

ADDITIONAL REQUIREMENT FOR NEXT DEFENSE  
STRATEGY REVIEW

Pub. L. 113-291, div. A, title X, §1072(d), Dec. 19, 2014, 128 Stat. 3517, provided that: “The first Defense Strategy Review required by subsection (a)(1) of section 118 of title 10, United States Code, as amended by subsection (a) of this section, shall include an analysis of enduring mission requirements for equipping, training, sustainment, and other operation and maintenance activities of the Department of Defense, including the Defense Agencies and military departments, that are financed by amounts authorized to be appropriated for overseas contingency operations.”

IMPLEMENTATION

Pub. L. 110-181, div. A, title IX, §951(b), Jan. 28, 2008, 122 Stat. 291, provided that: “The Secretary of Defense shall ensure that [former] subsection (g) of section 118 of title 10, United States Code, as added by subsection (a), is implemented in a manner that does not have a negative impact on the national security of the United States.”

FINDINGS AND SENSE OF CONGRESS

Pub. L. 109-364, div. A, title X, §1031(a), (b), Oct. 17, 2006, 120 Stat. 2385, provided that:

“(a) FINDINGS.—Congress finds that the comprehensive examination of the defense program and policies of the United States that is undertaken by the Security [Secretary of] Defense every four years pursuant to section 118 of title 10, United States Code, known as the Quadrennial Defense Review, is—

“(1) vital in laying out the strategic military planning and threat objectives of the Department of Defense; and

“(2) critical to identifying the correct mix of military planning assumptions, defense capabilities, and strategic focuses for the Armed Forces.

“(b) SENSE OF CONGRESS.—It is the sense of Congress that the Quadrennial Defense Review is intended to provide more than an overview of global threats and the general strategic orientation of the Department of Defense.”

ASSESSMENT WITH RESPECT TO 2001 QDR

Pub. L. 107-107, div. A, title IX, §921(c), Dec. 28, 2001, 115 Stat. 1198, directed the Chairman of the Joint Chiefs of Staff to submit to Congress, not later than one year after Dec. 28, 2001, an assessment of functions (or roles and missions) of the Armed Forces in accordance with par. (2) of subsec. (e) of this section based on the findings in the 2001 Quadrennial Defense Review issued by the Secretary of Defense on Sept. 30, 2001.

REVISED NUCLEAR POSTURE REVIEW

Pub. L. 106-398, §1 [[div. A], title X, §1041], Oct. 30, 2000, 114 Stat. 1654, 1654A-262, as amended by Pub. L. 107-107, div. A, title X, §1033, Dec. 28, 2001, 115 Stat. 1216, directed the Secretary of Defense to conduct a comprehensive review of the nuclear posture of the United States for the next 5 to 10 years, and to submit to Congress a report on the results of such review concurrently with the Quadrennial Defense Review report due in Dec. 2001.

SPECIFIED MATTER FOR FIRST QDR

Pub. L. 106-65, div. A, title IX, §901(c), Oct. 5, 1999, 113 Stat. 717, directed the Secretary of Defense to include, in the first quadrennial defense review conducted under this section, precision guided munitions, stealth, night vision, digitization, and communications within the technologies considered for the purposes of subsec. (d)(13) of this section.

**§ 118a. Quadrennial quality of life review**

(a) REVIEW REQUIRED.—(1) The Secretary of Defense shall every four years conduct a com-

prehensive examination of the quality of life of the members of the armed forces (to be known as the “quadrennial quality of life review”). The review shall include examination of the programs, projects, and activities of the Department of Defense, including the morale, welfare, and recreation activities.

(2) The quadrennial quality of life review shall be designed to result in determinations, and to foster policies and actions, that reflect the priority given the quality of life of members of the armed forces as a primary concern of the Department of Defense leadership.

(b) CONDUCT OF REVIEW.—Each quadrennial quality of life review shall be conducted so as—

(1) to assess quality of life priorities and issues consistent with the most recent National Security Strategy prescribed by the President pursuant to section 108 of the National Security Act of 1947 (50 U.S.C. 3043);

(2) to identify actions that are needed in order to provide members of the armed forces with the quality of life reasonably necessary to encourage the successful execution of the full range of missions that the members are called on to perform under the national security strategy; and

(3) to identify other actions that have the potential for improving the quality of life of the members of the armed forces.

(c) CONSIDERATIONS.—The Secretary shall consider addressing the following matters as part of the quadrennial quality of life review:

(1) Infrastructure.

(2) Military construction.

(3) Physical conditions at military installations and other Department of Defense facilities.

(4) Budget plans.

(5) Adequacy of medical care for members of the armed forces and their dependents.

(6) Adequacy of housing and the basic allowance for housing and basic allowance for subsistence.

(7) Housing-related utility costs.

(8) Educational opportunities and costs.

(9) Length of deployments.

(10) Rates of pay and pay differentials between the pay of members and the pay of civilians.

(11) Retention and recruiting efforts.

(12) Workplace safety.

(13) Support services for spouses and children.

(14) Other elements of Department of Defense programs and Government policies and programs that affect the quality of life of members.

(d) SUBMISSION TO CONGRESSIONAL COMMITTEES.—(1) The Secretary shall submit a report on each quadrennial quality of life review to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives. The report shall include the following:

(A) The assumptions used in the review.

(B) The results of the review, including a comprehensive discussion of how the quality of life of members of the armed forces affects the national security strategy of the United States.

(2) The report shall be submitted in the year following the year in which the review is conducted, but not later than the date on which the President submits the budget for the next fiscal year to Congress under section 1105(a) of title 31.

(Added Pub. L. 107–314, div. A, title V, §581(a)(1), Dec. 2, 2002, 116 Stat. 2559; amended Pub. L. 113–291, div. A, title X, §1071(c)(2), Dec. 19, 2014, 128 Stat. 3508.)

#### AMENDMENTS

2014—Subsec. (b)(1). Pub. L. 113–291 substituted “(50 U.S.C. 3043)” for “(50 U.S.C. 404a)”.

#### FIRST QUADRENNIAL QUALITY OF LIFE REVIEW

Pub. L. 107–314, div. A, title V, §581(b), Dec. 2, 2002, 116 Stat. 2561, directed that the first quadrennial quality of life review under this section would be conducted during 2003, and that the report on such review was to be submitted not later than the date on which the President submitted the budget for fiscal year 2005 to Congress.

#### [§ 118b. Repealed. Pub. L. 113–291, div. A, title X, § 1072(b)(1), Dec. 19, 2014, 128 Stat. 3516]

Section, added Pub. L. 110–181, div. A, title IX, §941(a), Jan. 28, 2008, 122 Stat. 286, related to quadrennial roles and missions review.

#### EFFECTIVE DATE OF REPEAL

Repeal effective Oct. 1, 2015, see section 1072(c) of Pub. L. 113–291, set out as an Effective Date of 2014 Amendment note under section 118 of this title.

#### § 119. Special access programs: congressional oversight

(a)(1) Not later than March 1 of each year, the Secretary of Defense shall submit to the defense committees a report on special access programs.

(2) Each such report shall set forth—

(A) the total amount requested for special access programs of the Department of Defense in the President’s budget for the next fiscal year submitted under section 1105 of title 31; and

(B) for each program in that budget that is a special access program—

- (i) a brief description of the program;
- (ii) a brief discussion of the major milestones established for the program;
- (iii) the actual cost of the program for each fiscal year during which the program has been conducted before the fiscal year during which that budget is submitted; and
- (iv) the estimated total cost of the program and the estimated cost of the program for (I) the current fiscal year, (II) the fiscal year for which the budget is submitted, and (III) each of the four succeeding fiscal years during which the program is expected to be conducted.

(3) In the case of a report under paragraph (1) submitted in a year during which the President’s budget for the next fiscal year, because of multiyear budgeting for the Department of Defense, does not include a full budget request for the Department of Defense, the report required by paragraph (1) shall set forth—

(A) the total amount already appropriated for the next fiscal year for special access programs of the Department of Defense and any

additional amount requested in that budget for such programs for such fiscal year; and

(B) for each program of the Department of Defense that is a special access program, the information specified in paragraph (2)(B).

(b)(1) Not later than February 1 of each year, the Secretary of Defense shall submit to the defense committees a report that, with respect to each new special access program, provides—

- (A) notice of the designation of the program as a special access program; and
- (B) justification for such designation.

(2) A report under paragraph (1) with respect to a program shall include—

- (A) the current estimate of the total program cost for the program; and
- (B) an identification of existing programs or technologies that are similar to the technology, or that have a mission similar to the mission, of the program that is the subject of the notice.

(3) In this subsection, the term “new special access program” means a special access program that has not previously been covered in a notice and justification under this subsection.

(c)(1) Whenever a change in the classification of a special access program of the Department of Defense is planned to be made or whenever classified information concerning a special access program of the Department of Defense is to be declassified and made public, the Secretary of Defense shall submit to the defense committees a report containing a description of the proposed change, the reasons for the proposed change, and notice of any public announcement planned to be made with respect to the proposed change.

(2) Except as provided in paragraph (3), any report referred to in paragraph (1) shall be submitted not less than 14 days before the date on which the proposed change or public announcement is to occur.

(3) If the Secretary determines that because of exceptional circumstances the requirement of paragraph (2) cannot be met with respect to a proposed change or public announcement concerning a special access program of the Department of Defense, the Secretary may submit the report required by paragraph (1) regarding the proposed change or public announcement at any time before the proposed change or public announcement is made and shall include in the report an explanation of the exceptional circumstances.

(d) Whenever there is a modification or termination of the policy and criteria used for designating a program of the Department of Defense as a special access program, the Secretary of Defense shall promptly notify the defense committees of such modification or termination. Any such notification shall contain the reasons for the modification or termination and, in the case of a modification, the provisions of the policy as modified.

(e)(1) The Secretary of Defense may waive any requirement under subsection (a), (b), or (c) that certain information be included in a report under that subsection if the Secretary determines that inclusion of that information in the report would adversely affect the national security. Any such waiver shall be made on a case-by-case basis.