

curing 60 days after the date of the enactment of this Act [Oct. 28, 2004], and shall apply with respect to reports due to be submitted to Congress on or after such date.”

#### EFFECTIVE DATE OF 1990 AMENDMENT

Pub. L. 101–510, div. A, title XIV, §1407(d), Nov. 5, 1990, 104 Stat. 1681, as amended by Pub. L. 102–25, title VII, §704(a)(8), Apr. 6, 1991, 105 Stat. 119, provided that: “The amendments made by subsection (a) [amending this section] shall take effect with respect to Selected Acquisition Reports submitted under section 2432 of title 10, United States Code [now 10 U.S.C. 4351], after December 31, 1991.”

#### EFFECTIVE DATE OF 1987 AMENDMENT

Amendment by section 1233(a)(1) of Pub. L. 100–180 applicable as if included in enactment of the Defense Technical Corrections Act of 1987, Pub. L. 100–26, see section 1233(c) of Pub. L. 100–180, set out as a note under section 101 of this title.

Amendment by section 1314(a)(1) of Pub. L. 100–180 applicable as if included in enactment of the Goldwater-Nichols Department of Defense Reorganization Act of 1986, Pub. L. 99–433, see section 1314(e) of Pub. L. 100–180, set out as a note under section 743 of this title.

#### EFFECTIVE DATE OF 1986 AMENDMENT

Pub. L. 99–500, §101(c) [title X, §961(c)], Oct. 18, 1986, 100 Stat. 1783–82, 1783–176, Pub. L. 99–591, §101(c) [title X, §961(c)], Oct. 30, 1986, 100 Stat. 3341–82, 3341–176, and Pub. L. 99–661, div. A, title IX, formerly title IV, §961(c), Nov. 14, 1986, 100 Stat. 3956, renumbered title IX, Pub. L. 100–26, §3(5), Apr. 21, 1987, 101 Stat. 273, provided that: “The amendments made by subsections (a) and (b) [amending this section and former section 2433 of this title] shall take effect on January 1, 1987.”

#### EFFECTIVE DATE

Pub. L. 97–252, title XI, §1107(c), Sept. 8, 1982, 96 Stat. 746, provided that: “Sections 139a [now 10 U.S.C. 4351] and 139b [see 10 U.S.C. 4371 to 4375] of title 10, United States Code, as added by subsection (a), shall take effect on January 1, 1983, and shall apply beginning with respect to reports for the first quarter of fiscal year 1983. The repeal made by subsection (b) [repealing section 811 of Pub. L. 94–106, formerly set out as a Reports to Congress of Acquisitions for Major Defense Systems note under section 2431 of this title] shall take effect on January 1, 1983.”

#### ACQUISITION REPORTING SYSTEM

Pub. L. 117–263, div. A, title VIII, §809(a), (b), Dec. 23, 2022, 136 Stat. 2705, provided that:

“(a) IN GENERAL.—The Secretary of Defense shall institute a defense acquisition reporting system to replace the requirements of section 4351 of title 10, United States Code, as soon as practicable but not later than June 30, 2023.

“(b) ELEMENTS.—The reporting system required under subsection (a) shall—

“(1) produce the information necessary to carry out the actions specified in chapter 325 of title 10, United States Code;

“(2) produce the information necessary to carry out the actions specified in sections 4217 and 4311 of the Atomic Energy Defense Act (50 U.S.C. 2537, 2577);

“(3) incorporate—

“(A) the lessons learned from the demonstration carried out under subsection (b) of section 805 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 135 Stat. 1816); and

“(B) the plans required under subsection (c) of such section (Public Law 117–81; 135 Stat. 1817);

“(4) provide the congressional defense committees [Committees on Armed Services and Appropriations of the Senate and the House of Representatives] and other designated Government entities with access to acquisition reporting that is updated on a not less than quarterly basis; and

“(5) include such other information and functions as the Secretary of Defense determines appropriate to support the acquisition reporting needs of the Department of Defense.”

#### TERMINATION OF REPORTING REQUIREMENTS

For termination, effective Dec. 31, 2021, of provisions in this section requiring submittal of reports to Congress, see section 1051(x) of Pub. L. 115–91, set out as a note under section 111 of this title.

#### ANNUAL REPORTING

Pub. L. 114–328, div. A, title VIII, §847(b), Dec. 23, 2016, 130 Stat. 2292, provided that: “The Secretary of Defense shall include in each comprehensive annual Selected Acquisition Report submitted under section 2432 of title 10, United States Code [now 10 U.S.C. 4351], a listing of all programs or projects being developed or procured under the exceptions to the definition of major defense acquisition program set forth in paragraph (2) of section 2430(a) of [title 10,] United States Code [now 10 U.S.C. 4201(b)], as added by subsection (a)(1)(C) of this section.”

#### SELECTED ACQUISITION REPORTS FOR CERTAIN PROGRAMS

Pub. L. 100–180, div. A, title I, §127, Dec. 4, 1987, 101 Stat. 1044, as amended by Pub. L. 102–484, div. A, title VIII, §817(a), Oct. 23, 1992, 106 Stat. 2454, provided that:

“(a) SAR COVERAGE FOR ATB, ACM, AND ATA PROGRAMS.—The Secretary of Defense shall submit to the Committees on Armed Services of the Senate and House of Representatives, in accordance with the provisions of subsection (b) of section 2432 of title 10, United States Code [now 10 U.S.C. 4351(b)], a Selected Acquisition Report with respect to each program referred to in subsection (b), notwithstanding that such a report would not otherwise be required under section 2432 of title 10, United States Code [now 10 U.S.C. 4351].

“(b) COVERED PROGRAMS.—Subsection (a) applies to the Advanced Technology Bomber program, the Advanced Cruise Missile program, and the Advanced Tactical Aircraft program.

“(c) SELECTED ACQUISITION REPORT DEFINED.—As used in subsection (a), the term ‘Selected Acquisition Report’ means a report containing the information referred to in section 2432 of title 10, United States Code [now 10 U.S.C. 4351].”

#### [§§ 4352 to 4358. Omitted]

#### Editorial Notes

##### CODIFICATION

See Codification note set out under section 4351 of this title.

#### CHAPTER 325—COST GROWTH—UNIT COST REPORTS (NUNN-MCCURDY)

Sec.	
4371.	Cost growth definitions; applicability of reporting requirements; constant base year dollars.
4372.	Unit cost reports: quarterly report from program manager to service acquisition executive.
4373.	Unit cost reports: immediate report from program manager to service acquisition executive upon breach of significant cost growth threshold.
4374.	Unit cost reports: determinations by service acquisition executive and secretary concerned of breach of significant cost growth threshold or critical cost growth threshold; reports to Congress.
4375.	Breach of significant cost growth threshold or critical cost growth threshold: required action.