

- Sec.
4422. Weapon system component or technology prototype projects: oversight.
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Statutory Notes and Related Subsidiaries

PILOT PROGRAM ON DEVELOPMENT OF REENTRY VEHICLES AND RELATED SYSTEMS

Pub. L. 118-31, div. A, title XVI, §1645, Dec. 22, 2023, 137 Stat. 598, as amended by Pub. L. 118-159, div. A, title XVI, §1625, Dec. 23, 2024, 138 Stat. 2173, provided that:

“(a) IN GENERAL.—The Secretary of the Army, the Secretary of the Navy, and the Secretary of the Air Force, acting jointly or separately, may carry out a pilot program, to be known as the ‘Reentry Vehicle Flight Test Bed Program’, to assess the feasibility of providing regular flight test opportunities that support the development of reentry vehicles and reentry systems to—

“(1) facilitate technology upgrades tested in a realistic flight environment;

“(2) expand the availability of operationally qualified vendors within the defense industrial base;

“(3) provide an enduring, high-cadence test bed to mature technologies for planned reentry vehicles and reentry systems; and

“(4) transition technologies developed under other programs and projects relating to long-range ballistic or hypersonic strike missiles from the research and development or prototyping phases into operational use.

“(b) GRANTS, CONTRACTS, AND OTHER AGREEMENTS.—

“(1) AUTHORITY.—In carrying out a pilot program under this section, each Secretary may, subject to paragraph (2), award grants and enter into contracts or other agreements with appropriate entities for the conduct of relevant flight tests of reentry vehicles and reentry systems.

“(2) GRANT AND CONTRACT REQUIREMENTS.—

“(A) MERIT-BASED GRANTS.—Any grant under paragraph (1) shall be awarded through merit-based selection procedures.

“(B) COMPETITIVE CONTRACT PROCEDURES.—Any contract or other agreement under paragraph (1) shall be awarded using competitive procedures (as defined in section 3012 of title 10, United States Code).

“(3) USE OF FUNDS.—An entity that receives a grant, or enters into a contract or other agreement, as part of a pilot program carried out under this section shall use the grant, or any amount received under the contract or other agreement, to carry out one or more of the following activities:

“(A) Conducting flight tests to develop or validate—

“(i) aeroshell design;

“(ii) thermal protective systems;

“(iii) guidance and control systems;

“(iv) sensors;

“(v) communications;

“(vi) environmental sensors; or

“(vii) other relevant technologies.

“(B) Expanding flight test opportunities through low-cost, high-cadence platforms.

“(c) COORDINATION.—If the Secretary of the Army, the Secretary of the Navy, or the Secretary of the Air Force, acting jointly or separately, carries out a pilot program under this section, such Secretary or Secretaries shall ensure that the activities under the pilot program are carried out in coordination with the Under Secretary of Defense for Research and Engineering and the Director of the Missile Defense Agency.

“(d) SEMI-ANNUAL BRIEFINGS.—Not later than March 1 and September 1 of each year in which the Secretary of the Army, the Secretary of the Navy, or the Secretary of the Air Force, acting jointly or separately, carries out a pilot program under this section, such Secretary or Secretaries shall provide to the congressional defense committees a briefing on the activities of the pilot program.

“(e) TERMINATION.—The authority to carry out a pilot program under this section shall terminate on December 31, 2029.”

§ 4421. Weapon system component or technology prototype projects: display of budget information

(a) REQUIREMENTS FOR BUDGET DISPLAY.—In the defense budget materials for any fiscal year, the Secretary of Defense shall, with respect to advanced component development and prototype activities (within the research, development, test, and evaluation budget), set forth the amounts requested for each of the following:

(1) Acquisition programs of record.

(2) Development, prototyping, and experimentation of weapon system components or other technologies, including those based on commercial products and technologies, separate from acquisition programs of record.

(3) Other budget line items as determined by the Secretary of Defense.

(b) ADDITIONAL REQUIREMENTS.—For purposes of subsection (a)(2), the amounts requested for development, prototyping, and experimentation of weapon system components or other technologies shall be—

(1) structured into either capability, weapon system component, or technology portfolios that reflect the priority areas for prototype projects; and

(2) justified with general descriptions of the types of capability areas and technologies being funded or expected to be funded during the fiscal year concerned.

(c) DEFINITIONS.—In this section, the terms “budget” and “defense budget materials” have the meaning given those terms in section 234 of this title and the term “commercial product” has the meaning given that term in section 103 of title 41.

(Added Pub. L. 114-328, div. A, title VIII, §806(a)(1), Dec. 23, 2016, 130 Stat. 2256, §2447a; amended Pub. L. 115-232, div. A, title VIII, §836(e)(8), Aug. 13, 2018, 132 Stat. 1870; Pub. L. 116-92, div. A, title XVII, §1731(a)(51), Dec. 20, 2019, 133 Stat. 1815; renumbered §4421, Pub. L. 116-283, div. A, title XVIII, §1851(c)(1), Jan. 1, 2021, 134 Stat. 4272.)

Editorial Notes

AMENDMENTS

2021—Pub. L. 116-283 renumbered section 2447a of this title as this section.

2019—Subsec. (a). Pub. L. 116-92 struck out “after fiscal year 2017” after “any fiscal year” in introductory provisions.

2018—Subsec. (a)(2). Pub. L. 115-232, §836(e)(8)(A), substituted “commercial products and technologies” for “commercial items and technologies”.

Subsec. (c). Pub. L. 115-232, §836(e)(8)(B), inserted before period at end “and the term ‘commercial product’ has the meaning given that term in section 103 of title 41”.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2021 AMENDMENT

Amendment by Pub. L. 116-283 effective Jan. 1, 2022, with additional provisions for delayed implementation and applicability of existing law, see section 1801(d) of Pub. L. 116-283, set out as a note preceding section 3001 of this title.

EFFECTIVE DATE OF 2018 AMENDMENT

Amendment by Pub. L. 115-232 effective Jan. 1, 2020, subject to a savings provision, see section 836(h) of Pub. L. 115-232, set out as an Effective Date of 2018 Amendment; Savings Provision note under section 453b of Title 6, Domestic Security.

EFFECTIVE DATE

Pub. L. 114-328, div. A, title VIII, §806(a)(2), Dec. 23, 2016, 130 Stat. 2259, provided that: “Subchapter II of chapter 144B of title 10, United States Code [see, now, this subchapter], as added by paragraph (1), shall take effect on January 1, 2017.”

§ 4422. Weapon system component or technology prototype projects: oversight

(a) ESTABLISHMENT.—The Secretary of each military department shall establish an oversight board or identify a similar existing group of senior advisors for managing prototype projects for weapon system components and other technologies and subsystems, including the use of funds for such projects, within the military department concerned.

(b) MEMBERSHIP.—Each oversight board shall be comprised of senior officials with—

(1) expertise in requirements; research, development, test, and evaluation; acquisition; sustainment; or other relevant areas within the military department concerned;

(2) awareness of technology development activities and opportunities in the Department of Defense, industry, and other sources; and

(3) awareness of the component capability requirements of major weapon systems, including scheduling and fielding goals for such component capabilities.

(c) FUNCTIONS.—The functions of each oversight board are as follows:

(1) To issue a strategic plan every three years that prioritizes the capability and weapon system component portfolio areas for conducting prototype projects, based on assessments of—

(A) high priority warfighter needs;

(B) capability gaps or readiness issues with major weapon systems;

(C) opportunities to incrementally integrate new components into major weapon systems based on commercial technology or science and technology efforts that are expected to be sufficiently mature to prototype within three years; and

(D) opportunities to reduce operation and support costs of major weapon systems.

(2) To annually recommend funding levels for weapon system component or technology development and prototype projects across capability or weapon system component portfolios.

(3) To annually recommend to the service acquisition executive of the military department concerned specific weapon system com-

ponent or technology development and prototype projects, subject to the requirements and limitations in section 4423 of this title.

(4) To ensure projects are managed by experts within the Department of Defense who are knowledgeable in research, development, test, and evaluation and who are aware of opportunities for incremental deployment of component capabilities and other technologies to major weapon systems or directly to support warfighting capabilities.

(5) To ensure projects are conducted in a manner that allows for appropriate experimentation and technology risk.

(6) To ensure projects have a plan for technology transition of the prototype into a fielded system, program of record, or operational use, as appropriate, upon successful achievement of technical and project goals.

(7) To ensure necessary technical, contracting, and financial management resources are available to support each project.

(8) To submit to the congressional defense committees a semiannual notification that includes the following:

(A) each weapon system component or technology prototype project initiated during the preceding six months, including an explanation of each project and its required funding.

(B) the results achieved from weapon system component prototype and technology projects completed and tested during the preceding six months.

(Added Pub. L. 114-328, div. A, title VIII, §806(a)(1), Dec. 23, 2016, 130 Stat. 2257, §2447b; renumbered §4422 and amended Pub. L. 116-283, div. A, title XVIII, §1851(c)(1), (2), Jan. 1, 2021, 134 Stat. 4272.)

Editorial Notes

AMENDMENTS

2021—Pub. L. 116-283, §1851(c)(1), renumbered section 2447b of this title as this section.

Subsec. (c)(3). Pub. L. 116-283, §1851(c)(2), substituted “section 4423” for “section 2447c”.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2021 AMENDMENT

Amendment by Pub. L. 116-283 effective Jan. 1, 2022, with additional provisions for delayed implementation and applicability of existing law, see section 1801(d) of Pub. L. 116-283, set out as a note preceding section 3001 of this title.

EFFECTIVE DATE

Section effective Jan. 1, 2017, see section 806(a)(2) of Pub. L. 114-328, set out as a note under section 4421 of this title.

§ 4423. Requirements and limitations for weapon system component or technology prototype projects

(a) LIMITATION ON PROTOTYPE PROJECT DURATION.—A prototype project shall be completed within two years of its initiation.

(b) MERIT-BASED SELECTION PROCESS.—A prototype project shall be selected by the service acquisition executive of the military department concerned through a merit-based selection