

“(2) The maturity of developmental command and control systems, weapon and sensor systems, and hull, mechanical and electrical systems.

“(3) The readiness of the shipyard facilities and workforce to begin construction.

“(4) The Navy’s estimated cost at completion and the adequacy of the budget to support the estimate.

“(5) The Navy’s estimated delivery date and description of any variance to the contract delivery date.

“(6) The extent to which adequate processes and metrics are in place to measure and manage program risks.”

Subsec. (c)(1). Pub. L. 118–159, §1024(3)(A)(i), inserted “, and when used with respect to manned surface and undersea combatants, means design through the completion of three-dimensional computer aided modeling” after “computer aided models” in introductory provisions.

Subsec. (c)(1)(A). Pub. L. 118–159, §1024(3)(A)(ii), substituted “supports” for “fixes”.

Subsec. (c)(1)(C). Pub. L. 118–159, §1024(3)(A)(iii), substituted “positions and routes all major distributive systems of the ship” for “routes major portions of all distributive systems of the vessel”.

Subsec. (c)(5). Pub. L. 118–159, §1024(3)(B), struck out par. (5) which defined “start of construction”.

§ 8670. Contracts for nuclear ships: sales of naval shipyard articles and services to private shipyards

The conditions set forth in section 2208(j)(1)(B) of this title and subsections (a)(1) and (c)(1)(A) of section 2563 of this title shall not apply to a sale by a naval shipyard of articles or services to a private shipyard that is made at the request of the private shipyard in order to facilitate the private shipyard’s fulfillment of a Department of Defense contract with respect to a nuclear ship. This section does not authorize a naval shipyard to construct a nuclear ship for the private shipyard, to perform a majority of the work called for in a contract with a private entity, or to provide articles or services not requested by the private shipyard.

(Added Pub. L. 106–65, div. A, title X, §1016(a), Oct. 5, 1999, 113 Stat. 744, §7300; amended Pub. L. 106–398, §1 [[div. A], title X, §1033(c)(3)], Oct. 30, 2000, 114 Stat. 1654, 1654A–261; renumbered §8670, Pub. L. 115–232, div. A, title VIII, §807(d)(2), Aug. 13, 2018, 132 Stat. 1836.)

Editorial Notes

AMENDMENTS

2018—Pub. L. 115–232 renumbered section 7300 of this title as this section.

2000—Pub. L. 106–398 substituted “section 2563” for “section 2553”.

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.

§ 8671. Determination of vessel delivery dates

(a) IN GENERAL.—The delivery of a covered vessel shall be deemed to occur on the date on which—

(1) the Secretary of the Navy determines that the vessel is assembled and complete; and

(2) custody of the vessel and all systems contained in the vessel transfers to the Navy.

(b) INCLUSION IN BUDGET AND ACQUISITION REPORTS.—The delivery dates of covered vessels shall be included—

(1) in the materials submitted to Congress by the Secretary of Defense in support of the budget of the President for each fiscal year (as submitted to Congress under section 1105(a) of title 31, United States Code); and

(2) in any relevant Selected Acquisition Report submitted to Congress under section 4351 of this title.

(c) LISTING AS BATTLE FORCE SHIP IN NAVAL VESSEL REGISTER.—A covered vessel may not be listed in the Naval Vessel Register or other fleet inventory measures as a battle force ship until the delivery date specified in subsection (a).

(d) DEFINITIONS.—In this section:

(1) The term “covered vessel” means any vessel of the Navy that is under construction or constructed using amounts authorized to be appropriated for the Department of Defense for shipbuilding and conversion, Navy.

(2) The term “battle force ship” means the following:

(A) A commissioned United States Ship warship capable of contributing to combat operations.

(B) A United States Naval Ship that contributes directly to Navy warfighting or support missions.

(Added Pub. L. 114–328, div. A, title I, §121(a)(1), Dec. 23, 2016, 130 Stat. 2029, §7301; renumbered §8671 and amended Pub. L. 115–232, div. A, title VIII, §807(d)(2), title X, §1014, Aug. 13, 2018, 132 Stat. 1836, 1948; Pub. L. 116–283, div. A, title XVIII, §1849(f), formerly §1849(m), Jan. 1, 2021, 134 Stat. 4264, renumbered §1849(f) and amended Pub. L. 117–81, div. A, title XVII, §1701(o)(5)(B), (6)(D), Dec. 27, 2021, 135 Stat. 2147.)

Editorial Notes

AMENDMENTS

2021—Subsec. (b)(2). Pub. L. 116–283, §1849(f), formerly §1849(m), as renumbered and amended by Pub. L. 117–81, §1701(o)(5)(B), (6)(D), substituted “section 4351” for “section 2432”.

2018—Pub. L. 115–232, §807(d)(2), renumbered section 7301 of this title as this section.

Subsec. (c). Pub. L. 115–232, §1014(a)(2), added subsec. (c). Former subsec. (c) redesignated (d).

Subsec. (d). Pub. L. 115–232, §1014(b), added subsec. (d) and struck out former subsec. (d). Prior to amendment, text read as follows: “In this section, the term ‘covered vessel’ means any vessel of the Navy that is under construction on or after the date of the enactment of this section using amounts authorized to be appropriated for the Department of Defense for shipbuilding and conversion, Navy.”

Pub. L. 115–232, §1014(a)(1), redesignated subsec. (c) as (d).

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2021 AMENDMENT

Amendment by Pub. L. 117–81 applicable as if included in the enactment of title XVIII of Pub. L. 116–283 as enacted, see section 1701(a)(2) of Pub. L. 117–81, set out in a note preceding section 3001 of this title and note below.