

2021—Pub. L. 117–81, div. A, title X, §§ 1013(b), 1014(b), 1015(a), 1016(b), 1017(b), Dec. 27, 2021, 135 Stat. 1893–1895, 1897, added items 8669c, 8678a, 8694, and 8695, and redesignated item 8692 “Biennial report on shipbuilder training and the defense industrial base” as 8693.

Pub. L. 116–283, div. A, title XVIII, § 1876(d), Jan. 1, 2021, 134 Stat. 4291, which added items 8684a and 8688a to the analysis of this chapter effective Jan. 1, 2022, was repealed by Pub. L. 117–81, div. A, title XVII, § 1701(n)(3), Dec. 27, 2021, 135 Stat. 2146.

Pub. L. 116–283, div. A, title X, § 1026(b), Jan. 1, 2021, 134 Stat. 3844, added item 8692 “Biennial report on shipbuilder training and the defense industrial base”.

2019—Pub. L. 116–92, div. A, title I, § 121(b), title X, § 1034(b), Dec. 20, 2019, 133 Stat. 1234, 1583, added item 8669b and item 8692 “Ford-class aircraft carriers: cost limitation baselines”.

2018—Pub. L. 115–232, div. A, title VIII, § 807(e)(4), (f)(1), Aug. 13, 2018, 132 Stat. 1838, redesignated chapter 633 of this title as this chapter and items 7291 to 7294, 7297, 7299 to 7301, and 7303 to 7321 as 8661 to 8664, 8667, 8669 to 8671, and 8673 to 8691, respectively.

Pub. L. 115–232, div. A, title III, § 323(a)(2), title X, §§ 1015(b)(2), 1016(b), Aug. 13, 2018, 132 Stat. 1720, 1949, 1951, added items 7320 and 7321 and struck out item 7295 “Vessels: under-age”.

Pub. L. 115–91, div. C, title XXXI, § 3115(b)(2), Dec. 12, 2017, 131 Stat. 1887, added item 7319.

2016—Pub. L. 114–328, div. A, title X, § 1022(a)(2), (b), Dec. 23, 2016, 130 Stat. 2388, added item 7318, effective on the later of the date of enactment of the National Defense Authorization for Fiscal Year 2018 or Sept. 30, 2017.

Pub. L. 114–328, div. A, title I, § 121(a)(2), Dec. 23, 2016, 130 Stat. 2030, added item 7301.

2013—Pub. L. 113–66, div. A, title X, § 1022(e)(2), Dec. 26, 2013, 127 Stat. 846, substituted “Vessels stricken from Naval Vessel Register; captured vessels: conveyance by donation” for “Vessels stricken from Naval Vessel Register; captured vessels: transfer by gift or otherwise” in item 7306.

2011—Pub. L. 112–81, div. A, title X, § 1061(27)(B), Dec. 31, 2011, 125 Stat. 1584, struck out item 7296 “Combatant surface vessels: notice before reduction in number; preservation of surge capability”.

Pub. L. 111–350, § 5(b)(51), Jan. 4, 2011, 124 Stat. 3846, substituted “chapter 65 of title 41” for “Walsh-Healey Act” in item 7299.

2009—Pub. L. 111–84, div. A, title X, § 1073(a)(30), Oct. 28, 2009, 123 Stat. 2474, inserted period after “thereof” in item 7317.

2008—Pub. L. 110–417, [div. A], title VIII, § 825(b), Oct. 14, 2008, 122 Stat. 4534, added item 7317.

2004—Pub. L. 108–375, div. A, title X, §§ 1011(b), 1012(a)(2), Oct. 28, 2004, 118 Stat. 2039, 2040, added items 7305a and 7312.

2003—Pub. L. 108–136, div. A, title X, §§ 1013(b), 1015(b), Nov. 24, 2003, 117 Stat. 1591, 1592, added items 7306b and 7316.

2002—Pub. L. 107–314, div. A, title X, § 1021(b)(2), Dec. 2, 2002, 116 Stat. 2639, added item 7296.

1999—Pub. L. 106–65, div. A, title X, § 1016(b), Oct. 5, 1999, 113 Stat. 744, added item 7300.

1997—Pub. L. 105–85, div. A, title X, § 1027(a)(2), Nov. 18, 1997, 111 Stat. 1879, added item 7315.

1996—Pub. L. 104–106, div. A, title VIII, § 815(b), Feb. 10, 1996, 110 Stat. 396, added item 7299.

1994—Pub. L. 103–355, title II, § 2001(j)(3)(A), title III, §§ 3023(b), 3024(b), Oct. 13, 1994, 108 Stat. 3303, 3333, 3334, struck out items 7299 “Contracts: application of Public Contracts Act”, 7302 “Construction on Pacific Coast”, and 7312 “Repair or maintenance of naval vessels: progress payments under certain contracts”.

1993—Pub. L. 103–160, div. A, title VIII, § 828(a)(7), (c)(7), Nov. 30, 1993, 107 Stat. 1713, 1714, struck out items 7296 “Appropriations: available for other purposes”, 7298 “Conversion of combatants and auxiliaries”, and 7301 “Bids on construction: estimates required”, substituted “Examination of vessels; striking of vessels” for “Examination by board: unfit vessel stricken” in

item 7304, “Vessels stricken from Naval Vessel Register: sale” for “Sale of vessel stricken from Naval Vessel Register” in item 7305, and “Vessels stricken from Naval Vessel Register; captured vessels: transfer by gift or otherwise” for “Use for experimental purposes” in item 7306, added item 7306a, substituted “Disposals to foreign nations” for “Restriction on disposal” in item 7307, “Chief of Naval Operations: certification required for disposal of combatant vessels” for “Transfer or gift of obsolete, condemned, or captured vessels” in item 7308, “Construction of vessels in foreign shipyards: prohibition” for “Restrictions on construction or repair of vessels in foreign shipyards” in item 7309, and “Overhaul, repair, etc. of vessels in foreign shipyards: restrictions” for “Policy in constructing combatant vessels” in item 7310.

1989—Pub. L. 101–189, div. A, title XVI, § 1622(a), Nov. 29, 1989, 103 Stat. 1604, redesignated item 7313 “Overhaul of naval vessels: competition between public and private shipyards” as 7314.

1988—Pub. L. 100–456, div. A, title XII, §§ 1224(b)(2), 1225(a)(2), Sept. 29, 1988, 102 Stat. 2054, 2055, substituted “Restrictions on construction or repair” for “Restriction on construction” in item 7309 and added item 7313 “Overhaul of naval vessels: competition between public and private shipyards”.

Pub. L. 100–370, § 1(n)(2), July 19, 1988, 102 Stat. 850, added item 7313 “Ship overhaul work: availability of appropriations for unusual cost overruns and for changes in scope of work”.

1987—Pub. L. 100–180, div. A, title XI, § 1102(a)(2), Dec. 4, 1987, 101 Stat. 1145, added item 7312.

1986—Pub. L. 99–661, div. A, title XII, § 1202(b), Nov. 14, 1986, 100 Stat. 3968, added item 7311.

1985—Pub. L. 99–145, title XIII, § 1303(a)(24)(B), Nov. 8, 1985, 99 Stat. 740, struck out “naval” before “vessels” in item 7309.

1982—Pub. L. 97–295, § 1(48)(B), Oct. 12, 1982, 96 Stat. 1298, added item 7299a.

Pub. L. 97–295, § 1(49)(B), Oct. 12, 1982, 96 Stat. 1299, added item 7310.

Pub. L. 97–252, title XI, § 1127(b), Sept. 8, 1982, 96 Stat. 759, added item 7309.

1981—Pub. L. 97–86, title IX, § 911(b)(2), Dec. 1, 1981, 95 Stat. 1122, struck out item 7300 “Contracts for construction: profit limitation”.

## § 8661. Classification

The President may establish, and from time to time modify, as the needs of the service require, a classification of naval vessels.

(Aug. 10, 1956, ch. 1041, 70A Stat. 448, § 7291; renumbered § 8661, Pub. L. 115–232, div. A, title VIII, § 807(d)(2), Aug. 13, 2018, 132 Stat. 1836.)

### HISTORICAL AND REVISION NOTES

Revised section	Source (U.S. Code)	Source (Statutes at Large)
7291 .....	34 U.S.C. 451 (as applicable to classification of vessels).	Mar. 3, 1901, ch. 852 (last par. as applicable to classification of vessels), 31 Stat. 1133.

### Editorial Notes

#### AMENDMENTS

2018—Pub. L. 115–232 renumbered section 7291 of this title as this section.

### Statutory Notes and Related Subsidiaries

#### EFFECTIVE DATE OF 2018 AMENDMENT

Amendment by Pub. L. 115–232 effective Feb. 1, 2019, with provision for the coordination of amendments and special rule for certain redesignations, see section 800 of Pub. L. 115–232, set out as a note preceding section 3001 of this title.

REQUIREMENTS FOR THE UNMANNED MARITIME  
AUTONOMY ARCHITECTURE

Pub. L. 118-159, div. A, title X, § 1031, Dec. 23, 2024, 138 Stat. 2058, provided that:

“Not later than 180 days after the date of the enactment of this Act [Dec. 23, 2024], the Secretary of the Navy shall—

“(1) provide a forum and resources to facilitate industry participation in the creation and management of a vendor-agnostic and platform-agnostic modular open systems architecture and associated standards for maritime unmanned systems;

“(2) adopt or join a governance model for the standards described in paragraph (1) that includes Government and industry participation;

“(3) implement a frequent or continuous process for incorporating industry feedback into the standards described in paragraph (1) and conforming those standards with leading industry practices;

“(4) for each relevant Navy program or contract, tailor the standards described in paragraph (1) to the minimum standards necessary to enable desired operational capabilities for the program or contract; and

“(5) label and distribute the standards described in paragraph (1) as open, publicly releasable information, to the greatest extent possible.”

REQUIREMENT FOR MATURE SHIP DESIGN

Pub. L. 118-159, div. A, title X, § 1033, Dec. 23, 2024, 138 Stat. 2060, provided that: “The Secretary of the Navy shall take such actions as are necessary for the Navy to adopt recommendations 1, 3, 4, and 6 in the report of the Government Accountability Office titled, ‘Navy Shipbuilding: Increased Use of Leading Design Practices Could Improve Timeliness of Deliveries’, and dated May 2, 2024 (GAO-24-105503).”

POLICY OF THE UNITED STATES ON MINIMUM NUMBER  
OF BATTLE FORCE SHIPS

Pub. L. 115-91, div. A, title X, § 1025, Dec. 12, 2017, 131 Stat. 1549, as amended by Pub. L. 118-31, div. A, title X, § 1020, Dec. 22, 2023, 137 Stat. 385, provided that:

“(a) POLICY.—It shall be the policy of the United States—

“(1) to have available, as soon as practicable, not fewer than 355 battle force ships, comprised of the optimal mix of platforms, with funding subject to the availability of appropriations or other funds; and

“(2) that the United States shipbuilding defense industrial base is fundamental to achieving the shipbuilding requirements of the Navy and constitutes a unique national security imperative that requires sustainment and support by the Navy and Congress.

“(b) BATTLE FORCE SHIPS DEFINED.—In this section, the term ‘battle force ship’ has the meaning given the term in Secretary of the Navy Instruction 5030.8C.”

METERING OF NAVY PIERS TO ACCURATELY MEASURE  
ENERGY CONSUMPTION

Pub. L. 112-81, div. B, title XXVIII, § 2828, Dec. 31, 2011, 125 Stat. 1694, provided that:

“(a) METERING REQUIRED.—The Secretary of the Navy shall meter Navy piers so that the energy consumption of naval vessels while in port can be accurately measured and captured and steps taken to improve the efficient use of energy by naval vessels while in port.

“(b) PROGRESS REPORTS.—In each of the Department of Defense energy management reports submitted to Congress during fiscal years 2012 through 2017 under section 2925(a) of title 10, United States Code [section 2925(a) of this title struck out, and new section 2925(a) of this title added, by Pub. L. 117-263, § 314(b)(1)(B)], the Secretary of the Navy shall include information on the progress being made to implement the metering of Navy piers, including information on any reductions in energy consumption achieved through the use of such metering.”

ADVANCE PROCUREMENT FUNDING

Pub. L. 111-84, div. A, title I, § 124(a), Oct. 28, 2009, 123 Stat. 2214, provided that:

“(a) ADVANCE PROCUREMENT.—With respect to a naval vessel for which amounts are authorized to be appropriated or otherwise made available for fiscal year 2010 or any fiscal year thereafter for advance procurement in shipbuilding and conversion, Navy, the Secretary of the Navy may enter into a contract, in advance of a contract for construction of any vessel, for any of the following:

“(1) Components, parts, or materiel.

“(2) Production planning and other related support services that reduce the overall procurement lead time of such vessel.”

ASSESSMENTS REQUIRED PRIOR TO START OF CONSTRUCTION ON FIRST SHIP OF A SHIPBUILDING PROGRAM

Pub. L. 110-181, div. A, title I, § 124, Jan. 28, 2008, 122 Stat. 28, required assessment of certain factors prior to start of construction on first ship of a shipbuilding program, prior to repeal by Pub. L. 117-81, div. A, title X, § 1013(c), Dec. 27, 2021, 135 Stat. 1893. See section 8669c of this title.

FAST SEALIFT PROGRAM

Pub. L. 101-510, div. A, title XIV, § 1424, Nov. 5, 1990, 104 Stat. 1683, as amended by Pub. L. 102-190, div. A, title X, § 1015, Dec. 5, 1991, 105 Stat. 1458; Pub. L. 102-484, div. A, title X, § 1022, Oct. 23, 1992, 106 Stat. 2485; Pub. L. 103-337, div. A, title I, § 125, Oct. 5, 1994, 108 Stat. 2683, provided that:

“(a) ESTABLISHMENT OF PROGRAM.—The Secretary of the Navy shall establish a program for the construction and operation, or conversion and operation, of cargo vessels that incorporate features essential for military use of the vessels.

“(b) PROGRAM REQUIREMENTS.—The program under this section shall be carried out as follows:

“(1) The Secretary of the Navy shall establish the design requirements for vessels to be constructed or converted under the program.

“(2) In establishing the design requirements for vessels to be constructed or converted under the program, the Secretary shall use commercial design standards and shall consult with the Administrator of the Maritime Administration.

“(3) Construction or conversion of the vessels shall be accomplished in private United States shipyards.

“(4) The vessels constructed or converted under the program shall incorporate propulsion systems whose main components (that is, the engines, reduction gears, and propellers) are manufactured in the United States.

“(5) The vessels constructed or converted under the program shall incorporate bridge and machinery control systems and interior communications equipment which—

“(A) are manufactured in the United States; and

“(B) have more than half of their value, in terms of cost, added in the United States.

“(6) The Secretary of Defense may waive the requirement of paragraph (5) with respect to a system or equipment described in that paragraph if—

“(A) the system or equipment is not available; or

“(B) the costs of compliance would be unreasonable compared to the costs of purchase from a foreign manufacturer.

“(c) CHARTER OF VESSELS CONSTRUCTED.—(1) Except when the Secretary determines that having a vessel immediately available with a full or partial crew is in the national interest, the Secretary, in consultation with the Administrator of the Maritime Administration, shall charter each vessel constructed before October 1, 1995, under the program for commercial operation. Any such charter—

“(A) shall not permit the operation of the vessel other than in the foreign commerce of the United States;

“(B) may be made only with an individual or entity that is a citizen of the United States (which, in the case of a corporation, partnership, or association,

shall be determined in the manner specified in section 2 of the Shipping Act, 1916 ([former] 46 U.S.C. App. 802) [see 46 U.S.C. 50501]; and

“(C) shall require that the vessel be documented (and remain documented) under the laws of the United States.

“(2) The Secretary may enter into a charter under paragraph (1) only through the use of competitive bidding procedures that ensure that the highest charter rates are obtained by the United States consistent with good business practice, except that the Secretary may operate the vessel (or contract to have the vessel operated) in direct support of United States military forces during a time of war or national emergency and at other times when the Administrator of the Maritime Administration determines that that operation would not unfairly compete with another United States-flag vessel.

“(3) If the Secretary determines that a vessel previously chartered under the program no longer has commercial utility, the Secretary may transfer the vessel to the National Defense Reserve Fleet.

“(4) A contract for the charter of a vessel under paragraph (1) shall include a provision that the charter may be terminated for national security reasons without cost to the United States.

“(d) REPORTS TO CONGRESS.—(1) Not later than six months after the date of the enactment of this Act [Nov. 5, 1990], the Secretary of the Navy shall submit to Congress a report describing the Secretary’s plan for implementing the fast sealift program authorized by this section.

“(2) Not later than three years after the date of the enactment of this Act, the Secretary shall submit to Congress a report on the implementation of the plan described in the report submitted under paragraph (1). The report shall include a description of vessels built or under contract to be built pursuant to this section, the use of such vessels, and the operating experience and manning of such vessels.

“(3) The reports under paragraphs (1) and (2) shall be prepared in consultation with the Administrator of the Maritime Administration.

“(e) AVAILABILITY OF FUNDS.—Amounts appropriated to the Department of Defense for any fiscal year for acquisition of fast sealift vessels may be used for the program under this section.”

#### FUNDING FOR SHIP PRODUCTION ENGINEERING

Pub. L. 101-189, div. A, title XVI, §1613, Nov. 29, 1989, 103 Stat. 1601, provided that:

“(a) CATEGORY FOR FUNDING.—Any request submitted to Congress for appropriations for ship production engineering necessary to support the procurement of any ship included (at the time the request is submitted) in the five-year shipbuilding and conversion plan of the Navy shall be set forth in the Shipbuilding and Conversion account of the Navy (rather than in research and development accounts).

“(b) APPLICABILITY.—Subsection (a) shall apply only with respect to appropriations for a fiscal year after fiscal year 1990.”

#### REPAIR OF VESSELS IN FOREIGN SHIPYARDS

Pub. L. 99-500, §101(c) [title IX, §9101], Oct. 18, 1986, 100 Stat. 1783-82, 1783-118, and Pub. L. 99-591, §101(c) [title IX, §9101], Oct. 30, 1986, 100 Stat. 3341-82, 3341-118, provided that: “No naval vessel or any vessel owned and operated by the Department of Defense homeported in the United States may be overhauled, repaired, or maintained in a foreign owned and operated shipyard located outside of the United States, except for voyage repairs.”

#### ENCOURAGEMENT OF CONSTRUCTION IN UNITED STATES SHIPYARDS OF COMBATANT VESSELS FOR UNITED STATES ALLIES

Pub. L. 99-145, title XIV, §1455, Nov. 8, 1985, 99 Stat. 761, provided that:

“(a) IN GENERAL.—The Secretary of the Navy shall take such steps as necessary—

“(1) to encourage United States shipyards to construct combatant vessels for nations friendly to the United States, subject to the requirement to safeguard sensitive warship technology; and

“(2) to ensure that no effort is made by any element of the Department of the Navy to inhibit, delay, or halt the provision of any United States naval system to a nation allied with the United States if that system is approved for export to a foreign nation, unless approval of such system for export is withheld solely for the purpose of safeguarding sensitive warship technology;

“(3) if opportunities arise to construct combatant vessels (including diesel submarines) outside the United States in a shipyard of a friendly foreign nation, with some or all of the costs provided by United States funds—

“(A) to encourage United States firms to participate in such construction to the maximum extent possible, subject to the requirement to safeguard sensitive warship technology; and

“(B) to ensure, whenever practicable, that at least 51 percent of the dollar value of such construction is provided by United States firms.

“(b) DEFINITION.—For the purposes of this section, the term ‘sensitive warship technology’ means technology relating to the design or construction of a combatant naval vessel that is determined by the Secretary of Defense to be vital to United States security.”

#### SIX-HUNDRED-SHIP GOAL FOR NAVY; SENSE OF CONGRESS

Pub. L. 97-114, title VII, §791, Dec. 29, 1981, 95 Stat. 1593, provided that: “It is the sense of the Congress that—

“(1) A larger and stronger American Navy is needed as an essential ingredient of our Armed Forces, in order to fulfill its basic missions of (A) protecting the sea lanes to preserve the safety of the free world’s commerce, (B) assuring continued access to raw materials essential to the well-being of the free world, (C) enhancing our capacity to project effective American forces into regions of the world where the vital interests of the United States must be protected, (D) engaging the Navy of the Soviet Union or any other potential adversary successfully, (E) continuing to serve as a viable leg of our strategic triad, and (F) providing visible evidence of American diplomatic, economic and military commitments throughout the world.

“(2) In order to conduct the numerous and growing missions of the modern American Navy, a goal of a naval inventory of approximately six hundred active ships of various types by the end of the century at the latest, is highly desirable, the exact figure to be flexible to accommodate new designs as the specific details of our naval missions evolve to meet various contingencies.

“(3) The Secretary of Defense comply with section 808 of Public Law 94-106, the Department of Defense Appropriation Authorization Act of 1976 [set out as a note under this section], in order that the Congress may more properly appropriate the funds necessary to reach a six hundred-ship goal at least by the end of the present century.”

#### TONNAGE BALANCE FOR CONSTRUCTION OF SHIPS; REPEAL

Pub. L. 89-37, title III, §301, June 11, 1965, 79 Stat. 128, provided that: “Outstanding tonnage balances remaining in law for construction of Navy ships are hereby repealed.”

#### § 8662. Naming

(a) Not more than one vessel of the Navy may have the same name.