

H.R.2055

Consolidated Appropriations Act, 2012 (Enrolled Bill [Final as Passed Both House and Senate] - ENR)

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 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; or
- (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.