

mitted under subsection (a). The Secretary shall conduct periodic briefings for the Comptroller General on the information covered by each report required under subsection (a) and provide to the Comptroller General access to the data and preliminary results to be used by the Secretary in preparing each such report before the Secretary submits the report to enable the Comptroller General to conduct each review required under paragraph (1) in a timely manner.

(3) The requirement to conduct a review under this subsection shall terminate on September 30, 2015.

(Added Pub. L. 110-181, div. A, title III, §352(a), Jan. 28, 2008, 122 Stat. 71; amended Pub. L. 112-81, div. A, title III, §341(b), Dec. 31, 2011, 125 Stat. 1369.)

AMENDMENTS

2011—Subsec. (a)(7) to (12). Pub. L. 112-81 added pars. (7) to (12).

CHAPTER 133—FACILITIES FOR RESERVE COMPONENTS

Sec. 2231. Reference to chapter 1803.

PRIOR PROVISIONS

A prior chapter 133 was transferred to end of part V of subtitle E of this title and renumbered chapter 1803.

§ 2231. Reference to chapter 1803

Provisions of law relating to facilities for reserve components are set forth in chapter 1803 of this title (beginning with section 18231).

(Added Pub. L. 103-337, div. A, title XVI, §1664(b)(11), Oct. 5, 1994, 108 Stat. 3011.)

PRIOR PROVISIONS

Prior sections 2231 to 2239 were renumbered sections 18231 to 18239 of this title, respectively.

EFFECTIVE DATE

Section effective Dec. 1, 1994, except as otherwise provided, see section 1691 of Pub. L. 103-337, set out as a note under section 10001 of this title.

CHAPTER 134—MISCELLANEOUS ADMINISTRATIVE PROVISIONS

Subchapter I. Miscellaneous Authorities, Prohibitions, and Limitations on the Use of Appropriated Funds 2241
II. Miscellaneous Administrative Authority 2251

SUBCHAPTER I—MISCELLANEOUS AUTHORITIES, PROHIBITIONS, AND LIMITATIONS ON THE USE OF APPROPRIATED FUNDS

Sec. 2241. Availability of appropriations for certain purposes.
2241a. Prohibition on use of funds for publicity or propaganda purposes within the United States.
2242. Authority to use appropriated funds for certain investigations and security services.
2243. Authority to use appropriated funds to support student meal programs in overseas dependents' schools.
2244. Security investigations.

Sec. 2244a. Equipment scheduled for retirement or disposal: limitation on expenditures for modifications.
2245. Use of aircraft for proficiency flying: limitation.
2245a. Use of operation and maintenance funds for purchase of investment items: limitation.
[2246 to 2248. Renumbered or Repealed.]
2249. Prohibition on use of funds for documenting economic or employment impact of certain acquisition programs.
2249a. Prohibition on providing financial assistance to terrorist countries.
2249b. Display of State flags: prohibition on use of funds to arbitrarily exclude flag; position and manner of display.
2249c. Regional Defense Combating Terrorism Fellowship Program: authority to use appropriated funds for costs associated with education and training of foreign officials.
2249d. Distribution to certain foreign personnel of education and training materials and information technology to enhance military interoperability with the armed forces.

AMENDMENTS

2011—Pub. L. 111-383, div. A, title X, §1075(b)(30), Jan. 7, 2011, 124 Stat. 4370, transferred item 2241a "Prohibition on use of funds for publicity or propaganda purposes within the United States" to appear after item 2241.

2009—Pub. L. 111-84, div. A, title X, §1031(a)(2), Oct. 28, 2009, 123 Stat. 2448, added item 2241a at the end.

2008—Pub. L. 110-417, [div. A], title XII, §1205(a)(2), Oct. 14, 2008, 122 Stat. 4624, added item 2249d.

2006—Pub. L. 109-364, div. A, title XII, §1204(d)(3), Oct. 17, 2006, 120 Stat. 2416, substituted "Regional Defense Combating Terrorism Fellowship Program: authority to use appropriated funds for costs associated with education and training of foreign officials" for "Authority to use appropriated funds for costs of attendance of foreign visitors under Regional Defense Counterterrorism Fellowship Program" in item 2249c.

Pub. L. 109-163, div. A, title III, §§372(b), 373(b), Jan. 6, 2006, 119 Stat. 3210, 3211, added items 2244a and 2245a.

2004—Pub. L. 108-375, div. A, title VI, §651(f)(3), Oct. 28, 2004, 118 Stat. 1972, struck out items 2246 "Department of Defense golf courses: limitation on use of appropriated funds" and 2247 "Use of appropriated funds for operation of Armed Forces Recreation Center, Europe: limitation".

2003—Pub. L. 108-136, div. A, title X, §1045(a)(5)(B), title XII, §1221(a)(2), Nov. 24, 2003, 117 Stat. 1612, 1651, struck out item 2248 "Purchase of surety bonds: prohibition" and added item 2249c.

1996—Pub. L. 104-201, div. A, title X, §1071(b), Sept. 23, 1996, 110 Stat. 2657, added item 2249b.

Pub. L. 104-106, div. A, title XIII, §1341(b), div. D, title XLIII, §4321(b)(2)(B), Feb. 10, 1996, 110 Stat. 485, 672, redesignated item 2247, relating to prohibition on use of funds for documenting economic or employment impact of certain acquisition programs, as 2249 and added item 2249a.

1994—Pub. L. 103-355, title VII, §7202(a)(2), Oct. 13, 1994, 108 Stat. 3379, added item 2247 relating to prohibition on use of funds for documenting economic or employment impact of certain acquisition programs.

Pub. L. 103-337, div. A, title III, §372(b), title X, §1063(b), Oct. 5, 1994, 108 Stat. 2736, 2848, added item 2247 relating to use of appropriated funds for operation of Armed Forces Recreation Center, Europe: limitation and item 2248.

1993—Pub. L. 103-160, div. A, title III, §312(b), Nov. 30, 1993, 107 Stat. 1618, added item 2246.

1991—Pub. L. 102-190, div. A, title X, §1062(a)(3), Dec. 5, 1991, 105 Stat. 1475, made technical correction to directory language of Pub. L. 101-510, div. A, title XIV, §1481(e)(2), Nov. 5, 1990, 104 Stat. 1706. See 1990 amendment note below.

1990—Pub. L. 101-510, div. A, title XIV, §1481(e)(2), Nov. 5, 1990, 104 Stat. 1706, as amended by Pub. L. 102-190, div. A, title X, §1062(a)(3), Dec. 5, 1991, 105 Stat. 1475, added item 2245.

Pub. L. 101-510, div. A, title IX, §904(b), Nov. 5, 1990, 104 Stat. 1621, added item 2244.

1989—Pub. L. 101-189, div. A, title III, §326(b), Nov. 29, 1989, 103 Stat. 1416, added item 2243.

§ 2241. Availability of appropriations for certain purposes

(a) OPERATION AND MAINTENANCE APPROPRIATIONS.—Amounts appropriated to the Department of Defense for operation and maintenance of the active forces may be used for the following purposes:

- (1) Morale, welfare, and recreation.
- (2) Modification of personal property.
- (3) Design of vessels.
- (4) Industrial mobilization.
- (5) Military communications facilities on merchant vessels.
- (6) Acquisition of services, special clothing, supplies, and equipment.
- (7) Expenses for the Reserve Officers' Training Corps and other units at educational institutions.

(b) NECESSARY EXPENSES.—Amounts appropriated to the Department of Defense may be used for all necessary expenses, at the seat of the Government or elsewhere, in connection with communication and other services and supplies that may be necessary for the national defense.

(c) ACTIVITIES OF THE NATIONAL COMMITTEE FOR EMPLOYER SUPPORT OF THE GUARD AND RESERVE.—Amounts appropriated for operation and maintenance may, under regulations prescribed by the Secretary of Defense, be used by the Secretary for official reception, representation, and advertising activities and materials of the National Committee for Employer Support of the Guard and Reserve to further employer commitments to their employees who are members of a reserve component.

(Added Pub. L. 100-370, §1(e)(1), July 19, 1988, 102 Stat. 844; amended Pub. L. 108-136, div. A, title V, §518, Nov. 24, 2003, 117 Stat. 1462.)

HISTORICAL AND REVISION NOTES

Subsection (a) of this section and sections 2253(b) and 2661(a) of this title are based on Pub. L. 98-212, title VII, §735, Dec. 8, 1983, 97 Stat. 1444, as amended by Pub. L. 98-525, title XIV, §§1403(a)(2), 1404, Oct. 19, 1984, 98 Stat. 2621.

In two instances, the source section for provisions to be codified provides that defense appropriations may be used for "welfare and recreation" or "welfare and recreational" purposes. (Section 735 of Public Law 98-212 and section 8006(b) of Public Law 99-190, to be codified as 10 U.S.C. 2241(a)(1) and 2490(2), respectively). The committee added the term "morale" in both of these two instances to conform to the usual "MWR" usage for morale, welfare, and recreation activities.

Subsection (b) of this section and sections 2242(1), (4) and 2253(a)(1) of this title are based on Pub. L. 98-212, title VII, §705, Dec. 8, 1983, 97 Stat. 1437.

Section 705 of Public Law 98-212, to be codified as 10 U.S.C. 2241(b), provides that defense appropriations may be used in connection with certain services and supplies "as may be necessary to carry out the purposes of this Act". The reference to "this Act" means Public Law 98-212, the FY84 Defense Appropriations

Act. Language similar to section 705 had been enacted as part of the annual defense appropriation Act for many years. In the FY84 Act, section 705 was enacted as a permanent provision. The quoted phrase above was not, however, revised from the traditional annual wording as the provision had appeared in annual appropriations Acts in order to give it effect beyond the fiscal year concerned. Since the general purpose of a defense appropriations Act is to provide funds for national defense purposes, the committee, in codifying this provision, revised the quoted phrase so as to read "that may be necessary for the national defense". No change in meaning is intended.

AMENDMENTS

2003—Subsec. (c). Pub. L. 108-136 added subsec. (c).

LIMITATION ON SOURCE OF FUNDS FOR CERTAIN JOINT CARGO AIRCRAFT EXPENDITURES

Pub. L. 110-417, [div. A], title II, §216, Oct. 14, 2008, 122 Stat. 4387, provided that:

"(a) LIMITATION.—Of the amounts appropriated pursuant to an authorization of appropriations in this Act [see Tables for classification] or otherwise made available for fiscal year 2009 or any fiscal year thereafter for the Army or the Air Force, the Secretary of the Army and the Secretary of the Air Force may fund relevant expenditures for the Joint Cargo Aircraft only through amounts made available for procurement or for research, development, test, and evaluation.

"(b) RELEVANT EXPENDITURES FOR THE JOINT CARGO AIRCRAFT DEFINED.—In this section, the term 'relevant expenditures for the Joint Cargo Aircraft' means expenditures relating to—

- "(1) support equipment;
- "(2) initial spares;
- "(3) training simulators;
- "(4) systems engineering and management; and
- "(5) post-production modifications."

PROHIBITIONS RELATING TO PROPAGANDA

Pub. L. 110-417, [div. A], title X, §1056, Oct. 14, 2008, 122 Stat. 4610, provided that:

"(a) PROHIBITION.—No part of any funds authorized to be appropriated in this or any other Act shall be used by the Department of Defense for publicity or propaganda purposes within the United States not otherwise specifically authorized by law.

"(b) REPORT.—Not later than 90 days after the date of the enactment of this Act [Oct. 14, 2008], the Inspector General of the Department of Defense shall submit to Congress a report on the findings of their project number D2008-DIPOEF-0209.000, entitled 'Examination of Allegations Involving DoD Office of Public Affairs Outreach Program'.

"(c) LEGAL OPINION.—Not later than 120 days after the date of the enactment of this Act, the Comptroller General of the United States shall issue a legal opinion to Congress on whether the Department of Defense violated appropriations prohibitions on publicity or propaganda activities established in Public Laws 107-117, 107-248, 108-87, 108-287, 109-148, 109-289, and 110-116, the Department of Defense Appropriations Acts for fiscal years 2002 through 2008, respectively, by offering special access to prominent persons in the private sector who serve as media analysts, including briefings and information on war efforts, meetings with high level government officials, and trips to Iraq and Guantanamo Bay, Cuba.

"(d) RULE OF CONSTRUCTION RELATED TO INTELLIGENCE ACTIVITIES.—Nothing in this section shall be construed to apply to any lawful and authorized intelligence activity of the United States Government."

FUNDS MADE AVAILABLE FOR TRANSPORTATION OF MEDICAL SUPPLIES TO AMERICAN SAMOA AND INDIAN HEALTH SERVICE

Pub. L. 110-329, div. C, title VIII, §8058, Sept. 30, 2008, 122 Stat. 3634, provided that: "Notwithstanding any