

**§ 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.

(2) **PRIORITIZATION OF PRIORITIES.**—Each report shall present the unfunded priorities covered by such report as follows:

(A) In overall order of urgency of priority according to the amount of risk reduced.

(B) In overall order of urgency of priority among unfunded priorities (other than covered military construction projects).

(C) In overall order of urgency of priority among covered military construction projects.

(3) **NATIONAL GUARD UNFUNDED PRIORITIES.**—

(A) **IN GENERAL.**—The officer specified under subsection (b)(7) shall only include in a report submitted under subsection (a) such priorities that—

(i) relate to equipping requirements in support of non-federalized National Guard responsibilities for the homeland defense or civil support missions; and

(ii) except as provided in subparagraph (B), were not included in a report under this section submitted by an officer specified in subsection (b)(1) or (3) for any of five fiscal years preceding the fiscal year for which the report is submitted, on behalf of National Guard forces to address a warfighting requirement.

(B) **EXCEPTION.**—The officer specified under subsection (b)(7) may include in a report submitted under subsection (a) an unfunded priority covered by subparagraph (A)(ii) if the Secretary of Defense—

(i) determines that the inclusion such unfunded priority reasonably supports the priorities of the Department under the national defense strategy under section 113(g) of this title; and

(ii) submits to the congressional defense committees written notice of such determination.

(d) **PRIORITIZATION.**—Not later than 10 days after the receipt of all of the reports referred to in subsection (a), the Secretary of Defense, in consultation with the Chairman of the Joint Chiefs of Staff, shall submit to the congressional defense committees a report that prioritizes each specific unfunded priority across all unfunded priorities submitted by officers specified in (b) according to the risk 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.

(e) **DEFINITIONS.**—In this section:

(1) The term “unfunded priority”, in the case of a fiscal year, means a program, activity, or mission requirement, including a covered military construction project, that—

(A) is not funded in the budget of the President for the fiscal year as submitted to Congress pursuant to section 1105 of title 31;

(B) is necessary to fulfill a requirement associated with an operational or contingency plan of a combatant command or other validated requirement; and

(C) would have been recommended for funding through the budget referred to in subparagraph (1) by the officer submitting the report required by subsection (a) in connection with the budget if—

(i) additional resources had been available for the budget to fund the program, activity, or mission requirement; or

(ii) the program, activity, or mission requirement has emerged since the budget was formulated.

(2) The term “covered military construction project”, in connection with a fiscal year, means a military construction project that—

(A) is included in any fiscal year of the future-years defense program under section 221 of this title that is submitted in connection with the budget of the President for the fiscal year, and is executable in the fiscal year; or

(B) is considered by the commander of a combatant command referred to in subsection (b)(5) to be an urgent need, and is executable in the fiscal year.

(Added Pub. L. 114-328, div. A, title X, §1064(a)(1), Dec. 23, 2016, 130 Stat. 2408; amended Pub. L. 116-92, div. A, title X, §1005, title XVII, §1731(a)(12), Dec. 20, 2019, 133 Stat. 1573, 1813; Pub. L. 116-283, div. A, title IX, §924(b)(10), title X, §§1006, 1081(a)(12), Jan. 1, 2021, 134 Stat. 3823, 3838, 3871; Pub. L. 117-263, div. A, title III, §384(b), title X, §1051, Dec. 23, 2022, 136 Stat. 2544, 2775; Pub. L. 118-31, div. A, title X, §1003, Dec. 22, 2023, 137 Stat. 379; Pub. L. 118-159, div. A, title XVII, §1701(a)(5), Dec. 23, 2024, 138 Stat. 2203.)

## Editorial Notes

### AMENDMENTS

2024—Subsec. (d). Pub. L. 118-159 struck out “the” before “all of the reports”.

2023—Subsec. (c)(1)(E) to (H). Pub. L. 118-31 added subpars. (E) to (H).

2022—Subsec. (c)(1)(A). Pub. L. 117-263, §1051(1)(A)(i), substituted “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” for “to be achieved”.

Subsec. (c)(1)(D). Pub. L. 117-263, §1051(1)(A)(ii), added subpar. (D).

Subsec. (c)(2)(A). Pub. L. 117-263, §1051(1)(B), inserted “according to the amount of risk reduced” after “priority”.

Subsec. (c)(3). Pub. L. 117-263, §384(b), substituted “subsection (b)(7)” for “subsection (b)(6)” in introductory provisions of subpars. (A) and (B).

Subsecs. (d), (e). Pub. L. 117-263, §1051(2), (3), added subsec. (d) and redesignated former subsec. (d) as (e).

2021—Subsec. (b)(5), (6). Pub. L. 116-283, §924(b)(10), added par. (5) and redesignated former par. (5) as (6).

Subsec. (b)(7). Pub. L. 116-283, §1006(1), added par. (7).

Subsec. (c)(3). Pub. L. 116-283, §1006(2), added par. (3).

Subsec. (d)(1)(C)(i). Pub. L. 116-283, §1081(a)(12), inserted “had” before “been available”.

2019—Subsec. (c)(2). Pub. L. 116-92, §1005(b), amended par. (2) generally. Prior to amendment, text read as follows: “Each report shall present the unfunded priorities covered by such report in order of urgency of priority.”

Subsec. (d). Pub. L. 116-92, §1005(a), amended subsec. (d) generally. Prior to amendment, subsec. (d) defined the term “unfunded priority”.

Subsec. (d)(3)(A). Pub. L. 116-92, §1731(a)(12), inserted “had” before “been” prior to the general amendment of subsec. (d). See Amendment note above and Coordination of Amendments by Pub. L. 116-92 note below.

## Statutory Notes and Related Subsidiaries

### COORDINATION OF AMENDMENTS BY PUB. L. 116-92

Amendments to this section by section 1731 of Pub. L. 116-92 to be treated as having been enacted imme-

diately before amendments by other provisions of Pub. L. 116-92, see section 1731(f) of Pub. L. 116-92, set out as a Coordination of Certain Sections of an Act With Other Provisions of That Act note under section 101 of this title.

ANNUAL REPORT ON UNFUNDED REQUIREMENTS FOR  
LABORATORY MILITARY CONSTRUCTION PROJECTS

Pub. L. 115-91, div. B, title XXVIII, §2806, Dec. 12, 2017, 131 Stat. 1847, as amended by Pub. L. 116-92, div. B, title XXVIII, §2807, Dec. 20, 2019, 133 Stat. 1885, provided that: “The Under Secretary of Defense for Research and Engineering, in coordination with the Under Secretary of Defense for Acquisition and Sustainment, shall submit to the congressional defense committees [Committees on Armed Services and Appropriations of the Senate and the House of Representatives] each year, at the time the budget of the President for the fiscal year beginning in such year is submitted to Congress under section 1105(a) of title 31, United States Code, a report listing unfunded requirements on major and minor military construction projects for Department of Defense science and technology laboratories and facilities and test and evaluation facilities, in prioritized order, with specific accounts and program elements identified, and shall include a Department of Defense Form DD1391 for each major and minor military construction project included in the report.”

**[§ 222b. Repealed. Pub. L. 118-159, div. A, title XVI, § 1649(b)(1), Dec. 23, 2024, 138 Stat. 2199]**

Section, added and amended Pub. L. 115-232, div. A, title XVI, §1677(a), (b)(1), Aug. 13, 2018, 132 Stat. 2160, 2161; Pub. L. 116-92, div. A, title XVII, §1731(a)(13), Dec. 20, 2019, 133 Stat. 1813, related to annual report on the unfunded priorities of the Missile Defense Agency. See section 5513 of this title. Section, as added and amended by Pub. L. 115-232, was based on Pub. L. 114-328, div. A, title XVI, §1696, Dec. 23, 2016, 130 Stat. 2638.

**§ 222c. Armed forces: Out-Year Unconstrained Total Munitions Requirements; Out-Year inventory numbers**

(a) ANNUAL REPORTS.—At the same time each year that the budget for the fiscal year beginning in such year is submitted to Congress pursuant to section 1105(a) of title 31, the chief of staff of each armed force (other than the Coast Guard) shall submit to the congressional defense committees a report setting forth for such armed force each of the following for such fiscal year, broken out as specified in subsection (c):

- (1) The Out-Year Unconstrained Total Munitions Requirement.
- (2) The Out-Year inventory numbers.

(b) PROHIBITION ON DELEGATION OF SUBMITTAL RESPONSIBILITY.—The responsibility of the chief of staff of an armed force in subsection (a) to submit a report may not be delegated outside the armed force concerned.

(c) PRESENTATION.—The Out-Year Unconstrained Total Munitions Requirement and Out-Year inventory numbers for an armed force for a fiscal year pursuant to subsection (a) shall include specific inventory objective requirements for each variant of munitions with respect to each of the following:

- (1) Combat Requirement, broken out by operation plan (OPLAN).
- (2) Current Operation/Forward Presence Requirement.
- (3) Strategic Readiness Requirement.
- (4) Homeland Defense.
- (5) Training and Testing Requirement.

(6) Total Out-Year Unconstrained Total Munitions Requirement, calculated in accordance with the implementation guidance described in subsection (d).

(7) Out-year worldwide inventory.

(8) Requirement for Protracted Warfare Scenarios, calculated by doubling the duration of each applicable operation plan.

(d) IMPLEMENTATION GUIDANCE USED.—In submitting information pursuant to subsection (a) for a fiscal year, the chief of staff of each armed force shall describe and explain the munitions requirements process implementation guidance developed by the Under Secretary of Defense for Acquisition and Sustainment and used by such armed force for the munitions requirements process for such armed force for that fiscal year.

(e) ADDITIONAL REQUIREMENTS.—Each report required under subsection (a) shall include the following:

(1) The number of years required to meet the Out-Year Unconstrained Total Munitions Requirement at the rate requested for the fiscal year covered by the report.

(2) The average rate of procurement during the three-year period preceding the date of the submission of the report, and the number of years required to meet the Out-Year Unconstrained Total Munitions Requirement at such three-year average rate.

(3) The additional amount of funding that would be required, for each fiscal year, to meet the Out-Year Unconstrained Total Munitions Requirement for each munition by the end of the period covered by the most recent future-years defense program submitted to Congress pursuant to section 221 of this title.

(f) DEFINITIONS.—In this section:

(1) The term “chief of staff”, with respect to the Marine Corps, means the Commandant of the Marine Corps.

(2) The term “Out-Year Unconstrained Total Munitions Requirement” has the meaning given that term in and for purposes of Department of Defense Instruction 3000.04, or any successor instruction.

(Added Pub. L. 115-232, div. A, title X, §1061(a), Aug. 13, 2018, 132 Stat. 1969; amended Pub. L. 116-92, div. A, title X, §1006, Dec. 20, 2019, 133 Stat. 1574; Pub. L. 117-263, div. A, title XVII, §1701(c), Dec. 23, 2022, 136 Stat. 2964.)

**Editorial Notes**

AMENDMENTS

2022—Subsec. (c)(8). Pub. L. 117-263, §1701(c)(1), added par. (8).

Subsecs. (e), (f). Pub. L. 117-263, §1701(c)(2), (3), added subsec. (e) and redesignated former subsec. (e) as (f).

2019—Subsec. (a). Pub. L. 116-92, §1006(1), substituted “subsection (c)” for “subsection (b)” in introductory provisions.

Subsecs. (b) to (e). Pub. L. 116-92, §1006(2)–(4), added subsec. (b), redesignated former subsec. (b) as (c) and in par. (6) substituted “subsection (d)” for “subsection (c)”, and redesignated former subsecs. (c) and (d) as (d) and (e), respectively.

**§ 222d. Annual report on industrial base constraints for munitions**

(a) IN GENERAL.—Not later than 30 days after the submission of all reports required under sec-