the Department of Defense by

1 a continuing resolution among accounts of the Depart-
2 ment of Defense

3 (b) LIMITATION.—In the event of a transfer under
4 subsection (a), the total amount in any account of the De-
5 partment of Defense that is available for obligation in fis-
6 cal year 2013 may not exceed the amount authorized to
7 be appropriated for the account for fiscal year 2013 by
8 applicable provisions of the National Defense Authoriza-
9 tion Act for Fiscal Year 2013 (Public Law 112–239).

10 (c) SUBSEQUENT APPROPRIATIONS ACT.—In the
11 event that a regular appropriations Act for the Depart-
12 ment of Defense is enacted for fiscal year 2013, the trans-
13 fer authority provided under this section shall have no
14 force or effect.

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

21 (e) TRANSFER SUBJECT TO NOTIFICATION REQUIRE-
22 MENTS.—In addition to the notice required under sub-
23 section (d), a transfer under subsection (a) shall be subject
24 to the applicable notification requirements for reprogram-
25 ming in division A of Public Law 112–74.

1 **SEC. 4. DEFINITIONS.**

2 In this Act—

3 (1) the term “congressional defense commit-
4 tees” has the meaning given that term in section
5 101(a)(16) of title 10, United States Code;

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

8 (3) the term “security category” has the mean-
9 ing given that term in section 250(c)(4)(B) of the
10 Balanced Budget and Emergency Deficit Control
11 Act of 1985.

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