

## **SEC. 1001. GENERAL TRANSFER AUTHORITY.**

### **(a) Authority To Transfer Authorizations-**

(1) **AUTHORITY-** Upon determination by the Secretary of Defense that such action is necessary in the national interest, the Secretary may transfer amounts of authorizations made available to the Department of Defense in this division for fiscal year 2009 between any such authorizations for that fiscal year (or any subdivisions thereof). Amounts of authorizations so transferred shall be merged with and be available for the same purposes as the authorization to which transferred.

(2) **LIMITATION-** Except as provided in paragraph (3), the total amount of authorizations that the Secretary may transfer under the authority of this section may not exceed \$4,200,000,000.

(3) **EXCEPTION FOR TRANSFERS BETWEEN MILITARY PERSONNEL AUTHORIZATIONS-** A transfer of funds between military personnel authorizations under title IV shall not be counted toward the dollar limitation in paragraph (2).

### **(b) Limitations-** The authority provided by this section to transfer authorizations--

(1) may only be used to provide authority for items that have a higher priority than the items from which authority is transferred; and

(2) may not be used to provide authority for an item that has been denied authorization by Congress.

### **(c) Effect on Authorization Amounts-** A transfer made from one account to another under the authority of this section shall be deemed to increase the amount authorized for the account to which the amount is transferred by an amount equal to the amount transferred.

### **(d) Notice to Congress-** The Secretary shall promptly notify Congress of each transfer made under subsection (a).