

## PRIOR PROVISIONS

A prior section 4352 was renumbered section 7452 of this title.

## AMENDMENTS

2021—Pub. L. 116-283, §1849(d)(1), transferred subsec. (b) of section 2432 of this title to this section, struck out subsec. designation, and redesignated pars. (1) to (3) as subsections. (a) to (c), respectively.

Subsec. (a). Pub. L. 116-283, §1849(d)(2)(A)–(C), inserted subsec. heading and par. (1) designation before “The Secretary”, substituted “a report on—” and subpars. (A) and (B) for “a report on current major defense acquisition programs and any program that is estimated by the Secretary of Defense to require an eventual total expenditure for research, development, test, and evaluation of more than \$300,000,000 (based on fiscal year 1990 constant dollars) or an eventual total expenditure for procurement, including all planned increments or spirals, of more than \$1,800,000,000 (based on fiscal year 1990 constant dollars).”, and redesignated second and third sentences as pars. (2) and (3), respectively.

Subsec. (a)(2). Pub. L. 116-283, §1849(d)(2)(D), substituted “subsections (b) and (c)” for “paragraphs (2) and (3)”.

Subsec. (a)(3). Pub. L. 116-283, §1849(d)(2)(E), substituted “this chapter” for “this section”.

Subsec. (b). Pub. L. 116-283, §1849(d)(3), inserted heading before “A status report” and redesignated subpars. (A) and (B) as pars. (1) and (2), respectively.

Subsec. (c). Pub. L. 116-283, §1849(d)(4)(A)–(C), inserted subsec. heading, redesignated subpars. (A) and (B) as pars. (1) and (2), respectively, inserted par. (1) heading, and redesignated cls. (i) to (iii) of par. (1) as subpars. (A) to (C) of par. (1), respectively, and realigned margins.

Subsec. (c)(2). Pub. L. 116-283, §1849(d)(4)(D), inserted heading and substituted “paragraph (1)” for “subparagraph (A)”.

## EFFECTIVE DATE

Section and 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 an Effective Date of 2021 Amendment note preceding section 3001 of this title.

**§ 4353. Selected acquisition reports for 1st quarter of a fiscal year: comprehensive annual report**

(a) CONTENT OF SAR SUBMITTED FOR FIRST QUARTER.—Each Selected Acquisition Report for the first quarter for a fiscal year shall include the following:

(1) The same information, in detailed and summarized form, as is provided in reports submitted under section 4205 of this title.

(2) For each major defense acquisition program or designated major subprogram included in the report—

(A) the Baseline Estimate (as that term is defined in section 4371(a)(4) of this title), along with the associated risk and sensitivity analysis of that estimate;

(B) the original Baseline Estimate (as that term is defined in section 4214(d)(1) of this title), along with the associated risk and sensitivity analysis of that estimate;

(C) if the original Baseline Estimate was adjusted or revised pursuant to section 4214(d)(2) of this title, such adjusted or revised estimate, along with the associated risk and sensitivity analysis of that estimate; and

(D) the primary risk parameters associated with the current procurement cost for the program (as that term is used in section 4355(4) of this title).

(3) A summary of the history of significant developments from the date each major defense acquisition program or designated major subprogram included in the report was first included in a Selected Acquisition Report and program highlights since the last Selected Acquisition Report.

(4) The significant schedule and technical risks for each such program or subprogram, identified at each major milestone and as of the quarter for which the current report is submitted.

(5) The current program acquisition cost and program acquisition unit cost for each such program or subprogram included in the report and the history of those costs from the December 2001 reporting period to the end of the quarter for which the current report is submitted.

(6) The current procurement unit cost for each such program or subprogram included in the report and the history of that cost from the December 2001 reporting period to the end of the quarter for which the current report is submitted.

(7) For each major defense acquisition program that receives Milestone B approval after January 1, 2019, a brief summary description of the key elements of the modular open system approach as defined in section 4401 of this title or, if a modular open system approach was not used, the rationale for not using such an approach.

(8) Such other information as the Secretary of Defense considers appropriate.

(b) CONGRESSIONAL COMMITTEES.—

(1) INFORMATION NEEDED BY CONGRESSIONAL COMMITTEES.—Each Selected Acquisition Report for the first quarter of a fiscal year shall be designed to provide to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives the information such Committees need to perform their oversight functions.

(2) NOTIFICATION TO CONGRESSIONAL COMMITTEES OF PROPOSED CHANGES.—Whenever the Secretary of Defense proposes to make changes in the content of a Selected Acquisition Report, the Secretary shall submit a notice of the proposed changes to such committees. The changes shall be considered approved by the Secretary, and may be incorporated into the report, only after the end of the 60-day period beginning on the date on which the notice is received by those committees.

(c) LIFE-CYCLE COST ANALYSES.—In addition to the material required by subsections (a) and (b), each Selected Acquisition Report for the first quarter of a fiscal year shall include the following:

(1) A full life-cycle cost analysis for each major defense acquisition program and each designated major subprogram included in the report that is in the system development and demonstration stage or has completed that stage. The Secretary of Defense shall ensure

that this subparagraph is implemented in a uniform manner, to the extent practicable, throughout the Department of Defense.

(2) If the system that is included in that major defense acquisition program has an antecedent system, a full life-cycle cost analysis for that system.

(d) REFERENCE TO 1ST QUARTER SAR AS COMPREHENSIVE ANNUAL SAR.—Selected Acquisition Reports for the first quarter of a fiscal year shall be known as comprehensive annual Selected Acquisition Reports.

(Added and amended Pub. L. 116–283, div. A, title XVIII, §1849(a), (e), Jan. 1, 2021, 134 Stat. 4259, 4261.)

#### CODIFICATION

The text of subsec. (c) of section 2432 of this title, which was transferred to this section and amended by Pub. L. 116–283, §1849(e)(1), was based on Pub. L. 97–252, title XI, §1107(a)(1), Sept. 8, 1982, 96 Stat. 739, §139a; Pub. L. 99–145, title XII, §1201, Nov. 8, 1985, 99 Stat. 715; renumbered §2432 and amended Pub. L. 99–433, title I, §§101(a)(5), 110(g)(7), Oct. 1, 1986, 100 Stat. 995, 1004; Pub. L. 99–500, §101(c) [title X, §961(a)(4), (5)], Oct. 18, 1986, 100 Stat. 1783–82, 1783–175, and Pub. L. 99–591, §101(c) [title X, §961(a)(4), (5)], Oct. 30, 1986, 100 Stat. 3341–82, 3341–175; Pub. L. 99–661, div. A, title IX, formerly title IV, §961(a)(4), (5), Nov. 14, 1986, 100 Stat. 3955, renumbered title IX, Pub. L. 100–26, §3(5), Apr. 21, 1987, 101 Stat. 273; Pub. L. 100–180, div. A, title XIII, §1314(a)(1), Dec. 4, 1987, 101 Stat. 1175; Pub. L. 101–510, div. A, title XIV, §§1407(a), (c), 1484(f)(4), Nov. 5, 1990, 104 Stat. 1681, 1717; Pub. L. 102–25, title VII, §701(f)(3), Apr. 6, 1991, 105 Stat. 115; Pub. L. 102–484, div. A, title VIII, §817(c)(3), (4), Oct. 23, 1992, 106 Stat. 2455; Pub. L. 103–355, title III, §3002(d)–(f), (h)(2), Oct. 13, 1994, 108 Stat. 3328, 3329; Pub. L. 104–106, div. A, title XV, §1502(a)(1), Feb. 10, 1996, 110 Stat. 502; Pub. L. 104–201, div. A, title VIII, §806(1), Sept. 23, 1996, 110 Stat. 2606; Pub. L. 110–417, [div. A], title VIII, §811(b)(2), Oct. 14, 2008, 122 Stat. 4521; Pub. L. 113–66, div. A, title VIII, §812(a), Dec. 26, 2013, 127 Stat. 807; Pub. L. 113–291, div. A, title X, §1071(g)(2), Dec. 19, 2014, 128 Stat. 3511; Pub. L. 114–328, div. A, title VIII, §805(b), Dec. 23, 2016, 130 Stat. 2255.

#### PRIOR PROVISIONS

A prior section 4353 was renumbered section 7453 of this title.

#### AMENDMENTS

2021—Pub. L. 116–283, §1849(e)(1), transferred subsec. (c) of section 2432 of this title to this section, struck out subsec. designation, and redesignated pars. (1) to (4) as subssecs. (a) to (d), respectively.

Subsec. (a). Pub. L. 116–283, §1849(e)(2)(C), substituted “for a fiscal year shall include the following:” for “for a fiscal year shall include—” in introductory provisions, capitalized first letter of first word in pars. (1) to (8), and substituted period for semicolon at end of pars. (1) to (6) and period for “; and” in par. (7).

Pub. L. 116–283, §1849(e)(2)(A), (B), inserted heading and redesignated subpars. (A) to (H) as pars. (1) to (8), respectively, and, in par. (2), cls. (i) to (iv) as subpars. (A) to (D), respectively.

Subsec. (a)(1). Pub. L. 116–283, §1849(e)(2)(D)(i), substituted “section 4205” for “section 2431”.

Subsec. (a)(2)(A). Pub. L. 116–283, §1849(e)(2)(D)(ii), substituted “section 4371(a)(4)” for “section 2433(a)(2)”.

Subsec. (a)(2)(B). Pub. L. 116–283, §1849(e)(2)(D)(iii), substituted “section 4214(d)(1)” for “section 2435(d)(1)”.

Subsec. (a)(2)(C). Pub. L. 116–283, §1849(e)(2)(D)(iv), substituted “section 4214(d)(2)” for “section 2435(d)(2)”.

Subsec. (a)(2)(D). Pub. L. 116–283, §1849(e)(2)(D)(v), substituted “section 4355(4)” for “section 2432(e)(4)”.

Subsec. (a)(7). Pub. L. 116–283, §1849(e)(2)(D)(vi), substituted “section 4401” for “section 2446a”.

Subsec. (b). Pub. L. 116–283, §1849(e)(3), inserted subsec. heading, designated first sentence as par. (1) and second and third sentences as par. (2), inserted par. headings, and realigned margin of par. (2).

Subsec. (c). Pub. L. 116–283, §1849(e)(4), inserted heading, substituted “subsections (a) and (b)” for “paragraphs (1) and (2)” in introductory provisions, and redesignated subpars. (A) and (B) as pars. (1) and (2), respectively.

Subsec. (d). Pub. L. 116–283, §1849(e)(5), inserted heading.

#### EFFECTIVE DATE

Section and 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 an Effective Date of 2021 Amendment note preceding section 3001 of this title.

### § 4354. Selected acquisition reports for 2d, 3d, and 4th quarters

(a) CONTINGENT REQUIRED CONTENT.—Each Selected Acquisition Report for the second, third, and fourth quarters of a fiscal year shall include—

(1) with respect to each major defense acquisition program that was included in the most recent comprehensive annual Selected Acquisition Report, the information described in section 4355 of this title; and

(2) with respect to each major defense acquisition program that was not included in the most recent comprehensive annual Selected Acquisition Report, the information described in section 4353 of this title.

(b) REFERENCE TO 2D, 3D, AND 4TH QUARTERS SARS AS QUARTERLY SARS.—Selected Acquisition Reports for the second, third, and fourth quarters of a fiscal year shall be known as Quarterly Selected Acquisition Reports.

(Added and amended Pub. L. 116–283, div. A, title XVIII, §1849(a), (f), Jan. 1, 2021, 134 Stat. 4259, 4262.)

#### CODIFICATION

The text of subsec. (d) of section 2432 of this title, which was transferred to this section and amended by Pub. L. 116–283, §1849(f)(1), was based on Pub. L. 97–252, title XI, §1107(a)(1), Sept. 8, 1982, 96 Stat. 739, §139a; renumbered §2432, Pub. L. 99–433, title I, §101(a)(5), Oct. 1, 1986, 100 Stat. 995; Pub. L. 100–180, div. A, title XIII, §1314(a)(1), Dec. 4, 1987, 101 Stat. 1175.

#### PRIOR PROVISIONS

A prior section 4354 was renumbered section 7454 of this title.

#### AMENDMENTS

2021—Pub. L. 116–283, §1849(f)(1), (2)(A), transferred subsec. (d) of section 2432 of this title to this section, struck out subsec. designation, and redesignated pars. (1) and (2) as subssecs. (a) and (b), respectively.

Subsec. (a). Pub. L. 116–283, §1849(f)(2)(B)(i), (ii), inserted heading and redesignated subpars. (A) and (B) as pars. (1) and (2), respectively.

Subsec. (a)(1). Pub. L. 116–283, §1849(f)(2)(B)(iii), substituted “section 4355 of this title” for “subsection (e)”.

Subsec. (a)(2). Pub. L. 116–283, §1849(f)(2)(B)(iv), substituted “section 4353 of this title” for “subsection (c)”.

Subsec. (b). Pub. L. 116–283, §1849(f)(2)(C), inserted heading.

#### EFFECTIVE DATE

Section and amendment by Pub. L. 116–283 effective Jan. 1, 2022, with additional provisions for delayed im-