

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 Repealed.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-