

added item 227 and struck out items 222b “Unfunded priorities of the Missile Defense Agency: annual report”, 223 “Ballistic missile defense programs: program elements”, 224 “Ballistic missile defense programs: display of amounts for research, development, test, and evaluation”, 225 “Acquisition accountability reports on the ballistic missile defense system”, and 239a “Missile defense and defeat programs: major force program and budget assessment”. Amendments were made pursuant to operation of section 102 of this title.

2023—Pub. L. 118–31, div. A, title I, § 151, title II, § 211, title X, § 1002, title XVI, § 1631, title XVIII, § 1801(a)(3)(A), Dec. 22, 2023, 137 Stat. 179, 182, 378, 591, 683, added item 222e “Programs, projects, and activities that were internally changed in the submission of the President’s budget: annual report”, 222e “Unfunded priorities of the Under Secretary of Defense for Research and Engineering: annual report”, and items 233a and 239e and substituted “plans and certifications” for “plan and certification” in item 231. Amendments were made pursuant to operation of section 102 of this title.

2022—Pub. L. 117–263, div. A, title III, §§ 352(b), 371, title XVII, § 1701(d)(2), Dec. 23, 2022, 136 Stat. 2534, 2539, 2966, added items 222d, 231, and 239d and struck out former item 231 “Budgeting for construction of naval vessels: annual plan and certification”.

2021—Pub. L. 117–81, div. A, title VIII, § 811(b), Dec. 27, 2021, 135 Stat. 1823, added item 239c.

Pub. L. 116–283, div. A, title I, § 151(b), title XVIII, § 1809(h)(2), Jan. 1, 2021, 134 Stat. 3440, 4162, added item 231a and struck out item 235 “Procurement of contract services: specification of amounts requested in budget”.

2019—Pub. L. 116–92, div. A, title X, § 1007(b), Dec. 20, 2019, 133 Stat. 1575, added item 226.

2018—Pub. L. 115–232, div. A, title VIII, § 813(a)(1)(B), title X, § 1061(b), title XVI, §§ 1624(b)(2), 1677(b)(2), Aug. 13, 2018, 132 Stat. 1851, 1970, 2120, 2161, added items 222b, 222c, and 239b and struck out item 231a “Budgeting for life-cycle cost of aircraft for the Navy, Army, and Air Force: annual plan and certification”.

2017—Pub. L. 115–91, div. A, title XVI, § 1676(a)(2), Dec. 12, 2017, 131 Stat. 1772, added item 239a.

2016—Pub. L. 114–328, div. A, title X, § 1064(a)(2), Dec. 23, 2016, 130 Stat. 2409, added item 222a.

2015—Pub. L. 114–92, div. A, title X, § 1073(a)(2), title XVI, § 1601(a)(2), Nov. 25, 2015, 129 Stat. 995, 1096, struck out item 228 “Biannual reports on allocation of funds within operation and maintenance budget subactivities” and added item 239.

2014—Pub. L. 113–291, div. A, title XVI, § 1631(a)(2), Dec. 19, 2014, 128 Stat. 3638, added item 238.

2013—Pub. L. 113–66, div. A, title I, § 141(b), title VII, § 721(b), title X, § 1091(a)(4), Dec. 26, 2013, 127 Stat. 697, 799, 875, added items 236 and 237 and inserted a period at end of item 231.

Pub. L. 112–239, div. A, title X, §§ 1076(f)(6), 1081(1)(B), Jan. 2, 2013, 126 Stat. 1952, 1960, transferred item 225 to appear after item 224 and struck out item 232 “United States Joint Forces Command: amounts for research, development, test, and evaluation to be derived only from Defense-wide amounts”.

2011—Pub. L. 112–81, div. A, title X, §§ 1011(b), 1061(3)(B), 1064(4)(B)(ii), 1069(c), Dec. 31, 2011, 125 Stat. 1560, 1583, 1587, 1592, struck out item 226 “Scoring of outlays”, added item 228 and struck out former item 228 “Quarterly reports on allocation of funds within operation and maintenance budget subactivities”, added item 231 and struck out former item 231 “Long-range plan for construction of naval vessels”, and amended item 231a generally. Prior to amendment, item 231a read as follows: “Budgeting for procurement of aircraft for the Navy and Air Force: annual plan and certification”.

Pub. L. 112–81, div. A, title II, § 231(a)(2), Dec. 31, 2011, 125 Stat. 1339, added item 225 at the end of this analysis.

Pub. L. 111–383, div. A, title X, § 1023(b), Jan. 7, 2011, 124 Stat. 4350, added item 231 and struck out former item 231 “Budgeting for construction of naval vessels: annual plan and certification”.

2009—Pub. L. 111–84, div. A, title VIII, § 803(a)(2), Oct. 28, 2009, 123 Stat. 2402, added item 235.

2008—Pub. L. 110–417, [div. A], title I, § 141(b), Oct. 14, 2008, 122 Stat. 4380, added item 231a.

2006—Pub. L. 109–364, div. A, title V, § 563(b), Oct. 17, 2006, 120 Stat. 2222, added item 234.

2004—Pub. L. 108–375, div. A, title II, § 214(b), title X, § 1003(a)(2), Oct. 28, 2004, 118 Stat. 1834, 2035, added items 232 and 233.

2003—Pub. L. 108–136, div. A, title II, § 223(a)(2), title X, § 1031(a)(6)(B)(ii), Nov. 24, 2003, 117 Stat. 1420, 1596, added item 223a and substituted “Quarterly” for “Monthly” in item 228.

2002—Pub. L. 107–314, div. A, title X, §§ 1022(b), 1041(a)(2)(B), Dec. 2, 2002, 116 Stat. 2640, 2645, struck out item 230 “Amounts for declassification of records” and added item 231.

2001—Pub. L. 107–107, div. A, title II, § 231(b)(2), Dec. 28, 2001, 115 Stat. 1037, substituted “research, development, test, and evaluation” for “procurement” in item 224.

1999—Pub. L. 106–65, div. A, title IX, § 932(b)(2), title X, § 1041(a)(2), Oct. 5, 1999, 113 Stat. 728, 758, added items 229 and 230.

1998—Pub. L. 105–261, div. A, title II, § 235(a)(2), Oct. 17, 1998, 112 Stat. 1953, added item 223.

1997—Pub. L. 105–85, div. A, title II, § 232(a)(2), title III, § 321(a)(2), Nov. 18, 1997, 111 Stat. 1663, 1673, added items 224 and 228.

1996—Pub. L. 104–106, div. A, title X, § 1061(f)(2), Feb. 10, 1996, 110 Stat. 443, struck out item 227 “Recruiting costs”.

1993—Pub. L. 103–160, div. A, title III, § 374(b), Nov. 30, 1993, 107 Stat. 1637, added item 227.

1992—Pub. L. 102–484, div. A, title X, § 1002(d)(2), Oct. 23, 1992, 106 Stat. 2481, added items 221 and 222 and redesignated former item 221 as 226.

1991—Pub. L. 102–190, div. A, title X, § 1002(a)(1), Dec. 5, 1991, 105 Stat. 1455, substituted “DEFENSE BUDGET MATTERS” for “REGULAR COMPONENTS” in chapter heading and added item 221.

§ 221. Future-years defense program: submission to Congress; consistency in budgeting

(a) The Secretary of Defense shall submit to Congress each year, not later than five days after the date on which the President’s budget is submitted to Congress that year under section 1105(a) of title 31, a future-years defense program (including associated annexes) reflecting the estimated expenditures and proposed appropriations included in that budget. Any such future-years defense program shall cover the fiscal year with respect to which the budget is submitted and at least the four succeeding fiscal years.

(b)(1) The Secretary of Defense shall ensure that amounts described in subparagraph (A) of paragraph (2) for any fiscal year are consistent with amounts described in subparagraph (B) of paragraph (2) for that fiscal year.

(2) Amounts referred to in paragraph (1) are the following:

(A) The amounts specified in program and budget information submitted to Congress by the Secretary in support of expenditure estimates and proposed appropriations in the budget submitted to Congress by the President under section 1105(a) of title 31 for any fiscal year, as shown in the future-years defense program submitted pursuant to subsection (a).

(B) The total amounts of estimated expenditures and proposed appropriations necessary to support the programs, projects, and activities of the Department of Defense included

pursuant to paragraph (5) of section 1105(a) of title 31 in the budget submitted to Congress under that section for any fiscal year.

(c) Nothing in this section shall be construed to prohibit the inclusion in the future-years defense program of amounts for management contingencies, subject to the requirements of subsection (b).

(d)(1) The Secretary of Defense shall make available to Congress, the Congressional Budget Office, the Comptroller General of the United States, and the Congressional Research Service each future-years defense program under this section as follows:

(A) By making such program available electronically in the form of an unclassified electronic database.

(B) By delivering printed copies of such program to the congressional defense committees.

(2) In the event inclusion of classified material in a future-years defense program would otherwise render the totality of the program classified for purposes of this subsection—

(A) such program shall be made available to Congress in unclassified form, with such material attached as a classified annex; and

(B) such annex shall be submitted to the congressional defense committees, the Congressional Budget Office, the Comptroller General of the United States, and the Congressional Research Service.

(e) Each future-years defense program under this subsection shall be accompanied by a certification by the Under Secretary of Defense (Comptroller), in the case of the Department of Defense, and the comptroller of each military department, in the case of such military department, that any information entered into the Standard Data Collection System of the Department of Defense, the Comptroller Information System, or any other data system, as applicable, for purposes of assembling such future-years defense program was accurate.

(Added Pub. L. 101-189, div. A, title XVI, §1602(a)(1), Nov. 29, 1989, 103 Stat. 1596, §114a; amended Pub. L. 101-510, div. A, title XIV, §1402(a)(1)-(3)(A), Nov. 5, 1990, 104 Stat. 1674; renumbered §221 and amended Pub. L. 102-484, div. A, title X, §1002(c), Oct. 23, 1992, 106 Stat. 2480; Pub. L. 115-91, div. A, title X, §1042(a)-(c), Dec. 12, 2017, 131 Stat. 1553, 1554.)

Editorial Notes

PRIOR PROVISIONS

A prior section 221 was renumbered section 226 of this title.

AMENDMENTS

2017—Subsec. (a). Pub. L. 115-91, §1042(a), substituted “not later than five days after the date on which” for “at or about the time that”.

Subsec. (d). Pub. L. 115-91, §1042(b), added subsec. (d). Subsec. (e). Pub. L. 115-91, §1042(c), added subsec. (e). 1992—Pub. L. 102-484 renumbered section 114a of this title as this section, amended section catchline generally, and substituted “future-years” for “multiyear” wherever appearing in text.

1990—Pub. L. 101-510, §1402(a)(3)(A), which directed amendment of section catchline by substituting “Multiyear” for “Five-year”, was executed by sub-

stituting “Multiyear” for “Five-Year” as the probable intent of Congress.

Subsec. (a). Pub. L. 101-510, §1402(a)(1), (2), substituted “a multiyear” for “the current five-year” and inserted at end “Any such multiyear defense program shall cover the fiscal year with respect to which the budget is submitted and at least the four succeeding fiscal years.”

Subsecs. (b)(2)(A), (c). Pub. L. 101-510, §1402(a)(2)(A), substituted “multiyear” for “five-year”.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2017 AMENDMENT

Pub. L. 115-91, div. A, title X, §1042(d), Dec. 12, 2017, 131 Stat. 1554, provided that: “The amendments made by this section [amending this section] shall take effect on the date of the enactment of this Act [Dec. 12, 2017], and shall apply to future-years defense programs submitted at the time of budgets of the President for fiscal years beginning after fiscal year 2018.”

COST BUDGETING FOR ARTIFICIAL INTELLIGENCE DATA

Pub. L. 118-159, div. A, title XV, §1533, Dec. 23, 2024, 138 Stat. 2145, provided that:

“(a) PLAN REQUIRED.—Not later than 180 days after the date of the enactment of this Act [Dec. 23, 2024], the Chief Digital and Artificial Intelligence Officer of the Department of Defense, in consultation with the Under Secretary of Defense for Acquisition and Sustainment and the Under Secretary of Defense for Research and Engineering, shall develop a plan to ensure that the budgeting process for programs containing artificial intelligence components or subcomponents, including artificial intelligence support systems, models, or analysis tools, includes estimates for the types of data required to train, maintain, or improve the artificial intelligence components or subcomponents contained within such programs and estimated costs for the acquisition and sustainment of such data.

“(b) ELEMENTS OF PLAN.—The plan required under subsection (a) shall include the following:

“(1) An assessment of the current programs of the Department of Defense containing artificial intelligence components or subcomponents, such as large language models, including the sources and costs for structured and unstructured training data for such artificial intelligence components.

“(2) An estimate of the costs associated with the data required to train, maintain, or improve artificial intelligence models or systems for programs that are ongoing or proposed as of enactment of this Act and which are not otherwise currently accounted for in a program of record.

“(3) An estimate of the costs associated with providing access to capabilities for data preparation, including tooling, indexing, and data tagging or labeling, including for the protection of data provided by the Government from unauthorized use during the algorithm training process and the ongoing control by the Government of such data during such process.

“(4) Mapping of the acquisition lifecycle for the programs described in paragraph (1) to align budgeting milestones with critical design or decision points in the budgeting and execution processes of the Department of Defense.

“(5) A framework for estimating the costs described in paragraph (2) and ensuring the costs associated with the data required to train, maintain, or improve artificial intelligence models or systems are appropriately incorporated into lifecycle sustainment estimates for future programs containing artificial intelligence components or subcomponents.

“(c) IMPLEMENTATION.—The Secretary of Defense shall begin implementing the plan required by subsection (a) not later than 90 days after the date on which development of the plan required by subsection (a) is completed.

“(d) BRIEFINGS.—Not later than 180 days after the date of the enactment of this Act, and not less fre-

quently than once annually thereafter until 2027, the Secretary shall provide the congressional defense committees [Committees on Armed Services and Appropriations of the Senate and the House of Representatives] a briefing on the implementation of the plan developed pursuant to subsection (a).”

BUDGET DISPLAY FOR CRYPTOGRAPHIC MODERNIZATION ACTIVITIES FOR CERTAIN SYSTEMS OF THE DEPARTMENT OF DEFENSE

Pub. L. 117-263, div. A, title XV, § 1512, Dec. 23, 2022, 136 Stat. 2893, provided that:

“(a) **DISPLAY REQUIRED.**—Beginning with fiscal year 2024, and for each fiscal year thereafter, the Secretary of Defense shall include with the budget justification materials submitted to Congress in support of the budget of the Department of Defense for that fiscal year (as submitted with the budget of the President under section 1105(a) of title 31, United States Code) a consolidated cryptographic modernization budget justification display for each Department of Defense system or asset that is protected by cryptography and subject to certification by the National Security Agency (in this section, referred to as ‘covered items’).

“(b) **ELEMENTS.**—Each display included under subsection (a) for a fiscal year shall include the following:

“(1) **CRYPTOGRAPHIC MODERNIZATION ACTIVITIES.**—(A) Whether, in accordance with the schedule established under section 153(a) of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116-283; 10 U.S.C. 142 note), the cryptographic modernization for each covered item is pending, in progress, complete, or, pursuant to paragraph (2) of such section, extended.

“(B) The funding required for the covered fiscal year and for each subsequent fiscal year of the Future Years Defense Program to complete the pending or in progress cryptographic modernization by the required replacement date of each covered item.

“(C)(i) A description of deviations between the funding annually required to complete the modernization prior to the required replacement date and the funding requested and planned within the Future Years Defense Program.

“(ii) An explanation—

“(I) justifying the deviations; and

“(II) of whether or how any delays resulting from a deviation shall be overcome to meet the required replacement date.

“(D) A description of operational or security risks resulting from each deviation from the modernization schedule required to meet replacement dates, including a current intelligence assessment of adversary progress on exploiting the covered item.

“(E) For any covered item that remains in service past its required replacement date, a description of the number of times the covered item has been extended and the circumstances attending each such extension.

“(2) **MITIGATION ACTIVITIES FOR COVERED ITEMS.**—(A) Whether activities to mitigate the risks associated with projected failure to replace a covered item by the required replacement date are planned, in progress, or complete.

“(B) The funding required for the covered fiscal year and for each subsequent fiscal year for required mitigation activities to complete any planned, pending, or in progress mitigation activities for a covered item.

“(C) A description of the activities planned in the covered fiscal year and each subsequent fiscal year to complete mitigation activities and an explanation of the efficacy of the mitigations.

“(c) **FORM.**—The display required by subsection (a) shall be included in unclassified form, but may include a classified annex.”

DATA ON PHASE III SMALL BUSINESS INNOVATION RESEARCH AND SMALL BUSINESS TECHNOLOGY TRANSFER PROGRAM AWARDS

Pub. L. 117-81, div. A, title VIII, § 867, Dec. 27, 2021, 135 Stat. 1854, provided that:

“(a) **DEFINITIONS.**—In this section, the terms ‘Phase I’, ‘Phase II’, ‘Phase III’, ‘SBIR’, and ‘STTR’ have the meanings given those terms in section 9(e) of the Small Business Act (15 U.S.C. 638(e)).

“(b) **DATA ON PHASE III AWARDS.**—Each Secretary of a military department (as defined in section 101 of title 10, United States Code) shall collect and submit to the President for inclusion in each budget submitted to Congress under section 1105 of title 31, United States Code, data on the Phase III awards under the SBIR and STTR programs of the military department of the Secretary for the immediately preceding fiscal year, including—

“(1) the cumulative funding amount for Phase III awards;

“(2) the number of Phase III award topics;

“(3) the total funding obligated for Phase III awards by State;

“(4) the original Phase I or Phase II award topics and the associated Phase III contracts awarded;

“(5) where possible, an identification of the specific program executive office involved in each Phase III transition; and

“(6) a list of the five highest performing projects, as determined by the Secretary.”

TREATMENT IN FUTURE BUDGETS OF THE PRESIDENT OF SYSTEMS ADDED BY CONGRESS

Pub. L. 116-283, div. A, title I, § 126, Jan. 1, 2021, 134 Stat. 3428, provided that: “In the event the procurement quantity for a system authorized by Congress in a National Defense Authorization Act for a fiscal year, and for which funds for such procurement quantity are appropriated by Congress in the Shipbuilding and Conversion, Navy account for such fiscal year, exceeds the procurement quantity specified in the budget of the President, as submitted to Congress under section 1105 of title 31, United States Code, for such fiscal year, such excess procurement quantity shall not be specified as a new procurement quantity in any budget of the President, as so submitted, for any fiscal year after such fiscal year.”

BUDGETING OF DEPARTMENT OF DEFENSE RELATING TO OPERATIONAL ENERGY IMPROVEMENT

Pub. L. 116-283, div. A, title III, § 322, Jan. 1, 2021, 134 Stat. 3522, provided that: “The Secretary of Defense shall include in the annual budget submission of the President under section 1105(a) of title 31, United States Code, a dedicated budget line item for fielding operational energy improvements, including such improvements for which funds from the Operational Energy Capability Improvement Fund have been expended to create the operational and business case for broader employment.”

REPORT AND BUDGET DETAILS REGARDING OPERATION INHERENT RESOLVE

Pub. L. 116-283, div. A, title XII, § 1221(d), Jan. 1, 2021, 134 Stat. 3928, provided that:

“(1) **REPORT REQUIRED.**—At the same time as the submission of the budget of the President (as submitted to Congress pursuant to section 1105 of title 31, United States Code) for fiscal year 2022 and each fiscal year thereafter, the Secretary of Defense shall submit a report with accompanying budgetary details regarding Operation Inherent Resolve.

“(2) **ELEMENTS OF REPORT.**—At a minimum, the report required by paragraph (1) shall include—

“(A)(i) for the first report, a history of the operation and its objectives; and

“(ii) for each subsequent report, a description of the operation and its objectives during the prior fiscal year;

“(B) a detailed description of the weapons and equipment purchased using the Counter-ISIS Train and Equip Fund in the prior fiscal year;

“(C) a list and description of activities and exercises carried out under the operation during the prior fiscal year;

“(D) a description of the purpose and goals of such activities and exercises and an assessment of the degree to which stated goals were achieved during the prior fiscal year;

“(E) a description of criteria used to judge the effectiveness of joint exercises and other efforts to build partner capacity under the operation during the prior fiscal year;

“(F) a description of the forces deployed under the operation, their deployment locations, and activities undertaken;

“(G) the information required under paragraph (3); and

“(H) any other matters the Secretary determines appropriate.

“(3) ELEMENTS OF BUDGETARY DETAILS.—At a minimum, the budgetary details accompanying the report required by paragraph (1)—

“(A) shall include—

“(i) a description of expenditures related to the operation for the fiscal year preceding the fiscal year of the budget covered by the report;

“(ii) with respect to the amount requested for the operation in the budget covered by the report—

“(I) any significant change in methodology used to determine the budgetary details included in the report and the categories used to organize such details; and

“(II) a narrative justification for any significant changes in the amount requested as compared to the amount requested and the amount expended for the fiscal year preceding the fiscal year of the budget covered by the report; and

“(iii) with respect to the estimated direct and indirect expenditures for the operation in the budget covered by the report—

“(I) detailed information on the estimated direct expenditures and indirect expenditures broken down by category (including with respect to operations, force protection, in-theater support, equipment reset and readiness, military construction, mobilization, incremental and total deployment costs, and exercises) and any additional accounts and categories the Secretary determines to be relevant; and

“(II) a description of the methodology and metrics used by the Secretary to define the contribution of indirect costs to the operation or an explanation of pro-rated amounts based on the level of support provided to the operation; and

“(B) may include a breakdown of expenditures and the amount requested for the operation in the budget covered by the report by line item, including with respect to procurement accounts, military personnel accounts, operation and maintenance accounts, research, development, test, and evaluation accounts, and military construction accounts.

“(4) FORM.—The report and accompanying budget details required by paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

“(5) SUNSET.—The requirements of this subsection shall terminate on the date on which Operation Inherent Resolve (or a successor operation) concludes.

“(6) DEFINITIONS.—In this subsection:

“(A) The term ‘direct expenditures’ means, with respect to amounts expended or estimated to be expended for Operation Inherent Resolve, amounts used directly for supporting counter-ISIS activities and missions.

“(B) The term ‘indirect expenditures’ means, with respect to amounts expended or estimated to be expended for Operation Inherent Resolve, amounts used for programs or activities that the Secretary of Defense determines enable the Armed Forces to carry out the operation.”

REPORT AND BUDGET DETAILS REGARDING OPERATION SPARTAN SHIELD

Pub. L. 116-283, div. A, title XII, §1225, Jan. 1, 2021, 134 Stat. 3931, as amended by Pub. L. 117-263, div. A, title X, §1055, Dec. 23, 2022, 136 Stat. 2778, provided that:

“(a) REPORT REQUIRED.—At the same time as the submission of the budget of the President (as submitted to Congress pursuant to section 1105 of title 31, United States Code) for fiscal year 2022 and each fiscal year thereafter, the Secretary of Defense shall submit a report with accompanying budgetary details regarding Operation Spartan Shield.

“(b) ELEMENTS OF REPORT.—At a minimum, the report required by subsection (a) shall include—

“(1)(A) for the first report, a history of the operation and its objectives; and

“(B) for each subsequent report, a description of the operation and its objectives during the prior fiscal year;

“(2) a list and description of activities and exercises carried out under the operation during the prior fiscal year;

“(3) a description of the purpose and goals of such activities and exercises and an assessment of the degree to which stated goals were achieved during the prior fiscal year;

“(4) a description of criteria used to judge the effectiveness of joint exercises and other efforts to build partner capacity under the operation during the prior fiscal year;

“(5) a description of the forces deployed under the operation, their deployment locations, and activities undertaken;

“(6) the information required under subsection (c);

“(7) a list of all countries in which Task Force Spartan operated during the prior fiscal year;

“(8) a description of activities conducted pursuant to the operation to build the military readiness of partner forces during the prior fiscal year, including—

“(A) training exercises;

“(B) joint exercises; and

“(C) bilateral or multilateral exchanges;

“(9) an assessment of the extent to which the activities described in paragraph (8) improved—

“(A) the military readiness of such partner forces;

“(B) the national security of the United States; and

“(C) the national security of allies and partners of the United States;

“(10) a description of criteria used to make the assessment required under paragraph (9); and

“(11) any other matters the Secretary determines appropriate.

“(c) ELEMENTS OF BUDGETARY DETAILS.—At a minimum, the budgetary details accompanying the report required by subsection (a)—

“(1) shall include—

“(A) a description of expenditures related to the operation for the fiscal year preceding the fiscal year of the budget covered by the report;

“(B) with respect to the amount requested for the operation in the budget covered by the report—

“(i) any significant change in methodology used to determine the budgetary details included in the report and the categories used to organize such details; and

“(ii) a narrative justification for any significant changes in the amount requested as compared to the amount requested and the amount expended for the fiscal year preceding the fiscal year of the budget covered by the report; and

“(C) with respect to the estimated direct and indirect expenditures for the operation in the budget covered by the report—

“(i) detailed information on the estimated direct expenditures and indirect expenditures broken down by category (including with respect to operations, force protection, in-theater support, equipment reset and readiness, military construction, mobilization, incremental and total deployment costs, and exercises) and any additional accounts and categories the Secretary determines to be relevant; and

“(ii) a description of the methodology and metrics used by the Secretary to define the con-

tribution of indirect costs to the operation or an explanation of pro-rated amounts based on the level of support provided to the operation; and

“(2) may include a breakdown of expenditures and the amount requested for the operation in the budget covered by the report by line item, including with respect to procurement accounts, military personnel accounts, operation and maintenance accounts, research, development, test, and evaluation accounts, and military construction accounts.

“(d) FORM.—The report and accompanying budget details required by subsection (a) shall be submitted in unclassified form, but may include a classified annex.

“(e) SUNSET.—The requirements of this section shall terminate on the date on which Operation Spartan Shield (or a successor operation) concludes.

“(f) DEFINITIONS.—In this section:

“(1) The term ‘direct expenditures’ means, with respect to amounts expended or estimated to be expended for Operation Spartan Shield, amounts used directly for supporting deterrence activities and missions.

“(2) The term ‘indirect expenditures’ means, with respect to amounts expended or estimated to be expended for Operation Spartan Shield, amounts used for programs or activities that the Secretary of Defense determines enable the Armed Forces to carry out the operation.”

BUDGETING OF DEPARTMENT OF DEFENSE RELATING TO EXTREME WEATHER

Pub. L. 116-92, div. A, title III, §328, Dec. 20, 2019, 133 Stat. 1311, as amended by Pub. L. 117-263, div. A, title III, §321, Dec. 23, 2022, 136 Stat. 2510, provided that:

“(a) IN GENERAL.—The Secretary of Defense shall include in the annual budget submission of the President under section 1105(a) of title 31, United States Code—

“(1) a dedicated budget line item for adaptation to, and mitigation of, effects of extreme weather on military networks, systems, installations, facilities, and other assets and capabilities of the Department of Defense;

“(2) an estimate of the anticipated adverse impacts to the readiness of the Department and the financial costs to the Department during the year covered by the budget of the loss of, or damage to, military networks, systems, installations, facilities, and other assets and capabilities of the Department, including loss of or obstructed access to training ranges, as a result [of] extreme weather events; and

“(3) a calculation of the annual costs to the Department for—

“(A) assistance that is—

“(i) provided to the Federal Emergency Management Agency or any Federal land management agency (as such term is defined in section 802 of the Federal Lands Recreation Enhancement Act (16 U.S.C. 6801)) pursuant to a request for such assistance and in consultation with the National Interagency Fire Center; or

“(ii) provided under title 10 or title 32, United States Code, to any State, territory, or possession of the United States, regarding extreme weather; and

“(B) resourcing required to support—

“(i) wildfire response, recovery, or restoration efforts occurring within military installations or other facilities of the Department; or

“(ii) any Federal agency other than the Department (including the Federal Emergency Management Agency and the National Interagency Fire Center) with respect to wildfire response, recovery, or restoration efforts, where such resourcing is not reimbursed.

“(b) DISAGGREGATION OF IMPACTS AND COSTS.—The estimate under subsection (a)(2) shall set forth the adverse readiness impacts and financial costs under that subsection by military department, Defense Agency, and other component or element of the Department.

“(c) EXTREME WEATHER DEFINED.—In this section, the term ‘extreme weather’ means recurrent flooding,

drought, desertification, wildfires, and thawing permafrost.”

INCLUSION OF PROCUREMENT TECHNICAL ASSISTANCE COOPERATIVE AGREEMENT PROGRAM IN ANNUAL BUDGET JUSTIFICATION DOCUMENTS

Pub. L. 116-92, div. A, title VIII, §852(c), Dec. 20, 2019, 133 Stat. 1511, provided that: “The Secretary of Defense shall submit to Congress, as a part of the defense budget materials (as defined in section 234(d) of title 10, United States Code) for fiscal year 2021 and each fiscal year thereafter, a budget justification display that includes the procurement technical assistance cooperative agreement program under [former] chapter 142 of title 10, United States Code [see chapter 388 of this title], as part of the budget justification for Operation and Maintenance, Defense-wide for the Office of the Secretary of Defense.”

INCLUSION OF EUROPEAN DETERRENCE INITIATIVE IN ANNUAL BUDGET DISPLAY INFORMATION

Pub. L. 116-92, div. A, title XII, §1243(b)–(d), Dec. 20, 2019, 133 Stat. 1657, 1658, provided that:

“(b) BUDGET DISPLAY INFORMATION.—The Secretary of Defense shall include in the materials submitted to Congress by the Secretary in support of the budget of the President for fiscal year 2021 and each fiscal year thereafter (as submitted under section 1105 of title 31, United States Code), a detailed budget display for the European Deterrence Initiative that includes the following information (regardless of whether the funding line is for overseas contingency operations):

“(1) With respect to procurement accounts—

“(A) amounts displayed by account, budget activity, line number, line item, and line item title; and

“(B) a description of the requirements for each such amounts specific to the Initiative.

“(2) With respect to research, development, test, and evaluation accounts—

“(A) amounts displayed by account, budget activity, line number, program element, and program element title; and

“(B) a description of the requirements for each such amounts specific to the Initiative.

“(3) With respect to operation and maintenance accounts—

“(A) amounts displayed by account title, budget activity title, line number, and subactivity group title; and

“(B) a description of how such amounts will specifically be used.

“(4) With respect to military personnel accounts—

“(A) amounts displayed by account, budget activity, budget subactivity, and budget subactivity title; and

“(B) a description of the requirements for each such amounts specific to the Initiative.

“(5) With respect to each project under military construction accounts (including with respect to unspecified minor military construction and amounts for planning and design), the country, location, project title, and project amount by fiscal year.

“(c) END OF FISCAL YEAR REPORT.—Not later than November 30, 2020, and annually thereafter, the Secretary of Defense shall submit to the congressional defense committees [Committees on Armed Services and Appropriations of the Senate and the House of Representatives] a report that contains—

“(1) a detailed summary of funds obligated for the European Deterrence Initiative for the preceding fiscal year; and

“(2) a detailed comparison of funds obligated for the European Deterrence Initiative for the preceding fiscal year to amounts requested for the Initiative for that fiscal year in the materials submitted to Congress by the Secretary in support of the budget of the President for that fiscal year as required by subsection (c), including with respect to each of the accounts described in paragraphs (1), (2), (3), (4), and (5)

of subsection (b) and the information required under each such paragraph.

“(d) INTERIM BRIEFING.—Not later than March 30, 2021, and annually thereafter, the Secretary of Defense shall provide the congressional defense committees with an interim briefing on the status of all matters covered by the end of fiscal year report required by section (c).”

REPORTING ON FUTURE YEARS BUDGETING BY
SUBACTIVITY GROUP

Pub. L. 115-232, div. A, title III, § 357, Aug. 13, 2018, 132 Stat. 1732, provided that: “Along with the budget for each fiscal year submitted by the President pursuant to section 1105(a) of title 31, United States Code, the Secretary of Defense and the Secretaries of the military departments shall include in the OP-5 Justification Books, as detailed by Department of Defense Financial Management Regulation 7000.14-R, the amount for each individual subactivity group, as detailed in the Department’s future years defense program pursuant to section 221 of title 10, United States Code.”

INCLUSION OF AIRCRAFT CARRIER REFUELING OVERHAUL
BUDGET REQUEST IN ANNUAL BUDGET JUSTIFICATION
MATERIALS

Pub. L. 115-232, div. A, title X, § 1018, Aug. 13, 2018, 132 Stat. 1951, provided that: “The Secretary of Defense shall include in the budget justification materials submitted to Congress by the Secretary in support of the budget of the President for fiscal year 2020 and each subsequent fiscal year, as part of the budget request for Shipbuilding and Conversion, Navy, a detailed aircraft carrier refueling overhaul budget request, by hull number, including all funding requested for reactor power units and reactor components.”

BUDGET DISPLAY FOR CYBER VULNERABILITY EVALUATIONS
AND MITIGATION ACTIVITIES FOR MAJOR WEAPON
SYSTEMS OF THE DEPARTMENT OF DEFENSE

Pub. L. 115-232, div. A, title XVI, § 1637, Aug. 13, 2018, 132 Stat. 2127, which provided that, beginning in fiscal year 2021 and in each fiscal year thereafter, the Secretary of Defense was to submit to Congress, as a part of the documentation that supported the President’s annual budget for the Department of Defense, a consolidated Cyber Vulnerability Evaluation and Mitigation budget justification display for each major weapons system of the Department of Defense, was repealed by Pub. L. 118-31, div. A, title XV, § 1502(a)(2)(D), Dec. 22, 2023, 137 Stat. 537.

BUDGET EXHIBIT ON SUPPORT PROVIDED TO EXECUTIVE
OFFICE OF THE PRESIDENT

Pub. L. 115-232, div. A, title XVI, § 1697, Aug. 13, 2018, 132 Stat. 2171, provided that:

“(a) IN GENERAL.—The Under Secretary of Defense (Comptroller) shall include in the budget justification materials submitted to Congress in support of the Department of Defense budget for each fiscal year (as submitted with the budget of the President under section 1105(a) of title 31, United States Code) a single budget exhibit containing relevant details pertaining to support provided by the Department of Defense to the Executive Office of the President related to senior leader communications and continuity of Government programs.

“(b) INCLUSIONS.—The budget exhibit required by subsection (a) shall include—

“(1) support provided by the White House Military Office, the White House Communications Agency, special mission area activities of the Defense Information Systems Agency, and other relevant programs; and

“(2) specific appropriation and line numbers where appropriate.

“(c) FORM.—The budget exhibit required by subsection (a) shall be submitted in unclassified form, but may include a classified annex.”

SUBMISSION OF FUTURE YEAR DEFENSE PROGRAM FOR
CONSTRUCTION PROJECTS RELATED TO EUROPEAN RE-
ASSURANCE INITIATIVE AND EUROPEAN DETERRENCE
INITIATIVE

Pub. L. 115-141, div. J, title IV, § 402, Mar. 23, 2018, 132 Stat. 831, provided that: “Notwithstanding any other provision of law, the Secretary of Defense is directed to provide the congressional defense committees [Committees on Armed Services of the House of Representatives and the Senate, the Subcommittee on Military Construction and Veterans Affairs of the Committee on Appropriations of the Senate, and the Subcommittee on Military Construction and Veterans Affairs of the Committee on Appropriations of the House of Representatives] a future years defense program for funds appropriated to the Department of Defense for construction projects related to European Reassurance Initiative and European Deterrence Initiative beginning in fiscal year 2018 and each subsequent fiscal year that funding is requested for either initiative. Further, the Secretary of Defense is directed to submit the future years defense program with each fiscal year budget submission.”

DOD GUIDANCE

Pub. L. 115-91, div. A, title X, § 1042(e), Dec. 12, 2017, 131 Stat. 1554, provided that: “The Secretary of Defense shall, in coordination with the Under Secretary of Defense (Comptroller), update Department of Defense Financial Management Regulation 7000.14-R, and any other appropriate instructions and guidance, to ensure that the Department of Defense takes appropriate actions to comply with the amendments made by this section [amending this section] in the submittal of future-years defense programs in calendar years after calendar year 2017.”

FUTURE YEARS PLANS FOR THE EUROPEAN DETERRENCE
INITIATIVE

Pub. L. 115-91, div. A, title XII, § 1273, Dec. 12, 2017, 131 Stat. 1696, as amended by Pub. L. 116-92, div. A, title XII, § 1243(a), Dec. 20, 2019, 133 Stat. 1656, provided that: “(a) INITIAL PLAN.—Not later than December 31, 2019, the Secretary of Defense, in consultation with the Commander of the United States European Command, shall submit to the congressional defense committees [Committees on Armed Services and Appropriations of the Senate and the House of Representatives] a future years plan on activities and resources of the European Deterrence Initiative (EDI) for fiscal year 2020 and not fewer than the four succeeding fiscal years.

“(b) MATTERS TO BE INCLUDED.—The plan required under subsection (a) shall include the following:

“(1) A description of the objectives of the EDI, including a description of—

“(A) the intended force structure and posture of the assigned and allocated forces within the area of responsibility of the United States European Command for the last fiscal year of the plan; and

“(B) the manner in which such force structure and posture support the implementation of the National Defense Strategy.

“(2) An assessment of resource requirements to achieve the objectives of the EDI.

“(3) An assessment of capabilities requirements to achieve the objectives of the EDI.

“(4) An assessment of logistics requirements, including force enablers, equipment, supplies, storage, and maintenance requirements, to achieve the objectives of the EDI.

“(5) An identification and assessment of required infrastructure and military construction investments to achieve the objectives of the EDI, including potential infrastructure investments by host nations and new construction or modernization of existing sites that would be funded by the United States.

“(6) An assessment of security cooperation investments required to achieve the objectives of the EDI.

“(7) An analysis of the challenges to the ability of the United States to deploy significant forces from the continental United States to the European theater in the event of a major contingency, and a description of the plans of the Department of Defense, including military exercises, to address such challenges.

“(8) A plan to fully resource United States force posture and capabilities, including—

“(A) details regarding the strategy to balance the force structure of the United States forces to source additional permanently stationed United States forces in Europe as a part of any planned growth in end strength and force posture;

“(B) the infrastructure capacity of existing locations and their ability to accommodate additional permanently stationed United States forces in Europe;

“(C) the potential new locations for additional permanently stationed United States forces in Europe, including an assessment of infrastructure and military construction resources necessary to accommodate additional United States forces in Europe;

“(D) a detailed timeline to achieve desired permanent posture requirements;

“(E) a reevaluation of sites identified for divestiture but not yet divested under the European Infrastructure Consolidation initiative, accounting for updated military requirements;

“(F) any changes and associated costs incurred with retaining each site identified for divestiture but not yet divested under the European Infrastructure Consolidation initiative, including possible leasing agreements, sustainment, and maintenance;

“(G) a detailed assessment of the resources necessary to achieve the requirements of the plan, including specific cost estimates for each project under the EDI to support increased presence, exercises and training, enhanced prepositioning, improved infrastructure, and building partnership capacity;

“(H) a detailed timeline to achieve the force posture and capabilities, including permanent force posture requirements; and

“(I) a detailed explanation of any significant modifications to activities and resources as compared to the future years plan on activities and resources of the EDI submitted for the previous year.

“(c) SUBSEQUENT PLANS.—

“(1) IN GENERAL.—Not later than the date on which the Secretary of Defense submits to Congress the budget request for the Department of Defense for fiscal year 2021 and each fiscal year thereafter, the Secretary, in consultation with the Commander of the United States European Command, shall submit to the congressional defense committees a future years plan on activities and resources of the European Deterrence Initiative for such fiscal year and not fewer than the four succeeding fiscal years.

“(2) MATTERS TO BE INCLUDED.—The plan required under paragraph (1) shall include—

“(A) the matters described in subsection (b); and

“(B) a detailed explanation of any significant modifications in requirements or resources, as compared to the plan submitted under such subsection (b).

“(d) FORM.—The plans required under subsections (a) and (c) shall be submitted in unclassified form, but may include a classified annex.

“(e) LIMITATIONS.—In the case of a proposed divestiture of a site under the European Infrastructure Consolidation initiative, the Secretary of Defense may not take any action to divest the site unless prior to taking such action, the Secretary certifies to the congress-

sional defense committees that no military requirement for future use of the site is foreseeable.”

REVIEW OF SUPPORT PROVIDED BY DEFENSE INTELLIGENCE ELEMENTS TO ACQUISITION ACTIVITIES OF THE DEPARTMENT

Pub. L. 115–91, div. A, title XVI, §1626, Dec. 12, 2017, 131 Stat. 1733, provided that:

“(a) REVIEW.—The Secretary of Defense shall review the support provided by Defense intelligence elements to the acquisition activities conducted by the Secretary, with a specific focus on such support—

“(1) consisting of planning, prioritizing, and resourcing relating to developmental weapon systems; and

“(2) for existing weapon systems throughout the program lifecycle of such systems.

“(b) BUDGET STRUCTURE.—The Secretary shall develop a specific budget structure for a sustainable funding profile to ensure the support provided by Defense intelligence elements described in subsection (a). The Secretary shall implement such structure beginning with the defense budget materials for fiscal year 2020.

“(c) BRIEFING.—Not later than May 1, 2018, the Secretary of Defense shall provide to the appropriate congressional committees a briefing on the results of the review under subsection (a) and a plan to carry out subsection (b).

“(d) CONSTRUCTION.—Nothing in this section may be construed to relieve the Director of National Intelligence of the responsibility to support the acquisition activities of the Department of Defense through the National Intelligence Program.

“(e) DEFINITIONS.—In this section:

“(1) The term ‘appropriate congressional committees’ means—

“(A) the congressional defense committees [Committees on Armed Services and Appropriations of the Senate and the House of Representatives]; and

“(B) the Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate.

“(2) The term ‘defense budget materials’ has the meaning given that term in section 231(f) of title 10, United States Code [now 10 U.S.C. 231(h)].

“(3) The term ‘Defense intelligence element’ means any of the agencies, offices, and elements of the Department of Defense included within the definition of ‘intelligence community’ under section 3(4) of the National Security Act of 1947 (50 U.S.C. 3003(4)).”

REPORTING OF BALANCES CARRIED FORWARD BY THE DEPARTMENT OF DEFENSE AT THE END OF EACH FISCAL YEAR

Pub. L. 113–291, div. A, title X, §1003, Dec. 19, 2014, 128 Stat. 3482, provided that: “Not later March 1 of each year, the Secretary of Defense shall submit to the congressional defense committees [Committees on Armed Services and Appropriations of the Senate and the House of Representatives], and make publicly available on the Internet website of the Department of Defense, the following information:

“(1) The total dollar amount, by account, of all balances carried forward by the Department of Defense at the end of the fiscal year preceding the fiscal year during which such information is submitted.

“(2) The total dollar amount, by account, of all unobligated balances carried forward by the Department of Defense at the end of the fiscal year preceding the fiscal year during which such information is submitted.

“(3) The total dollar amount, by account, of any balances (both obligated and unobligated) that have been carried forward by the Department of Defense for five years or more as of the end of the fiscal year preceding the fiscal year during which such information is submitted.”

[For termination, effective Dec. 31, 2021, of annual reporting provisions in section 1003 of Pub. L. 113–291, set

out above, see section 1061 of Pub. L. 114-328, set out as a note under section 111 of this title.]

BUDGET DOCUMENTATION REQUIREMENT

Pub. L. 113-66, div. A, title II, §213(c), Dec. 26, 2013, 127 Stat. 704, provided that: “In the budget materials submitted to the President by the Secretary of Defense in connection with the submission to Congress, pursuant to section 1105 of title 31, United States Code, of the budget for fiscal year 2015, and each subsequent fiscal year, the Secretary shall include individual project lines for each program segment of the unmanned carrier-launched surveillance and strike system, within program element 0604404N, that articulate all costs, contractual actions, and other information associated with technology development for each such program segment.”

EVALUATION AND ASSESSMENT OF THE DISTRIBUTED COMMON GROUND SYSTEM

Pub. L. 113-66, div. A, title II, §219, Dec. 26, 2013, 127 Stat. 708, provided that:

“(a) PROJECT CODES FOR BUDGET SUBMISSIONS.—In the budget submitted by the President to Congress under section 1105 of title 31, United States Code, for fiscal year 2015 and each subsequent fiscal year, each capability component within the distributed common ground system program shall be set forth as a separate project code within the program element line, and each covered official shall submit supporting justification for the project code within the program element descriptive summary.

“(b) ANALYSIS.—

“(1) REQUIREMENT.—The Under Secretary of Defense for Acquisition, Technology, and Logistics shall conduct an analysis of capability components that are compliant with the intelligence community data standards and could be used to meet the requirements of the distributed common ground system program.

“(2) ELEMENTS.—The analysis required under paragraph (1) shall include the following:

“(A) Revalidation of the distributed common ground system program requirements based on current program needs, recent operational experience, and the requirement for nonproprietary solutions that adhere to open-architecture principles.

“(B) Market research of current commercially available tools to determine whether any such tools could potentially satisfy the requirements described in subparagraph (A).

“(C) Analysis of the competitive acquisition options for any tools identified in subparagraph (B).

“(3) SUBMISSION.—Not later than 180 days after the date of the enactment of this Act [Dec. 26, 2013], the Under Secretary shall submit to the congressional defense committees [Committees on Armed Services and Appropriations of the Senate and the House of Representatives] the results of the analysis conducted under paragraph (1).

“(c) COVERED OFFICIAL DEFINED.—In this section, the term ‘covered official’ means the following:

“(1) The Secretary of the Army, with respect to matters concerning the Army.

“(2) The Secretary of the Navy, with respect to matters concerning the Navy.

“(3) The Secretary of the Air Force, with respect to matters concerning the Air Force.

“(4) The Commandant of the Marine Corps, with respect to matters concerning the Marine Corps.

“(5) The Commander of the United States Special Operations Command, with respect to matters concerning the United States Special Operations Command.”

CONSOLIDATED BUDGET JUSTIFICATION DISPLAY FOR AEROSPACE CONTROL ALERT MISSION

Pub. L. 112-239, div. A, title III, §352(a), Jan. 2, 2013, 126 Stat. 1701, provided that: “The Secretary of Defense shall establish a consolidated budget justification dis-

play that fully identifies the baseline aerospace control alert budget for each of the military services and encompasses all programs and activities of the aerospace control alert mission for each of the following functions:

“(1) Procurement.

“(2) Operation and maintenance.

“(3) Research, development, testing, and evaluation.

“(4) Military construction.”

BUDGET JUSTIFICATION DOCUMENTS; BUDGET FOR FULL-SPECTRUM MILITARY CYBERSPACE OPERATIONS

Pub. L. 112-239, div. A, title X, §1079(c), Jan. 2, 2013, 126 Stat. 1959, which required Secretary of Defense to submit dedicated budget documentation materials with budget submissions for fiscal year 2015 and subsequent fiscal years, was repealed by Pub. L. 115-91, div. A, title X, §1051(r)(7), Dec. 12, 2017, 131 Stat. 1565.

SEPARATE PROCUREMENT LINE ITEM FOR CERTAIN LITTORAL COMBAT SHIP MISSION MODULES

Pub. L. 112-81, div. A, title I, §122, Dec. 31, 2011, 125 Stat. 1319, provided that:

“(a) IN GENERAL.—In the budget materials submitted to the President by the Secretary of Defense in connection with the submission to Congress, pursuant to section 1105 of title 31, United States Code, of the budget for fiscal year 2013, and each subsequent fiscal year, the Secretary shall ensure that a separate, dedicated procurement line item is designated for each covered module that includes the quantity and cost of each such module requested.

“(b) FORM.—The Secretary shall ensure that any classified components of covered modules not included in a procurement line item under subsection (a) shall be included in a classified annex.

“(c) COVERED MODULE.—In this section, the term ‘covered module’ means, with respect to mission modules of the Littoral Combat Ship, the following modules:

“(1) Surface warfare.

“(2) Mine countermeasures.

“(3) Anti-submarine warfare.”

DISPLAY OF PROCUREMENT OF EQUIPMENT FOR THE RESERVE COMPONENTS OF THE ARMED FORCES UNDER ESTIMATED EXPENDITURES FOR PROCUREMENT IN FUTURE-YEARS DEFENSE PROGRAMS

Pub. L. 112-81, div. A, title X, §1003A, Dec. 31, 2011, 125 Stat. 1556, provided that: “Each future-years defense program submitted to Congress under section 221 of title 10, United States Code, shall, in setting forth estimated expenditures and item quantities for procurement for the Armed Forces for the fiscal years covered by such program, display separately under such estimated expenditures and item quantities the estimated expenditures for each such fiscal year for equipment for each reserve component of the Armed Forces that will receive items in any fiscal year covered by such program.”

DISPLAY OF ANNUAL BUDGET REQUIREMENTS FOR ORGANIZATIONAL CLOTHING AND INDIVIDUAL EQUIPMENT

Pub. L. 112-81, div. A, title X, §1094, Dec. 31, 2011, 125 Stat. 1607, provided that:

“(a) SUBMISSION WITH ANNUAL BUDGET JUSTIFICATION DOCUMENTS.—For fiscal year 2013 and each subsequent fiscal year, the Secretary of Defense shall submit to the President, for inclusion with the budget materials submitted to Congress under section 1105(a) of title 31, United States Code, a budget justification display that covers all programs and activities associated with the procurement of organizational clothing and individual equipment.

“(b) REQUIREMENTS FOR BUDGET DISPLAY.—The budget justification display under subsection (a) for a fiscal year shall include the following:

“(1) The funding requirements in each budget activity and for each Armed Force for organizational clothing and individual equipment.

“(2) The amount in the budget for each of the Armed Forces for organizational clothing and equipment for that fiscal year.

“(c) DEFINITION.—In this section, the term ‘organizational clothing and individual equipment’ means an item of organizational clothing or equipment prescribed for wear or use with the uniform.”

SEPARATE PROGRAM ELEMENTS REQUIRED FOR RESEARCH AND DEVELOPMENT OF JOINT LIGHT TACTICAL VEHICLE

Pub. L. 111-383, div. A, title II, §213, Jan. 7, 2011, 124 Stat. 4163, provided that: “In the budget materials submitted to the President by the Secretary of Defense in connection with the submission to Congress, pursuant to section 1105 of title 31, United States Code, of the budget for fiscal year 2012, and each subsequent fiscal year, the Secretary shall ensure that within each research, development, test, and evaluation account of the Army and the Navy a separate, dedicated program element is assigned to the Joint Light Tactical Vehicle.”

SEPARATE PROCUREMENT LINE ITEM FOR BODY ARMOR

Pub. L. 111-84, div. A, title I, §141(b), Oct. 28, 2009, 123 Stat. 2223, provided that: “In the budget materials submitted to the President by the Secretary of Defense in connection with the submission to Congress, pursuant to section 1105 of title 31, United States Code, of the budget for fiscal year 2011, and each subsequent fiscal year, the Secretary shall ensure that within each military department procurement account, a separate, dedicated procurement line item is designated for body armor.”

SEPARATE PROGRAM ELEMENTS REQUIRED FOR RESEARCH AND DEVELOPMENT OF INDIVIDUAL BODY ARMOR AND ASSOCIATED COMPONENTS

Pub. L. 111-84, div. A, title II, §216, Oct. 28, 2009, 123 Stat. 2227, provided that: “In the budget materials submitted to the President by the Secretary of Defense in connection with the submission to Congress, pursuant to section 1105 of title 31, United States Code, of the budget for fiscal year 2011, and each subsequent fiscal year, the Secretary shall ensure that within each research, development, test, and evaluation account of each military department a separate, dedicated program element is assigned to the research and development of individual body armor and associated components.”

SEPARATE PROCUREMENT AND RESEARCH, DEVELOPMENT, TEST, AND EVALUATION LINE ITEMS AND PROGRAM ELEMENTS FOR THE F-35B AND F-35C JOINT STRIKE FIGHTER AIRCRAFT

Pub. L. 111-84, div. A, title II, §217, Oct. 28, 2009, 123 Stat. 2228, provided that: “In the budget materials submitted to the President by the Secretary of Defense in connection with the submission to Congress, pursuant to section 1105 of title 31, United States Code, of the budget for fiscal year 2011, and each subsequent fiscal year, the Secretary shall ensure that within the Navy research, development, test, and evaluation account and the Navy aircraft procurement account, a separate, dedicated line item and program element is assigned to each of the F-35B aircraft and the F-35C aircraft, to the extent that such accounts include funding for each such aircraft.”

GUIDANCE ON BUDGET JUSTIFICATION MATERIALS DESCRIBING FUNDING REQUESTED FOR OPERATION, SUSTAINMENT, MODERNIZATION, AND PERSONNEL OF MAJOR RANGES AND TEST FACILITIES

Pub. L. 111-84, div. A, title II, §220, Oct. 28, 2009, 123 Stat. 2229, as amended by Pub. L. 116-283, div. A, title XVIII, §1845(c)(6), Jan. 1, 2021, 134 Stat. 4247; Pub. L. 118-159, div. B, title XXVIII, §2871(c)(2), Dec. 23, 2024, 138 Stat. 2281, provided that:

“(a) GUIDANCE ON BUDGET JUSTIFICATION MATERIALS.—The Secretary of Defense, acting through the

Under Secretary of Defense (Comptroller) and the Director of the Department of Defense Test Resource Management Center, shall issue guidance clarifying and standardizing the information required in budget justification materials describing amounts to be requested in the budget of the President for a fiscal year (as submitted to Congress pursuant to section 1105(a) of title 31, United States Code) for funding for each facility and resource of the Major Range and Test Facility Base in connection with each of the following:

- “(1) Operation.
- “(2) Sustainment.
- “(3) Investment and modernization.
- “(4) Government personnel.
- “(5) Contractor personnel.

“(b) APPLICABILITY.—The guidance issued under subsection (a) shall apply with respect to budgets of the President for fiscal years after fiscal year 2010.

“(c) MAJOR RANGE AND TEST FACILITY BASE DEFINED.—In this section, the term ‘Major Range and Test Facility Base’ has the meaning given that term in section 4173 of title 10, United States Code.”

MILITARY MUNITIONS RESPONSE PROGRAM AND INSTALLATION RESTORATION PROGRAM

Pub. L. 111-84, div. A, title III, §318(b), Oct. 28, 2009, 123 Stat. 2250, provided that: “As part of the annual budget submission of the Secretary of Defense to Congress, the Secretary shall include the funding levels requested for the Military Munitions Response Program and the Installation Restoration Program.”

SEPARATE PROCUREMENT LINE ITEMS FOR FUTURE COMBAT SYSTEMS PROGRAM

Pub. L. 110-417, [div. A], title I, §111, Oct. 14, 2008, 122 Stat. 4373, provided that: “Effective for the budget of the President submitted to Congress under section 1105(a) of title 31, United States Code, for fiscal year 2011 and for each fiscal year thereafter, the Secretary of Defense shall ensure that a separate, dedicated procurement line item is designated for each of the following elements of the Future Combat Systems program (in this section referred to as ‘FCS’), to the extent the budget includes funding for such elements:

- “(1) FCS Manned Ground Vehicles.
- “(2) FCS Unmanned Ground Vehicles.
- “(3) FCS Unmanned Aerial Systems.
- “(4) FCS Unattended Ground Systems.
- “(5) Other FCS elements.”

SEPARATE PROCUREMENT AND RESEARCH, DEVELOPMENT, TEST, AND EVALUATION LINE ITEMS AND PROGRAM ELEMENTS FOR SKY WARRIOR UNMANNED AERIAL SYSTEMS PROJECT

Pub. L. 110-417, [div. A], title II, §214, Oct. 14, 2008, 122 Stat. 4386, provided that: “Effective for fiscal year 2010 and for each fiscal year thereafter, the Secretary of Defense shall ensure that, in the annual budget submission of the Department of Defense to the President, within both the account for procurement and the account for research, development, test, and evaluation, a separate, dedicated line item and program element is designated for the Sky Warrior Unmanned Aerial Systems project, to the extent such accounts include funding for such project.”

DISPLAY OF ANNUAL BUDGET REQUIREMENTS FOR AIR SOVEREIGNTY ALERT MISSION

Pub. L. 110-417, [div. A], title III, §354, Oct. 14, 2008, 122 Stat. 4426, which required the Secretary of Defense to submit to the President a display of annual budget requirements for the Air Sovereignty Alert Mission of the Air Force, was repealed by Pub. L. 113-188, title IV, §401(a), Nov. 26, 2014, 128 Stat. 2019.

[Pub. L. 113-291, div. A, title X, §1060(b), Dec. 19, 2014, 128 Stat. 3502, which directed repeal of section 354 of Pub. L. 110-417, formerly set out above, could not be executed because of the prior repeal by Pub. L. 113-188, title IV, §401(a), Nov. 26, 2014, 128 Stat. 2019.]

REQUIREMENT FOR SEPARATE DISPLAY OF BUDGETS FOR AFGHANISTAN AND IRAQ

Pub. L. 110-417, [div. A], title XV, §1502, Oct. 14, 2008, 122 Stat. 4649, provided that:

“(a) OPERATIONS IN IRAQ AND AFGHANISTAN.—In any annual or supplemental budget request for the Department of Defense that is submitted to Congress after the date of the enactment of this Act [Oct. 14, 2008], the Secretary of Defense shall set forth separately any funding requested in such budget request for—

“(1) operations of the Department of Defense in Afghanistan; and

“(2) operations of the Department of Defense in Iraq.

“(b) SPECIFICITY OF DISPLAY.—Each budget request covered by subsection (a) shall, for any funding requested for operations in Iraq or Afghanistan—

“(1) clearly display the amount of such funding at the appropriation account level and at the program, project, or activity level; and

“(2) include a detailed description of the assumptions underlying the funding for the period covered by the budget request, including the anticipated troop levels, the operations intended to be carried out, and the equipment reset requirements necessary to support such operations.”

REPORT ON FUNDING OF THE DEPARTMENT OF DEFENSE FOR HEALTH CARE

Pub. L. 110-181, div. A, title VII, §718, Jan. 28, 2008, 122 Stat. 197, provided that:

“(a) REPORT.—If the President submits to Congress the budget for a fiscal year under section 1105 of title 31, United States Code, and the aggregate amount included in that budget for the Department of Defense for health care for such fiscal year is less than the aggregate amount provided by Congress for the Department for health care for the preceding fiscal year, and, in the case of the Department, the total allocation from the Defense Health Program to any military department is less than the total of such allocation in the preceding fiscal year, the President shall submit to Congress a report on—

“(1) the reasons for the determination that inclusion of a lesser aggregate amount or allocation to any military department is in the national interest; and

“(2) the anticipated effects of the inclusion of such lesser aggregate amount or allocation to any military department on the access to and delivery of medical and support services to members of the Armed Forces and their family members.

“(b) TERMINATION.—The section shall not be in effect after December 31, 2017.”

SPECIFICATION OF AMOUNTS REQUESTED FOR PROCUREMENT OF CONTRACT SERVICES

Pub. L. 110-181, div. A, title VIII, §806, Jan. 28, 2008, 122 Stat. 213, which required that materials submitted to Congress in support of the Defense Department budget identify clearly and separately the amounts requested in each budget account for procurement of contract services, was repealed and restated as former section 235 of this title by Pub. L. 111-84, div. A, title VIII, §803(a)(1), (3), Oct. 28, 2009, 123 Stat. 2402.

REPORT ON MAJOR DEPARTMENT OF DEFENSE HEADQUARTERS ACTIVITIES PERSONNEL

Pub. L. 110-181, div. A, title IX, §901(b), (c), Jan. 28, 2008, 122 Stat. 272, which required that the Secretary of Defense include a report with the defense budget materials for each fiscal year concerning the number of military personnel and civilian employees of the Department of Defense assigned to major headquarters activities for each component of the Department, any increase in personnel assigned to major headquarters activities attributable to certain reasons, and any cost savings associated with the elimination of contracts for the performance of major headquarters activities, was

repealed by Pub. L. 111-84, div. A, title XI, §1109(b)(3), Oct. 28, 2009, 123 Stat. 2493.

MAJOR FORCE PROGRAM CATEGORY FOR SPACE

Pub. L. 112-10, div. A, title VIII, §8092, Apr. 15, 2011, 125 Stat. 77, provided that: “The Secretary of Defense shall create a major force program category for space for each future-years defense program of the Department of Defense submitted to Congress under section 221 of title 10, United States Code, during fiscal year 2011. The Secretary of Defense shall designate an official in the Office of the Secretary of Defense to provide overall supervision of the preparation and justification of program recommendations and budget proposals to be included in such major force program category.”

Similar provisions were contained in the following prior appropriation acts:

Pub. L. 111-118, div. A, title VIII, §8099, Dec. 19, 2009, 123 Stat. 3450.

Pub. L. 110-329, div. C, title VIII, §8104, Sept. 30, 2008, 122 Stat. 3644.

Pub. L. 110-116, div. A, title VIII, §8111, Nov. 13, 2007, 121 Stat. 1339.

REQUEST FOR FUNDS FOR ONGOING MILITARY OPERATION OVERSEAS

Pub. L. 110-116, div. A, title VIII, §8116, Nov. 13, 2007, 121 Stat. 1340, provided that: “Any request for funds for a fiscal year after fiscal year 2008 for an ongoing military operation overseas, including operations in Afghanistan and Iraq, shall be included in the annual budget of the President for such fiscal year as submitted to Congress under section 1105(a) of title 31, United States Code.”

ANNUAL REPORT ON PERSONNEL SECURITY INVESTIGATIONS FOR INDUSTRY AND NATIONAL INDUSTRIAL SECURITY PROGRAM

Pub. L. 109-364, div. A, title III, §347(a), (b), Oct. 17, 2006, 120 Stat. 2158, which required that the Secretary of Defense include in budget justification documents for each fiscal year a report on future requirements of the Department of Defense concerning Personnel Security Investigations for Industry and the National Industrial Security Program of the Defense Security Service, was repealed by Pub. L. 112-81, div. A, title X, §1062(d)(1), Dec. 31, 2011, 125 Stat. 1585.

BUDGETING FOR ONGOING MILITARY OPERATIONS IN AFGHANISTAN AND IRAQ

Pub. L. 109-364, div. A, title X, §1008, Oct. 17, 2006, 120 Stat. 2374, provided that: “The President’s budget submitted to Congress pursuant to section 1105(a) of title 31, United States Code, for each fiscal year after fiscal year 2007 shall include—

“(1) a request for the appropriation of funds for such fiscal year for ongoing military operations in Afghanistan and Iraq;

“(2) an estimate of all funds expected to be required in that fiscal year for such operations; and

“(3) a detailed justification of the funds requested.”

SEPARATE PROGRAM ELEMENTS REQUIRED FOR SIGNIFICANT SYSTEMS DEVELOPMENT AND DEMONSTRATION PROJECTS FOR ARMORED SYSTEMS MODERNIZATION PROGRAM

Pub. L. 109-163, div. A, title II, §214, Jan. 6, 2006, 119 Stat. 3168, provided that:

“(a) PROGRAM ELEMENTS SPECIFIED.—Effective for the budget of the President submitted to Congress under section 1105(a) of title 31, United States Code, for fiscal year 2008 and each fiscal year thereafter, the Secretary of Defense shall ensure that a separate, dedicated program element is assigned to each of the following systems development and demonstration projects of the Armored Systems Modernization program:

“(1) Manned Ground Vehicles.

“(2) Systems of Systems Engineering and Program Management.

“(3) Future Combat Systems Reconnaissance Platforms and Sensors.

“(4) Future Combat Systems Unmanned Ground Vehicles.

“(5) Unattended Sensors.

“(6) Sustainment.

“(b) EARLY COMMENCEMENT OF DISPLAY IN BUDGET JUSTIFICATION MATERIALS.—As part of the budget justification materials submitted to Congress in support of the Department of Defense budget for fiscal year 2007, as submitted with the budget of the President under such section 1105(a), the Secretary of the Army shall set forth the budget justification material for the systems development and demonstration projects of the Armored Systems Modernization program identified in subsection (a) as if the projects were already separate program elements.

“(c) TECHNOLOGY INSERTION TO CURRENT FORCE.—

“(1) REPORT ON ESTABLISHMENT OF ADDITIONAL PROGRAM ELEMENT.—Not later than June 1, 2006, the Secretary of the Army shall submit a report to the congressional defense committees [Committees on Armed Services and Appropriations of the Senate and the House of Representatives] describing the manner in which the costs of integrating Future Combat Systems capabilities into current force programs could be assigned to a separate, dedicated program element and any management issues that would be raised as a result of establishing such a program element.

“(2) DISPLAY IN BUDGET JUSTIFICATION MATERIALS.—As part of the budget justification materials submitted to Congress in support of the Department of Defense budget for fiscal year 2007 and each fiscal year thereafter, as submitted with the budget of the President under such section 1105(a), the Secretary of the Army shall set forth the budget justification material for technology insertion to the current force under the Armored Systems Modernization program.”

ANNUAL SUBMISSION OF INFORMATION REGARDING INFORMATION TECHNOLOGY CAPITAL ASSETS

Pub. L. 107-314, div. A, title III, §351, Dec. 2, 2002, 116 Stat. 2516, as amended by Pub. L. 110-417, [div. A], title X, §1051, Oct. 14, 2008, 122 Stat. 4604; Pub. L. 113-66, div. A, title III, §333, Dec. 26, 2013, 127 Stat. 739, which related to annual submission of information regarding information technology capital assets, was repealed by Pub. L. 114-92, div. A, title X, §1079(h), Nov. 25, 2015, 129 Stat. 1000.

DEPARTMENT OF DEFENSE REQUESTS FOR FUNDS FOR ENVIRONMENTAL RESTORATION AT BRAC SITES IN FUTURE FISCAL YEARS

Pub. L. 107-249, §131, Oct. 23, 2002, 116 Stat. 1586, provided that:

“(a) REQUESTS FOR FUNDS FOR ENVIRONMENTAL RESTORATION AT BRAC SITES IN FUTURE FISCAL YEARS.—In the budget justification materials submitted to Congress in support of the Department of Defense budget for any fiscal year after fiscal year 2003, the amount requested for environmental restoration, waste management, and environmental compliance activities in such fiscal year with respect to military installations approved for closure or realignment under the base closure laws shall accurately reflect the anticipated cost of such activities in such fiscal year.

“(b) BASE CLOSURE LAWS DEFINED.—In this section, the term ‘base closure laws’ means the following:

“(1) Section 2687 of title 10, United States Code.

“(2) The Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101-510; 10 U.S.C. 2687 note).

“(3) Title II of the Defense Authorization Amendments and Base Closure and Realignment Act (Public Law 100-526; 10 U.S.C. 2687 note).”

Similar provisions were contained in the following prior appropriation act:

Pub. L. 107-64, §131, Nov. 5, 2001, 115 Stat. 482.

BUDGET JUSTIFICATION DOCUMENTS FOR COSTS OF ARMED FORCES’ PARTICIPATION IN CONTINGENCY OPERATIONS

Pub. L. 107-248, title VIII, §8132, Oct. 23, 2002, 116 Stat. 1568, provided that: “The budget of the President for fiscal year 2004 submitted to the Congress pursuant to section 1105 of title 31, United States Code, and each annual budget request thereafter, shall include separate budget justification documents for costs of United States Armed Forces’ participation in contingency operations for the Military Personnel accounts, the Overseas Contingency Operations Transfer Fund, the Operation and Maintenance accounts, and the Procurement accounts: *Provided*, That these budget justification documents shall include a description of the funding requested for each anticipated contingency operation, for each military service, to include active duty and Guard and Reserve components, and for each appropriation account: *Provided further*, That these documents shall include estimated costs for each element of expense or object class, a reconciliation of increases and decreases for ongoing contingency operations, and programmatic data including, but not limited to troop strength for each active duty and Guard and Reserve component, and estimates of the major weapons systems deployed in support of each contingency: *Provided further*, That these documents shall include budget exhibits OP-5 and OP-32, as defined in the Department of Defense Financial Management Regulation, for the Overseas Contingency Operations Transfer Fund for fiscal years 2002 and 2003.”

Similar provisions were contained in the following appropriation acts:

Pub. L. 117-103, div. C, title VIII, §8079, Mar. 15, 2022, 136 Stat. 194.

Pub. L. 116-260, div. C, title VIII, §8076, Dec. 27, 2020, 134 Stat. 1323.

Pub. L. 116-93, div. A, title VIII, §8076, Dec. 20, 2019, 133 Stat. 2355.

Pub. L. 115-245, div. A, title VIII, §8074, Sept. 28, 2018, 132 Stat. 3018.

Pub. L. 115-141, div. C, title VIII, §8075, Mar. 23, 2018, 132 Stat. 482.

Pub. L. 115-31, div. C, title VIII, §8076, May 5, 2017, 131 Stat. 265.

Pub. L. 114-113, div. C, title VIII, §8075, Dec. 18, 2015, 129 Stat. 2370.

Pub. L. 113-235, div. C, title VIII, §8078, Dec. 16, 2014, 128 Stat. 2272.

Pub. L. 113-76, div. C, title VIII, §8075, Jan. 17, 2014, 128 Stat. 123.

Pub. L. 113-6, div. C, title VIII, §8075, Mar. 26, 2013, 127 Stat. 315.

Pub. L. 112-74, div. A, title VIII, §8077, Dec. 23, 2011, 125 Stat. 824.

Pub. L. 112-10, div. A, title VIII, §8077, Apr. 15, 2011, 125 Stat. 74.

Pub. L. 111-118, div. A, title VIII, §8083, Dec. 19, 2009, 123 Stat. 3447.

Pub. L. 110-329, div. C, title VIII, §8086, Sept. 30, 2008, 122 Stat. 3641.

Pub. L. 110-116, div. A, title VIII, §8091, Nov. 13, 2007, 121 Stat. 1335.

Pub. L. 109-289, div. A, title VIII, §8089, Sept. 29, 2006, 120 Stat. 1294.

Pub. L. 109-148, div. A, title VIII, §8100, Dec. 30, 2005, 119 Stat. 2721.

Pub. L. 108-287, title VIII, §8116, Aug. 5, 2004, 118 Stat. 998.

Pub. L. 108-87, title VIII, §8115, Sept. 30, 2003, 117 Stat. 1099.

Pub. L. 107-117, div. A, title VIII, §8097, Jan. 10, 2002, 115 Stat. 2268.

Pub. L. 106-259, title VIII, §8097, Aug. 9, 2000, 114 Stat. 695.

Pub. L. 106-79, title VIII, §8110, Oct. 25, 1999, 113 Stat. 1257.

BUDGET SUBMISSIONS ON ACTIVE AND RESERVE
MILITARY PERSONNEL ACCOUNTS

Pub. L. 105-262, title VIII, § 8093, Oct. 17, 1998, 112 Stat. 2319, provided that: "At the time the President submits his budget for fiscal year 2000 and any fiscal year thereafter, the Department of Defense shall transmit to the congressional defense committees [Committee on Armed Services and Subcommittee on National Security of the Committee on Appropriations of the House of Representatives and Committee on Armed Services and Subcommittee on Defense of the Committee on Appropriations of the Senate] a budget justification document for the active and reserve Military Personnel accounts, to be known as the 'M-1', which shall identify, at the budget activity, activity group, and subactivity group level, the amounts requested by the President to be appropriated to the Department of Defense for military personnel in any budget request, or amended budget request, for that fiscal year."

Similar provisions were contained in the following prior appropriation acts:

Pub. L. 105-56, title VIII, § 8104, Oct. 8, 1997, 111 Stat. 1243.

MODIFICATION OF BUDGET DATA EXHIBITS

Pub. L. 105-85, div. A, title III, § 324(c), Nov. 18, 1997, 111 Stat. 1678, provided that: "The Under Secretary of Defense (Comptroller) shall ensure that aircraft budget data exhibits of the Department of Defense that are submitted to Congress display total numbers of active aircraft where numbers of primary aircraft or primary authorized aircraft are displayed in those exhibits."

INCLUSION OF AIR FORCE DEPOT MAINTENANCE AS
OPERATION AND MAINTENANCE BUDGET LINE ITEMS

Pub. L. 105-85, div. A, title III, § 327, Nov. 18, 1997, 111 Stat. 1679, provided that: "For fiscal year 1999 and each fiscal year thereafter, Air Force depot-level maintenance of materiel shall be displayed as one or more separate line items under each subactivity within the authorization request for operation and maintenance, Air Force, in the proposed budget for that fiscal year submitted to Congress pursuant to section 1105 of title 31, United States Code."

IDENTIFICATION IN PRESIDENT'S BUDGET OF NATO
COSTS

Pub. L. 106-79, title VIII, § 8091, Oct. 25, 1999, 113 Stat. 1253, provided that: "The budget of the President for fiscal year 2001 submitted to the Congress pursuant to section 1105 of title 31, United States Code, and each annual budget request thereafter, shall include budget activity groups (known as 'subactivities') in all appropriations accounts provided in this Act [see Tables for classification], as may be necessary, to separately identify all costs incurred by the Department of Defense to support the North Atlantic Treaty Organization and all Partnership For Peace programs and initiatives. The budget justification materials submitted to the Congress in support of the budget of the Department of Defense for fiscal year 2001, and subsequent fiscal years, shall provide complete, detailed estimates for all such costs."

Similar provisions were contained in the following prior appropriation acts:

Pub. L. 105-262, title VIII, § 8095, Oct. 17, 1998, 112 Stat. 2319.

Pub. L. 105-56, title VIII, § 8116, Oct. 8, 1997, 111 Stat. 1245.

PROGRAM ELEMENTS FOR BALLISTIC MISSILE DEFENSE
ORGANIZATION

Pub. L. 104-106, div. A, title II, § 251, Feb. 10, 1996, 110 Stat. 233, which required that in budget justification materials submitted to Congress in support of Department of Defense budget, the amount requested for activities of the Ballistic Missile Defense Organization be set forth in accordance with specified program ele-

ments, was repealed and restated as former section 223 of this title by Pub. L. 105-261, div. A, title II, § 235(a)(1), (b), Oct. 17, 1998, 112 Stat. 1953.

BUDGET SUBMISSIONS ON SALARIES AND EXPENSES
RELATED TO ADMINISTRATIVE ACTIVITIES

Pub. L. 109-148, div. A, title VIII, § 8032, Dec. 30, 2005, 119 Stat. 2705, provided that: "The President shall include with each budget for a fiscal year submitted to the Congress under section 1105 of title 31, United States Code, and hereafter, materials that shall identify clearly and separately the amounts requested in the budget for appropriation for that fiscal year for salaries and expenses related to administrative activities of the Department of Defense, the military departments, and the defense agencies."

Similar provisions were contained in the following prior appropriation acts:

Pub. L. 108-287, title VIII, § 8036, Aug. 5, 2004, 118 Stat. 978.

Pub. L. 108-87, title VIII, § 8036, Sept. 30, 2003, 117 Stat. 1080.

Pub. L. 107-248, title VIII, § 8036, Oct. 23, 2002, 116 Stat. 1544.

Pub. L. 107-117, div. A, title VIII, § 8039, Jan. 10, 2002, 115 Stat. 2256.

Pub. L. 106-259, title VIII, § 8039, Aug. 9, 2000, 114 Stat. 683.

Pub. L. 106-79, title VIII, § 8042, Oct. 25, 1999, 113 Stat. 1240.

Pub. L. 105-262, title VIII, § 8042, Oct. 17, 1998, 112 Stat. 2306.

Pub. L. 105-56, title VIII, § 8046, Oct. 8, 1997, 111 Stat. 1231.

Pub. L. 104-208, div. A, title I, § 101(b) [title VIII, § 8047], Sept. 30, 1996, 110 Stat. 3009-71, 3009-98.

Pub. L. 104-61, title VIII, § 8058, Dec. 1, 1995, 109 Stat. 663.

Pub. L. 103-335, title VIII, § 8069, Sept. 30, 1994, 108 Stat. 2635.

Pub. L. 103-139, title VIII, § 8082, Nov. 11, 1993, 107 Stat. 1458.

Pub. L. 102-396, title IX, § 9132, Oct. 6, 1992, 106 Stat. 1936.

SUBMISSION OF MULTIYEAR DEFENSE PROGRAM

Pub. L. 101-510, div. A, title XIV, § 1402(b), Nov. 5, 1990, 104 Stat. 1674, provided for limitations on obligation by Secretary of Defense of fiscal year 1991 advance procurement funds if, as of end of 90-day period beginning on date on which President's budget for fiscal year 1992 was submitted to Congress, the Secretary had not submitted to Congress fiscal year 1992 multiyear defense program.

MISSION ORIENTED PRESENTATION OF DEPARTMENT OF
DEFENSE MATTERS IN BUDGET

Pub. L. 101-510, div. A, title XIV, § 1404, Nov. 5, 1990, 104 Stat. 1675, directed President to submit with budget submitted to Congress each year of programs of Department of Defense, a budget that organizes programs within major functional category 050 (National Defense) on basis of major roles and missions of Department of Defense, prior to repeal by Pub. L. 102-484, div. A, title X, § 1002(b), Oct. 23, 1992, 106 Stat. 2480. See section 222 of this title.

DEFINITION OF "CONGRESSIONAL DEFENSE COMMITTEES"

Pub. L. 115-141, div. J, title I, § 127, Mar. 23, 2018, 132 Stat. 804, provided that: "For the purposes of this Act [div. J of Pub. L. 115-141, 132 Stat. 796, see Tables for classification], the term 'congressional defense committees' means the Committees on Armed Services of the House of Representatives and the Senate, the Subcommittee on Military Construction and Veterans Affairs of the Committee on Appropriations of the Senate, and the Subcommittee on Military Construction and Veterans Affairs of the Committee on Appropriations of the House of Representatives."

§ 222. Future-years mission budget

(a) FUTURE-YEARS MISSION BUDGET.—The Secretary of Defense shall submit to Congress for each fiscal year a future-years mission budget for the military programs of the Department of Defense. That budget shall be submitted for any fiscal year with the future-years defense program submitted under section 221 of this title.

(b) CONSISTENCY WITH FUTURE-YEARS DEFENSE PROGRAM.—The future-years mission budget shall be consistent with the future-years defense program required under section 221 of this title. In the future-years mission budget, the military programs of the Department of Defense shall be organized on the basis of major force programs.

(c) RELATIONSHIP TO OTHER DEFENSE BUDGET FORMATS.—The requirement in subsection (a) is in addition to the requirements in any other provision of law regarding the format for the presentation regarding military programs of the Department of Defense in the budget submitted pursuant to section 1105 of title 31 for any fiscal year.

(Added Pub. L. 102-484, div. A, title X, §1002(a)(2), Oct. 23, 1992, 106 Stat. 2480; amended Pub. L. 103-337, div. A, title X, §1004, Oct. 5, 1994, 108 Stat. 2834; Pub. L. 110-181, div. A, title IX, §944(a), (b), Jan. 28, 2008, 122 Stat. 289, 290; Pub. L. 115-91, div. A, title X, §1081(a)(16), Dec. 12, 2017, 131 Stat. 1595.)

Editorial Notes**PRIOR PROVISIONS**

Provisions similar to those in this section were contained in Pub. L. 101-510, div. A, title XIV, §1404, Nov. 5, 1990, 104 Stat. 1675, which was set out as a note under section 114a [now 221] of this title, prior to repeal by Pub. L. 102-484, §1002(b).

AMENDMENTS

2017—Subsec. (b). Pub. L. 115-91 substituted “major force programs.” for “both major force programs and the core mission areas identified under the most recent quadrennial roles and missions review pursuant to section 118b of this title.”

2008—Subsec. (a). Pub. L. 110-181, §944(a), amended last sentence generally. Prior to amendment, last sentence read as follows: “That budget shall be submitted for any fiscal year not later than 60 days after the date on which the President’s budget for that fiscal year is submitted to Congress pursuant to section 1105 of title 31.”

Subsec. (b). Pub. L. 110-181, §944(b), substituted “on the basis of both major force programs and the core mission areas identified under the most recent quadrennial roles and missions review pursuant to section 118b of this title.” for “on the basis of major roles, missions, or forces of the Department of Defense.”

1994—Subsec. (a). Pub. L. 103-337 substituted “not later than 60 days after the date on which” for “at the same time that”.

Statutory Notes and Related Subsidiaries**EFFECTIVE DATE OF 2008 AMENDMENT**

Pub. L. 110-181, div. A, title IX, §944(c), Jan. 28, 2008, 122 Stat. 290, provided that: “The amendments made by this section [amending this section] shall apply with respect to the future-years mission budget for fiscal year 2010 and each fiscal year thereafter.”

§ 222a. Unfunded priorities of the armed forces and combatant commands: annual report

(a) ANNUAL REPORT.—Not later than 10 days after the date on which the budget of the President for a fiscal year is submitted to Congress pursuant to section 1105 of title 31, each officer specified in subsection (b) shall submit to the Secretary of Defense and the Chairman of the Joint Chiefs of Staff, and to the congressional defense committees, a report on the unfunded priorities of the armed force or forces or combatant command under the jurisdiction or command of such officer.

(b) OFFICERS.—The officers specified in this subsection are the following:

- (1) The Chief of Staff of the Army.
- (2) The Chief of Naval Operations.
- (3) The Chief of Staff of the Air Force.
- (4) The Commandant of the Marine Corps.
- (5) The Chief of Space Operations.
- (6) The commanders of the combatant commands established under section 161 of this title.
- (7) The Chief of the National Guard Bureau in the role assigned to that position in section 10502(c)(1) of this title.

(c) ELEMENTS.—

(1) IN GENERAL.—Each report under this subsection shall specify, for each unfunded priority covered by such report, the following:

(A) A summary description of such priority, including the objectives outlined in the national defense strategy required under section 113(g) of this title and the National Military Strategy required under section 139(b) of this title to be advanced if such priority is funded (whether in whole or in part).

(B) The additional amount of funds recommended in connection with the objectives under subparagraph (A).

(C) Account information with respect to such priority, including the following (as applicable):

- (i) Line Item Number (LIN) for applicable procurement accounts.
- (ii) Program Element (PE) number for applicable research, development, test, and evaluation accounts.
- (iii) Sub-activity group (SAG) for applicable operation and maintenance accounts.

(D) A detailed assessment of each specific risk that would be reduced in executing the national defense strategy required under section 113(g) of this title and the National Military Strategy required under section 139(b) of this title if such priority is funded (whether in whole or in part).

(E) The requirement to be addressed by the unfunded priority.

(F) The reason why funding for the priority was not included in the budget of the President.

(G) A description of any funding provided for the requirement for the current and preceding fiscal year.

(H) An assessment of the effect that providing funding for the priority would have on the future-years defense plan.