

Editorial Notes

AMENDMENTS

2021—Pub. L. 116-283, § 1851(b)(1), renumbered section 2446b of this title as this section.

Subsec. (c). Pub. L. 116-283, § 1851(b)(3)(A), substituted “section 4211” for “section 2431a” in introductory provisions.

Subsec. (e). Pub. L. 116-283, § 1851(b)(3)(B), substituted “section 4252” for “section 2366b” in introductory provisions.

2019—Subsec. (f). Pub. L. 116-92 added subsec. (f).

2017—Subsec. (e). Pub. L. 115-91 substituted “in writing—” for “in writing that—” in introductory provisions and inserted “, that” after “open system approach” in introductory provisions of par. (1).

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 805(a)(4) of Pub. L. 114-328, set out as a note under section 4401 of this title.

§ 4403. Requirements relating to availability of major system interfaces and support for modular open system approach

The Secretary of each military department shall—

(1) coordinate with the other military departments, the defense agencies, defense and other private sector entities, national standards-setting organizations, and, when appropriate, with elements of the intelligence community with respect to the specification, identification, development, and maintenance of major system interfaces and standards for use in major system platforms, where practicable;

(2) ensure that major system interfaces incorporate commercial standards and other widely supported consensus-based standards that are validated, published, and maintained by recognized standards organizations to the maximum extent practicable;

(3) ensure that sufficient systems engineering and development expertise and resources are available to support the use of a modular open system approach in requirements development and acquisition program planning;

(4) ensure that necessary planning, programming, and budgeting resources are provided to specify, identify, develop, and sustain the modular open system approach, associated major system interfaces, systems integration, and any additional program activities necessary to sustain innovation and interoperability;

(5) ensure that adequate training in the use of a modular open system approach is provided to members of the requirements and acquisition workforce; and

(6) issue guidance to implement the requirements of this section.

(Added Pub. L. 114-328, div. A, title VIII, § 805(a)(1), Dec. 23, 2016, 130 Stat. 2255, § 2446c; amended Pub. L. 116-92, div. A, title VIII,

§ 840(b), Dec. 20, 2019, 133 Stat. 1499; renumbered § 4403, Pub. L. 116-283, div. A, title XVIII, § 1851(b)(1), Jan. 1, 2021, 134 Stat. 4272.)

Editorial Notes

PRIOR PROVISIONS

Prior sections 4411 to 4414 were renumbered sections 7481 to 7484 of this title, respectively.

A prior section 4415, added Pub. L. 100-180, div. A, title III, § 319(a)(1), Dec. 4, 1987, 101 Stat. 1077; amended Pub. L. 100-526, title I, § 106(c), Oct. 24, 1988, 102 Stat. 2625, related to United States Army School of the Americas, prior to repeal by Pub. L. 106-398, § 1 [[div. A], title IX, § 911(b)], Oct. 30, 2000, 114 Stat. 1654A-228.

Prior sections 4416 and 4417 were renumbered sections 7486 and 7487 of this title, respectively.

AMENDMENTS

2021—Pub. L. 116-283 renumbered section 2446c of this title as this section.

2019—Par. (6). Pub. L. 116-92 added par. (6).

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 805(a)(4) of Pub. L. 114-328, set out as a note under section 4401 of this title.

SUBCHAPTER II—DEVELOPMENT, PROTOTYPING, AND DEPLOYMENT OF WEAPON SYSTEM COMPONENTS OR TECHNOLOGY

Sec.

- 4421. Weapon system component or technology prototype projects: display of budget information.
- 4422. Weapon system component or technology prototype projects: oversight.
- 4423. Requirements and limitations for weapon system component or technology prototype projects.
- 4424. Mechanisms to speed deployment of successful weapon system component or technology prototypes.
- 4425. Definition of weapon system component.

§ 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 component 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.