

[§ 227. Repealed. Pub. L. 104-106, div. A, title X, § 1061(f)(1), Feb. 10, 1996, 110 Stat. 443]

Section, added Pub. L. 103-160, div. A, title III, § 374(a), Nov. 30, 1993, 107 Stat. 1636, directed Secretary of Defense to include recruiting costs in budget justification documents submitted to Congress each year in connection with submission of budget.

§ 228. Biannual reports on allocation of funds within operation and maintenance budget subactivities

(a) **BIANNUAL REPORT.**—The Secretary of Defense shall submit to the congressional defense committees a biannual report on the allocation of appropriations to O&M budget activities and to the subactivities of those budget activities. Each such report shall be submitted not later than 60 days after the end of the two fiscal-year quarters to which the report pertains.

(b) **MATTERS TO BE INCLUDED.**—Each such report shall set forth the following for each subactivity of the O&M budget activities:

(1) The amount of budget authority appropriated for that subactivity in the most recent regular Department of Defense Appropriations Act.

(2) The amount of budget authority actually made available for that subactivity, taking into consideration supplemental appropriations, rescissions, and other adjustments required by law or made pursuant to law.

(3) The amount programmed to be expended from such subactivity.

(c) **IDENTIFICATION OF CERTAIN FLUCTUATIONS.**—If, in the report under this section for the second two fiscal-year quarters of a fiscal year, an amount shown under subsection (b) for a subactivity is different by more than \$15,000,000 from the corresponding amount for that subactivity in the report for the first two fiscal-year quarters of that fiscal year, the Secretary shall include in the report notice of that difference.

(d) **REPORT ON FLUCTUATIONS.**—If a report under this section includes a notice under subsection (c), the Secretary shall include in the report with each such notice the following:

(1) The reasons for the reallocations of funds resulting in the inclusion of that notice in the report.

(2) Each budget subactivity involved in those reallocations.

(3) The effect of those reallocations on the operation and maintenance activities funded through the subactivity with respect to which the notice is included in the report.

(e) **O&M BUDGET ACTIVITY DEFINED.**—In this section, the term “O&M budget activity” means a budget activity within an operation and maintenance appropriation of the Department of Defense for a fiscal year.

(Added Pub. L. 105-85, div. A, title III, § 321(a)(1), Nov. 18, 1997, 111 Stat. 1672; amended Pub. L. 107-314, div. A, title III, § 361, Dec. 2, 2002, 116 Stat. 2519; Pub. L. 108-136, div. A, title X, §§ 1031(a)(6)(A), (B)(i), 1043(b)(5), Nov. 24, 2003, 117 Stat. 1596, 1611; Pub. L. 112-81, div. A, title X, § 1064(4)(A), (B)(i), Dec. 31, 2011, 125 Stat. 1587.)

AMENDMENTS

2011—Pub. L. 112-81, § 1064(4)(B)(i), amended section catchline generally, substituting “Biannual reports on allocation of funds within operation and maintenance budget subactivities” for “Quarterly reports on allocation of funds within operation and maintenance budget subactivities”.

Subsec. (a). Pub. L. 112-81, § 1064(4)(A)(i), substituted “Biannual Report” for “Quarterly Report” in heading and “a biannual report” for “a quarterly report” and “two fiscal-year quarters” for “fiscal-year quarter” in text.

Subsec. (c). Pub. L. 112-81, § 1064(4)(A)(ii), struck out par. (1) designation before “If, in the report”, substituted “the second two fiscal-year quarters of a fiscal year” for “a quarter of a fiscal year after the first quarter of that fiscal year” and “the first two fiscal-year quarters of that fiscal year” for “the first quarter of that fiscal year”, and struck out par. (2) which read as follows: “If, in the report under this section for a quarter of a fiscal year after a quarter for which the report under this section includes a notice under paragraph (1), an amount shown under subsection (b) for a subactivity is different by more than \$15,000,000 from the corresponding amount for that subactivity in the most recent report that includes a notice under paragraph (1) or this paragraph, the Secretary shall include in the report notice of that difference.”

2003—Pub. L. 108-136, § 1031(a)(6)(B)(i), substituted “Quarterly” for “Monthly” in section catchline.

Subsec. (a). Pub. L. 108-136, § 1031(a)(6)(A)(i), substituted “Quarterly” for “Monthly” in heading, “quarterly” for “monthly” in first sentence, and “fiscal-year quarter” for “month” in second sentence.

Subsec. (c). Pub. L. 108-136, § 1031(a)(6)(A)(ii), substituted “quarter” for “month” wherever appearing.

Subsec. (e). Pub. L. 108-136, § 1043(b)(5), substituted “O&M Budget Activity Defined” for “Definitions” in heading and a comma for a colon after “section”, struck out par. (1) designation before “The term”, and struck out par. (2) which read as follows: “The term ‘congressional defense committees’ means the Committee on Armed Services and the Committee on Appropriations of the Senate and the Committee on Armed Services and the Committee on Appropriations of the House of Representatives.”

2002—Subsec. (a). Pub. L. 107-314, § 361(a), substituted “to the congressional defense committees” for “to Congress”.

Subsec. (e). Pub. L. 107-314, § 361(b), substituted “Definitions” for “O&M Budget Activity Defined” in heading, inserted introductory provisions, designated existing provisions as par. (1) and substituted “The” for “For purposes of this section, the”, and added par. (2).

FIRST REPORT

Pub. L. 105-85, div. A, title III, § 321(b), Nov. 18, 1997, 111 Stat. 1673, directed that the first report under this section was to be for Dec. 1997.

§ 229. Programs for combating terrorism: display of budget information

(a) **SUBMISSION WITH ANNUAL BUDGET JUSTIFICATION DOCUMENTS.**—The Secretary of Defense shall submit to Congress, as a part of the documentation that supports the President’s annual budget for the Department of Defense, a consolidated budget justification display, in classified and unclassified form, that includes all programs and activities of the Department of Defense combating terrorism program.

(b) **REQUIREMENTS FOR BUDGET DISPLAY.**—The budget display under subsection (a) shall include—

(1) the amount requested, by appropriation and functional area, for each of the program elements, projects, and initiatives that sup-