

Provisions similar to those in this section were contained in Pub. L. 110-181, div. A, title VIII, §806, Jan. 28, 2008, 122 Stat. 213, which was set out as a note under section 221 of this title, prior to repeal by Pub. L. 111-84, §803(a)(3).

**§ 236. Personal protection equipment procurement: display of budget information**

(a) BUDGET JUSTIFICATION DISPLAY.—The Secretary of Defense shall submit to Congress, as a part of the defense budget materials for each fiscal year after fiscal year 2014, a consolidated budget justification display that covers all programs and activities associated with the procurement of personal protection equipment during the period covered by the future-years defense program submitted in that fiscal year under section 221.

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

(1) The amount for personal protection equipment included in both the base budget of the President and any overseas contingency operations budget of the President.

(2) A brief description of each category of personal protection equipment for each military department planned to be procured and developed.

(3) For each category planned to be procured using funds made available for operation and maintenance (whether under the base budget or any overseas contingency operations budget)—

(A) the relevant appropriations account, budget activity, and subactivity group for the category; and

(B) the funding profile for the fiscal year as requested, including cost and quantities, and an estimate of projected investments or procurements for each of the subsequent five fiscal years.

(4) For each category planned to be developed using funds made available for research, development, test, and evaluation (whether under the base budget or any overseas contingency operations budget)—

(A) the relevant appropriations account, program, project or activity; program element number, and line number; and

(B) the funding profile for the fiscal year as requested and an estimate of projected investments for each of the subsequent five fiscal years.

(c) DEFINITIONS.—In this section:

(1) The terms “budget” and “defense budget materials” have the meaning given those terms in section 234 of this title.

(2) The term “category of personal protection equipment” means the following:

(A) Body armor components.

(B) Combat helmets.

(C) Combat protective eyewear.

(D) Other items as determined appropriate by the Secretary.

(Added Pub. L. 113-66, div. A, title I, §141(a), Dec. 26, 2013, 127 Stat. 696.)

**§ 237. Embedded mental health providers of the reserve components: display of budget information**

The Secretary of Defense shall submit to Congress, as a part of the documentation that supports the President’s annual budget for the Department of Defense, a budget justification display with respect to embedded mental health providers within each reserve component, including the amount requested for each such component.

(Added Pub. L. 113-66, div. A, title VII, §721(a), Dec. 26, 2013, 127 Stat. 799.)

**§ 238. Cyber mission forces: program elements**

(a) BUDGET JUSTIFICATION DISPLAY.—The Secretary of Defense shall submit to Congress, as a part of the defense budget materials for fiscal year 2021 and each fiscal year thereafter, a budget justification display, in electronic and print formats, that includes—

(1) a major force program category for the five-year defense plan of the Department of Defense for the training, manning, and equipping of the cyber mission forces and the cyberspace operations forces; and

(2) program elements for the cyber mission forces and the cyberspace operations forces.

(b) WAIVER.—The Secretary may waive the requirement under subsection (a) for fiscal year 2021 if the Secretary—

(1) determines the Secretary is unable to comply with such requirement for fiscal year 2021; and

(2) establishes a plan to implement the requirement for fiscal year 2022.

(c) SUBMISSION.—The Secretary shall provide the displays described in subsection (a)—

(1) in electronic format not later than five days after the submission by the President under section 1105(a) of title 31 of the budget; and

(2) in print format not later than 21 days after the submission by the President under section 1105(a) of title 31 of the budget.

(Added Pub. L. 113-291, div. A, title XVI, §1631(a)(1), Dec. 19, 2014, 128 Stat. 3637; amended Pub. L. 116-283, div. A, title XVII, §1701(2), Jan. 1, 2021, 134 Stat. 4080.)

**Editorial Notes**

AMENDMENTS

2021—Subsec. (a). Pub. L. 116-283, §1701(2)(A)(i), substituted “2021” for “2017” and inserted “, in electronic and print formats,” after “display” in introductory provisions.

Subsec. (a)(1). Pub. L. 116-283, §1701(2)(A)(ii), inserted “and the cyberspace operations forces” before the semicolon.

Subsec. (a)(2). Pub. L. 116-283, §1701(2)(A)(iii), inserted “and the cyberspace operations forces” before period at end.

Subsec. (b). Pub. L. 116-283, §1701(2)(B)(i), substituted “2021” for “2017” in introductory provisions.

Subsec. (b)(1). Pub. L. 116-283, §1701(2)(B)(ii), substituted “2021” for “2017”.

Subsec. (b)(2). Pub. L. 116-283, §1701(2)(B)(iii), substituted “2022” for “2018”.

Subsec. (c). Pub. L. 116-283, §1701(2)(C), added subsec. (c).

**Statutory Notes and Related Subsidiaries****TERMINATION OF REPORTING REQUIREMENTS**

For termination, effective Dec. 31, 2021, of provisions of this section requiring submittal of annual report to Congress, see section 1061 of Pub. L. 114-328, set out as a note under section 111 of this title.

**DEMONSTRATION PROGRAM FOR CYBER AND INFORMATION TECHNOLOGY BUDGET DATA ANALYTICS**

Pub. L. 117-263, div. A, title XV, § 1552, Dec. 23, 2022, 136 Stat. 2919, provided that:

“(a) **DEMONSTRATION PROGRAM.**—

“(1) **REQUIREMENT.**—Not later than February 1, 2024, the Chief Information Officer of the Department of Defense shall, in coordination with the Chief Digital and Artificial Intelligence Officer, complete a pilot program to demonstrate the application of advanced data analytics to the fiscal year 2024 budget data of a military department for the purpose of identifying total cyber and information technology spending and the distribution of such resources across budget line items that are and are not identified, labeled, or categorized in a manner that would indicate that funds included in such line items will be expended on cyber and information technology activities.

“(2) **COORDINATION WITH MILITARY DEPARTMENTS.**—In carrying out the demonstration program under subsection (a), the Chief Information Officer shall, in coordination with the Secretary of the Air Force, the Secretary of the Army, and the Secretary of the Navy, select a military department for participation in the demonstration program.

“(b) **ELEMENTS.**—The demonstration program under subsection (a) shall include—

“(1) efforts to identify planned expenditures for cyber and information technology that are not captured in the total figures for cyber and information technology reported annually to Congress in support of the President’s budget submission and in budget documents and briefings to Congress on the cyber and information technology programs and activities;

“(2) efforts to improve transparency in cyber and information technology budget information to identify cyber and information technology activities funded out of noncyber and noninformation technology budget lines, including by the use of qualitative techniques such as semantic analysis or natural language processing technologies;

“(3) metrics developed to assess the effectiveness of the demonstration program;

“(4) a cost tradeoff analysis of implementing these cyber and information technology data analytics across the entire budget of the Department of Defense;

“(5) existing or planned efforts to use these data analytics to make budget decisions; and

“(6) existing or planned efforts to incorporate these data analytics into materials presented to Congress through the budget submission process.

“(c) **BRIEFING.**—

“(1) **INITIAL BRIEFING.**—Not later than 120 days after the date of the enactment of this Act [Dec. 23, 2022], the Chief Information Officer shall provide the Committees on Armed Services of the Senate and the House of Representatives a briefing on the plans and status of the Chief Information Officer with respect to the demonstration program under subsection (a).

“(2) **FINAL BRIEFING.**—Not later than March 1, 2024, the Chief Information Officer shall provide the Committees on Armed Services of the Senate and the House of Representatives a briefing on the results and findings of the Chief Information Officer with respect to the demonstration program under subsection (a), including the following:

“(A) Recommendations for expansion of the demonstration program to the entire cyber and information technology budget of the Department.

“(B) Plans for incorporating data analytics into the congressional budget submission process for the

cyber and information technology budget of the Department.”

**§ 239. National security space programs: major force program and budget assessment**

(a) **ESTABLISHMENT OF MAJOR FORCE PROGRAM.**—The Secretary of Defense shall establish a unified major force program for national security space programs pursuant to section 222(b) of this title to prioritize national security space activities in accordance with the requirements of the Department of Defense and national security.

(b) **BUDGET ASSESSMENT.**—(1) Not later than 30 days after the date on which the President submits to Congress the budget for each of fiscal years 2017 through 2021, the Secretary of Defense shall submit to the congressional defense committees a report on the budget for national security space programs of the Department of Defense. The Secretary may include the report in the defense budget materials if the Secretary submits such materials to Congress by such date.

(2) Each report on the budget for national security space programs of the Department of Defense under paragraph (1) shall include the following:

(A) An overview of the budget, including—

(i) a comparison between that budget, the previous budget, the most recent and prior future-years defense program submitted to Congress under section 221 of this title, and the amounts appropriated for such programs during the previous fiscal year; and

(ii) the specific identification, as a budgetary line item, for the funding under such programs.

(B) An assessment of the budget, including significant changes, priorities, challenges, and risks.

(C) Any additional matters the Secretary determines appropriate.

(3) Each report under paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

(c) **DEFINITIONS.**—In this section:

(1) The term “budget”, with respect to a fiscal year, means the budget for that fiscal year that is submitted to Congress by the President under section 1105(a) of title 31.

(2) The term “defense budget materials”, with respect to a fiscal year, means the materials submitted to Congress by the Secretary of Defense in support of the budget for that fiscal year.

(Added Pub. L. 114-92, div. A, title XVI, § 1601(a)(1), Nov. 25, 2015, 129 Stat. 1095; amended Pub. L. 115-232, div. A, title XVI, § 1605, Aug. 13, 2018, 132 Stat. 2107.)

**Editorial Notes****AMENDMENTS**

2018—Subsec. (b)(1). Pub. L. 115-232 amended par. (1) generally. Prior to amendment, par. (1) read as follows: “The Secretary shall include with the defense budget materials for each of fiscal years 2017 through 2020 a report on the budget for national security space programs of the Department of Defense.”