

118TH CONGRESS  
1ST SESSION

# S. 2455

To require the Secretary of Defense to submit to Congress annual reports on the unfunded priorities of the Department of Defense-wide research, development, test, and evaluation activities, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

JULY 20, 2023

Mr. ROUNDS (for himself and Mr. MANCHIN) introduced the following bill;  
which was read twice and referred to the Committee on Armed Services

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## A BILL

To require the Secretary of Defense to submit to Congress annual reports on the unfunded priorities of the Department of Defense-wide research, development, test, and evaluation activities, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Research, Develop-  
5       ment, Test and Evaluation Unmet Needs Act of 2023”.

1 **SEC. 2. ANNUAL REPORT ON UNFUNDED PRIORITIES FOR**  
2 **RESEARCH, DEVELOPMENT, TEST, AND EVAL-**  
3 **UATION ACTIVITIES.**

4 (a) IN GENERAL.—Chapter 9 of title 10, United  
5 States Code, is amended by inserting after section 222d  
6 the following new section:

7 **“§ 222e. Unfunded priorities for research, develop-**  
8 **ment, test, and evaluation activities**

9 “(a) ANNUAL REPORT.—Not later than 10 days after  
10 the date on which the budget of the President for a fiscal  
11 year is submitted to Congress pursuant to section 1105  
12 of title 31, the Secretary of Defense shall submit to the  
13 congressional defense committees a report on the un-  
14 funded priorities of the Department of Defense-wide re-  
15 search, development, test, and evaluation activities.

16 “(b) CONTENTS.—

17 “(1) IN GENERAL.—Except as provided in sub-  
18 section (c), each report submitted under subsection  
19 (a) shall specify, for each unfunded priority covered  
20 by such report, the following:

21 “(A) A summary description of such pri-  
22 ority, including the objectives to be achieved if  
23 such priority is funded (whether in whole or in  
24 part).

1           “(B) The additional amount of funds rec-  
2           ommended in connection with the objectives  
3           under subparagraph (A).

4           “(C) Account information with respect to  
5           such priority, including the following (as appli-  
6           cable):

7                   “(i) Line Item Number (LIN) for ap-  
8                   plicable procurement accounts.

9                   “(ii) Program Element (PE) number  
10                  for applicable research, development, test,  
11                  and evaluation accounts.

12           “(2) PRIORITIZATION OF PRIORITIES.—The re-  
13           port under subsection (a) shall present the unfunded  
14           priorities covered by such report in order of urgency  
15           of priority.

16           “(c) EXCLUSION OF PRIORITIES COVERED IN OTHER  
17           REPORTS.—The report submitted under subsection (a)  
18           shall not include unfunded priorities or requirements cov-  
19           ered in reports submitted under—

20                   “(1) section 222a or 222b; or

21                   “(2) section 2806 of the National Defense Au-  
22           thorization Act for Fiscal Year 2018 (Public Law  
23           115–91; 10 U.S.C. 222a note).

24           “(d) UNFUNDED PRIORITY DEFINED.—In this sec-  
25           tion, the term ‘unfunded priority’, in the case of a fiscal

1 year, means a program, activity, or mission requirement,  
2 that—

3 “(1) is not funded in the budget of the Presi-  
4 dent for the fiscal year as submitted to Congress  
5 pursuant to section 1105 of title 31; and

6 “(2) would have been recommended for funding  
7 through that budget if—

8 “(A) additional resources had been avail-  
9 able for the budget to fund the program, activ-  
10 ity, or mission requirement; or

11 “(B) the program, activity, or mission re-  
12 quirement has emerged since the budget was  
13 formulated.”.

14 (b) CLERICAL AMENDMENT.—The table of sections  
15 at the beginning of chapter 9 of such title is amended by  
16 inserting after the item relating to section 222d the fol-  
17 lowing new item:

“222e. Annual report on unfunded priorities for research, development, test, and  
evaluation activities.”.

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