

- (D) delivery and fielding schedules;
- (E) quantities of assets planned for acquisition and delivery in total and by fiscal year; and
- (F) planned contract award dates.

(2) A detailed technical description of—

- (A) the capability to be developed, including hardware and software;

- (B) system requirements, including performance requirements;

- (C) how the proposed capability satisfies a capability identified by the commanders of the combatant commands on a prioritized capabilities list;

- (D) key knowledge points that must be achieved to permit continuation of the program and to inform production and deployment decisions; and

- (E) how the Director plans to improve the capability over time.

(3) A cost estimate, including—

- (A) a life-cycle cost estimate that separately identifies the costs regarding research and development, procurement, military construction, operations and sustainment, and disposal;

- (B) program acquisition unit costs for the program element;

- (C) average procurement unit costs and program acquisition costs for the program element; and

- (D) an identification of when the document regarding the program joint cost analysis requirements description is scheduled to be approved.

- (4) A test baseline summarizing the comprehensive test program for the program element or major subprogram outlined in the integrated master test plan.

(c) ANNUAL REPORTS ON ACQUISITION BASELINES.—(1) Not later than February 15 of each year, the Director shall submit to the congressional defense committees a report on the acquisition baselines required by subsection (a).

(2)(A) The first report under paragraph (1) shall set forth each acquisition baseline required by subsection (a) for a program element or major subprogram.

(B) Each subsequent report under paragraph (1) shall include—

- (i) any new acquisition baselines required by subsection (a) for a program element or major subprogram; and

- (ii) with respect to an acquisition baseline that was previously included in a report under paragraph (1), an identification of any changes or variances made to the elements described in subsection (b) for such acquisition baseline, as compared to—

- (I) the initial acquisition baseline for such program element or major subprogram; and

- (II) the acquisition baseline for such program element or major subprogram that was submitted in the report during the previous year.

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

(d) EXCEPTION TO LIMITATION ON REVISION.—The Director may adjust or revise an acquisition

baseline established under this section if the Director submits to the congressional defense committees notification of—

- (1) a justification for such adjustment or revision;

- (2) the specific adjustments or revisions made to the acquisition baseline, including to the elements described in subsection (b); and

- (3) the effective date of the adjusted or revised acquisition baseline.

(e) OPERATIONS AND SUSTAINMENT COST ESTIMATES.—The Director shall ensure that each life-cycle cost estimate included in an acquisition baseline pursuant to subsection (b)(3)(A) includes—

- (1) all of the operations and sustainment costs for which the Director is responsible; and

- (2) a description of the operations and sustainment functions and costs for which a military department is responsible.

(Added Pub. L. 112–81, div. A, title II, §231(a)(1), Dec. 31, 2011, 125 Stat. 1337; amended Pub. L. 113–66, div. A, title II, §231(b), Dec. 26, 2013, 127 Stat. 711.)

AMENDMENTS

2013—Subsec. (e). Pub. L. 113–66 added subsec. (e).

TERMINATION OF REPORTING REQUIREMENTS

For termination, effective Dec. 31, 2021, of provisions in subsec. (c) 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.

IMPROVEMENT TO OPERATIONS AND SUSTAINMENT COST ESTIMATES

Pub. L. 113–66, div. A, title II, §231(a), Dec. 26, 2013, 127 Stat. 710, provided that: “In preparing the acquisition accountability reports on the ballistic missile defense system required by section 225 of title 10, United States Code, the Director of the Missile Defense Agency shall improve the quality of cost estimates relating to operations and sustainment that are included in such reports under subsection (b)(3)(A) of such section, including with respect to the confidence levels of such cost estimates.”

[§ 226. Repealed. Pub. L. 112–81, div. A, title X, § 1061(3)(A), Dec. 31, 2011, 125 Stat. 1583]

Section, added Pub. L. 102–190, div. A, title X, §1002(a)(1), Dec. 5, 1991, 105 Stat. 1455, §221; renumbered §226, Pub. L. 102–484, div. A, title X, §1002(a)(1), Oct. 23, 1992, 106 Stat. 2480; amended Pub. L. 103–160, div. A, title XI, §1104, Nov. 30, 1993, 107 Stat. 1749; Pub. L. 108–136, div. A, title X, §1031(a)(5), Nov. 24, 2003, 117 Stat. 1596; Pub. L. 109–364, div. A, title X, §1007, Oct. 17, 2006, 120 Stat. 2373, related to scoring of outlays by the Director of the Office of Management and Budget and the Director of the Congressional Budget Office.

PRIOR PROVISIONS

Provisions similar to those in this section were contained in Pub. L. 101–189, §5(a), Nov. 29, 1989, 103 Stat. 1364, which was set out as a note under section 114a [now 221] of this title, prior to repeal by Pub. L. 102–190, §1002(b)(1).

[§ 227. Repealed. Pub. L. 104–106, div. A, title X, § 1061(f)(1), Feb. 10, 1996, 110 Stat. 443]

Section, added Pub. L. 103–160, div. A, title III, §374(a), Nov. 30, 1993, 107 Stat. 1636, directed Secretary of Defense to include recruiting costs in budget justification documents submitted to Congress each year in connection with submission of budget.