

# DoD Total Force Provisions in the Consolidated Appropriations Act, 2014

## DIVISION C—DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2014 TITLE VIII GENERAL PROVISIONS

### SEC. 8012.

- (a) During fiscal year 2014, the civilian personnel of the Department of Defense may not be managed on the basis of any end-strength, and the management of such personnel during that fiscal year shall not be subject to any constraint or limitation (known as an end-strength) on the number of such personnel who may be employed on the last day of such fiscal year.
- (b) The fiscal year 2015 budget request for the Department of Defense as well as all justification material and other documentation supporting the fiscal year 2015 Department of Defense budget request shall be prepared and submitted to the Congress as if subsections (a) and (b) of this provision were effective with regard to fiscal year 2015.
- (c) Nothing in this section shall be construed to apply to military (civilian) technicians.

### SEC. 8037.

- (a) Except as provided in subsections (b) and (c), none of the funds made available by this Act may be used—
  - (1) to establish a field operating agency; or
  - (2) to pay the basic pay of a member of the Armed Forces or civilian employee of the department who is transferred or reassigned from a headquarters activity if the member or employee's place of duty remains at the location of that headquarters.
- (b) The Secretary of Defense or Secretary of a military department may waive the limitations in subsection (a), on a case-by-case basis, if the Secretary determines, and certifies to the Committees on Appropriations of the House of Representatives and the Senate that the granting of the waiver will reduce the personnel requirements or the financial requirements of the department.
- (c) This section does not apply to—
  - (1) field operating agencies funded within the National Intelligence Program;
  - (2) an Army field operating agency established to eliminate, mitigate, or counter the effects of improvised explosive devices, and, as determined by the Secretary of the Army, other similar threats;
  - (3) an Army field operating agency established to improve the effectiveness and efficiencies of biometric activities and to integrate common biometric technologies throughout the Department of Defense; or
  - (4) an Air Force field operating agency established to administer the Air Force Mortuary Affairs Program and Mortuary Operations for the Department of Defense and authorized Federal entities.

SEC. 8041. None of the funds available in this Act may be used to reduce the authorized positions for military technicians (dual status) of the Army National Guard, Air National Guard, Army Reserve and Air Force Reserve for the purpose of applying any administratively imposed

civilian personnel ceiling, freeze, or reduction on military technicians (dual status), unless such reductions are a direct result of a reduction in military force structure.

SEC. 8044. During the current fiscal year, none of the funds appropriated in this Act may be used to reduce the civilian medical and medical support personnel assigned to military treatment facilities below the September 30, 2003, level: *Provided*, That the Service Surgeons General may waive this section by certifying to the congressional defense committees that the beneficiary population is declining in some catchment areas and civilian strength reductions may be consistent with responsible resource stewardship and capitation-based budgeting.

SEC. 8104. The Secretary of Defense shall report quarterly the numbers of civilian personnel end strength by appropriation account for each and every appropriation account used to finance Federal civilian personnel salaries to the congressional defense committees within 15 days after the end of each fiscal quarter.

SEC. 8133. None of the funds made available by this Act may be used by the Secretary of the Air Force to reduce the force structure at Lajes Field, Azores, Portugal, below the total number of military and civilian personnel assigned to Lajes Field on October 1, 2012, until the Secretary of Defense submits the certification to the congressional defense committees required by section 341 of the National Defense Authorization Act for Fiscal Year 2014.