

consider the recommendations of, the Chairman of the Joint Chiefs of Staff.

(3) The report required under this subsection shall be submitted in classified form and shall include an unclassified summary.

(c) **COMPTROLLER GENERAL REVIEW.**—Not later than 180 days after the date on which Secretary submits each report required under subsection (b), the Comptroller General shall submit to the congressional defense committees a report that includes an assessment of each of the following:

(1) Whether the report includes each of the elements referred to in subsection (b).

(2) The strengths and weaknesses of the approach and methodology used in conducting the review required under subsection (a) that is covered by the report.

(3) Any other matters relating to sustainment that may arise from the report, as the Comptroller General considers appropriate.

(d) **RELATIONSHIP TO BUDGET.**—Nothing in this section shall be construed to affect section 1105(a) of title 31.

(Added Pub. L. 116-283, div. A, title III, §341(a), Jan. 1, 2021, 134 Stat. 3535, §118a; renumbered §118b and amended Pub. L. 117-81, div. A, title III, §311(b)(1), title X, §1081(a)(3), Dec. 27, 2021, 135 Stat. 1625, 1919.)

#### Editorial Notes

##### PRIOR PROVISIONS

A prior section 118b, added Pub. L. 110-181, div. A, title IX, §941(a), Jan. 28, 2008, 122 Stat. 286, related to quadrennial roles and missions review, prior to repeal by Pub. L. 113-291, div. A, title X, §1072(b)(1), Dec. 19, 2014, 128 Stat. 3516, effective Oct. 1, 2015.

##### AMENDMENTS

2021—Pub. L. 117-81, §§311(b)(1)(B), (C), 1081(a)(3), made similar amendments, renumbering section 118a, relating to National Defense Sustainment and Logistics Review, as this section. Section 1081(a)(3), which directed the renumbering of the “second” section 118a, as added by section 341 of Pub. L. 116-283, was read as referring to this section, which had appeared as the first section 118a, to reflect the probable intent of Congress. Amendment by section 1081(a)(3) to be treated as applying before amendment by section 311(b)(1)(B), (C), see section 1081(d) of Pub. L. 117-81, listed in a table of Coordination of Certain Sections of an Act With Other Provisions of That Act under section 101 of this title.

Subsec. (a). Pub. L. 117-81, §311(b)(1)(A), substituted “capabilities, response to risks to military installation resilience,” for “capabilities.”

#### Statutory Notes and Related Subsidiaries

##### DEADLINE FOR SUBMITTAL OF FIRST REPORT

Pub. L. 116-283, div. A, title III, §341(c), Jan. 1, 2021, 134 Stat. 3537, as amended by Pub. L. 117-81, div. A, title III, §311(b)(2)(B), Dec. 27, 2021, 135 Stat. 1625, provided that: “Notwithstanding the deadline in subsection (b)(1) of section 118b of title 10, United States Code, as added by subsection (a), the Secretary of Defense shall submit the first report under such section not later than the date that is 18 months after the date of the enactment of this Act [Jan. 1, 2021], unless a new National Defense Strategy is released prior to such date.”

[Pub. L. 117-81, div. A, title III, §311(b)(2)(B), which directed amendment of section “314(c)” of Pub. L. 116-283 by substituting “section 118b” for “section 118a”, was executed by making the amendment to sec-

tion 341(c) of Pub. L. 116-283, set out above, to reflect the probable intent of Congress.]

#### § 118c. National Defense Science and Technology Strategy

(a) **IN GENERAL.**—The Secretary of Defense shall develop a strategy—

(1) to articulate the science and technology priorities, goals, and investments of the Department of Defense;

(2) to make recommendations on the future of the defense research and engineering enterprise and its continued success in an era of strategic competition; and

(3) to establish an integrated approach to the identification, prioritization, development, and fielding of emerging capabilities and technologies.

(b) **ELEMENTS.**—The strategy required under subsection (a) shall—

(1) inform the development of each National Defense Strategy under section 113(g) of this title and be aligned with Government-wide strategic science and technology priorities, including the defense budget priorities of the Office of Science and Technology Policy of the President;

(2) link the priorities, goals, and investments in subsection (a)(1) with needed critical enablers to specific programs, or broader portfolios, including—

(A) personnel and workforce capabilities;

(B) facilities for research and test infrastructure;

(C) relationships with academia, the acquisition community, the operational community, the defense industry, and the commercial sector; and

(D) funding, investments, personnel, facilities, and relationships with other departments and agencies of the Federal Government outside the Department of Defense without which defense capabilities would be severely degraded;

(3) support the coordination of acquisition priorities, programs, and timelines of the Department with the activities of the defense research and engineering enterprise;

(4) include recommendations for changes in authorities, regulations, policies, or any other relevant areas, that would support the achievement of the goals set forth in the strategy;

(5) identify mechanisms that may be used to identify critical capabilities and technological applications required to address operational challenges outlined in the National Defense Strategy under section 113(g) of this title;

(6) identify processes to inform senior leaders and policy makers on the potential impacts of emerging technologies for the purpose of shaping the development of policies and regulations;

(7) support the efficient integration of capabilities and technologies to close near-term, mid-term, and long-term capability gaps;

(8) support the development of appropriate investments in research and technology development within the Department, and appropriate partnerships with the defense industry and commercial industry; and

(9) identify mechanisms to provide information on defense technology priorities to industry to enable industry to invest deliberately in emerging technologies to build and broaden the capabilities of the industrial base.

(c) **COORDINATION.**—The Secretary of Defense shall develop the strategy under subsection (a) in coordination with relevant entities within the Office of the Secretary of Defense, the military departments, the research organizations of Defense Agencies and Department of Defense Field Activities, the intelligence community, defense and technology industry partners, research and development partners, other Federal research agencies, allies and partners of the United States, and other appropriate organizations.

(d) **CONSIDERATIONS.**—In developing the strategy under subsection (a), the Secretary of Defense shall consider—

(1) the operational challenges identified in the National Defense Strategy and the technological threats and opportunities identified through the global technology review and assessment activities of the Department of Defense, the intelligence community, and other technology partners;

(2) current military requirements and emerging technologies in the defense and commercial sectors;

(3) the capabilities of foreign near-peer and peer nations;

(4) the need to support the development of a robust trusted and assured industrial base to manufacture and sustain the technologies and capabilities to meet defense requirements; and

(5) near-term, mid-term, and long-term technology and capability development goals.

(e) **REPORTS.**—

(1) **SUBSEQUENT REPORTS AND UPDATES.**—Not later than February 1 of the year following each fiscal year in which the National Defense Strategy is submitted under section 113(g) of this title, the Secretary of Defense shall submit to the congressional defense committees a report that includes an updated version of the strategy under subsection (a). Each update to such strategy shall be prepared for purposes of such report based on emerging requirements, technological developments in the United States, and technical intelligence derived from global technology reviews conducted by the Secretary of Defense.

(2) **FORM OF REPORTS.**—The reports submitted under paragraph (1) may be submitted in a form determined appropriate by the Secretary of Defense, which may include classified, unclassified, and publicly releasable formats, as appropriate.

(f) **BRIEFING.**—Not later than 90 days after the date on which the strategy under subsection (a) is completed, the Secretary of Defense shall provide to the Committees on Armed Services of the Senate and the House of Representatives a briefing on the implementation plan for the strategy.

(g) **DESIGNATION.**—The strategy developed under subsection (a) shall be known as the “National Defense Science and Technology Strategy”.

(Added Pub. L. 117–81, div. A, title II, §211(a), Dec. 27, 2021, 135 Stat. 1585.)

#### Editorial Notes

##### PRIOR PROVISIONS

Provisions similar to those in this section were contained in Pub. L. 115–232, div. A, title II, §218, Aug. 13, 2018, 132 Stat. 1679, which was not classified to the Code and was repealed by Pub. L. 117–81, div. A, title II, §211(c), Dec. 27, 2021, 135 Stat. 1587.

#### § 119. Special access programs: congressional oversight

(a)(1) Not later than March 1 of each year, the Secretary of Defense shall submit to the defense committees a report on special access programs.

(2) Each such report shall set forth—

(A) the total amount requested for special access programs of the Department of Defense in the President’s budget for the next fiscal year submitted under section 1105 of title 31; and

(B) for each program in that budget that is a special access program—

(i) a brief description of the program;

(ii) a brief discussion of the major milestones established for the program;

(iii) the actual cost of the program for each fiscal year during which the program has been conducted before the fiscal year during which that budget is submitted; and

(iv) the estimated total cost of the program and the estimated cost of the program for (I) the current fiscal year, (II) the fiscal year for which the budget is submitted, and (III) each of the four succeeding fiscal years during which the program is expected to be conducted.

(3) In the case of a report under paragraph (1) submitted in a year during which the President’s budget for the next fiscal year, because of multiyear budgeting for the Department of Defense, does not include a full budget request for the Department of Defense, the report required by paragraph (1) shall set forth—

(A) the total amount already appropriated for the next fiscal year for special access programs of the Department of Defense and any additional amount requested in that budget for such programs for such fiscal year; and

(B) for each program of the Department of Defense that is a special access program, the information specified in paragraph (2)(B).

(b)(1) Not later than February 1 of each year, the Secretary of Defense shall submit to the defense committees a report that, with respect to each new special access program, provides—

(A) notice of the designation of the program as a special access program; and

(B) justification for such designation.

(2) A report under paragraph (1) with respect to a program shall include—

(A) the current estimate of the total program cost for the program; and

(B) an identification of existing programs or technologies that are similar to the technology, or that have a mission similar to the mission, of the program that is the subject of the notice.