

(B) identify, for each of the fiscal years that are five, 10, 15, 20, 25, and 30 years from the date of the covered event—

- (i) the total number of battle force ships required;
- (ii) the number of battle force ships required in each of the categories described in paragraph (2);
- (iii) the classes of battle force ships included in each of the categories described in paragraph (2); and
- (iv) the number of battle force ships required in each class.

(2) The categories described in this paragraph are the following:

- (A) Aircraft carriers.
- (B) Large surface combatants.
- (C) Small surface combatants.
- (D) Amphibious warfare ships.
- (E) Attack submarines.
- (F) Ballistic missile submarines.
- (G) Combat logistics force.
- (H) Expeditionary fast transport.
- (I) Expeditionary support base.
- (J) Command and support.
- (K) Other.

(d) DEFINITIONS.—In this section:

(1) 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.

(2) The term “covered event” means a significant change to any of the following:

- (A) Strategic guidance that results in changes to theater campaign plans or warfighting scenarios.
- (B) Strategic laydown of vessels or aircraft that affects sustainable peacetime presence or warfighting response timelines.
- (C) Operating concepts, including employment cycles, crewing constructs, or operational tempo limits, that affect peacetime presence or warfighting response timelines.
- (D) Assigned missions that affect the type or quantity of force elements.

(e) RESPONSIBILITIES OF COMMANDANT OF MARINE CORPS.—In preparing each assessment and requirement under subsection (a), the Commandant of the Marine Corps shall be specifically responsible for developing the requirements relating to amphibious warfare ships and for naval vessels with the primary mission of transporting Marines.

(Added Pub. L. 117–81, div. A, title X, §1017(a), Dec. 27, 2021, 135 Stat. 1896; amended Pub. L. 117–263, div. A, title X, §1025, Dec. 23, 2022, 136 Stat. 2764; Pub. L. 118–31, div. A, title X, §1019, Dec. 22, 2023, 137 Stat. 384.)

Editorial Notes

AMENDMENTS

2023—Subsec. (e). Pub. L. 118–31 substituted “Responsibilities of Commandant of Marine Corps” for “Amphibious Warfare Ships” in heading and inserted “and

for naval vessels with the primary mission of transporting Marines” before period at end.

2022—Subsec. (e). Pub. L. 117–263 added subsec. (e).

Statutory Notes and Related Subsidiaries

BASELINE ASSESSMENT AND REQUIREMENT REQUIRED

Pub. L. 117–81, div. A, title X, §1017(c), Dec. 27, 2021, 135 Stat. 1897, provided that: “The date of the enactment of this Act [Dec. 27, 2021] is deemed to be a covered event for the purposes of establishing a baseline battle force ship assessment and requirement under section 8695 of title 10, United States Code, as added by subsection (a) [enacting this section].”

§ 8696. Navy shipbuilding workforce development special incentive

(a) REQUIREMENT.—

(1) IN GENERAL.—The Secretary of the Navy shall include in any solicitation for a covered contract a special incentive for workforce development that funds one or more workforce development activities described in subsection (c).

(2) AMOUNT OF SPECIAL INCENTIVE.—The amount of a special incentive required under subsection (a)(1) shall be equal to not less than one quarter of one percent and not more than one percent of the estimated cost of the covered contract.

(3) WAIVER.—

(A) IN GENERAL.—The Secretary of the Navy may waive one or more of the requirements of this section if the Secretary determines—

- (i) unreasonable cost or delay would be incurred by complying with such requirements;
- (ii) existing workforce development initiatives are sufficient to meet workforce needs;
- (iii) there are minimal workforce development issues to be addressed; or
- (iv) it is not in the national security interests of the United States to comply with such requirements.

(B) NOTICE TO CONGRESS.—Not less than 30 days prior to issuing a waiver under subparagraph (A), the Secretary of the Navy shall submit to the congressional defense committees written notice of the intent of the Secretary to issue such a waiver. Such notice shall specify the basis for such waiver and include a detailed explanation of the reasons for issuing the waiver.

(b) MATCHING CONTRIBUTION REQUIREMENT.—

(1) IN GENERAL.—Funds for a special incentive for workforce development required under subsection (a)(1) may be expended only—

(A) on or after the date on which the service acquisition executive of the Navy receives a written commitment from one or more entities described in paragraph (2) of separate and distinct cumulative monetary contributions to be made on or after the date of such commitment for workforce development; and

(B) in an amount that is equal to the aggregate amount of all monetary contributions from entities that made commitments under subparagraph (A) not to exceed the

amount of funding made available for the special incentive under subsection (a)(2).

(2) ENTITIES DESCRIBED.—The entities described in this paragraph are the following:

(A) The prime contractor that was awarded a covered contract.

(B) A qualified subcontractor.

(C) A State government or other State entity.

(D) A county government or other county entity.

(E) A local government or other local entity.

(F) An industry association, organization, or consortium that directly supports workforce development.

(3) SPECIAL RULE.—In a case in which the aggregate amount of all monetary contributions from entities that made commitments under paragraph (1)(A) is less than the minimum amount specified for the special incentive under subsection (a)(2), funds for the special incentive may be expended in an amount equal to such lesser amount.

(c) AUTHORIZED ACTIVITIES.—

(1) IN GENERAL.—Funds for a special incentive for workforce development required under subsection (a)(1) may be obligated or expended only to provide for the activities described in paragraph (2) in support of the production and production support workforce of the prime contractor concerned or a qualified subcontractor concerned.

(2) ACTIVITIES DESCRIBED.—The activities described in this paragraph are the following:

(A) The creation of short- and long-term workforce housing, transportation, and other support services to facilitate attraction, relocation, and retention of workers.

(B) The expansion of local talent pipeline programs for both new and existing workers.

(C) Investments in long-term outreach in middle school and high school programs, specifically career and technical education programs, to promote and develop manufacturing skills.

(D) The development or modification of facilities for the primary purpose of workforce development.

(E) Payment of direct costs attributable to workforce development.

(F) Attraction and retention bonus programs.

(G) On-the-job training to develop key manufacturing skills.

(d) APPROVAL REQUIREMENT.—The service acquisition executive of the Navy shall—

(1) provide the final approval of the use of funds for a special incentive for workforce development required under subsection (a)(1); and

(2) not later than 30 days after the date on which such approval is provided, certify to the congressional defense committees compliance with the requirements of subsections (b) and (c), including—

(A) a detailed explanation of such compliance; and

(B) the associated benefits to—

(i) the Federal Government; and

(ii) the shipbuilding industrial base of the Navy.

(e) DEFINITIONS.—In this section:

(1) The term “covered contract” means a prime contract for the construction of a naval vessel funded using amounts appropriated or otherwise made available for Shipbuilding and Conversion, Navy.

(2) The term “qualified subcontractor” means a subcontractor that will deliver the vessel or vessels awarded under a covered contract to the Navy.

(Added Pub. L. 117-263, div. A, title I, §122(a), Dec. 23, 2022, 136 Stat. 2441.)

Editorial Notes

CODIFICATION

Another section 8696 was renumbered section 8697 of this title.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE

Pub. L. 117-263, div. A, title I, §122(c), Dec. 23, 2022, 136 Stat. 2443, provided that: “Section 8696 of title 10, United States Code, as added by subsection (a), shall apply with respect to—

“(1) a solicitation for a covered contract (as defined in subsection (e) of that section) made on or after June 1, 2023; and

“(2) a solicitation or award of a covered contract, if otherwise determined appropriate by the Secretary of the Navy.”

§ 8697. Battle force ship employment, maintenance, and manning baseline plans

(a) IN GENERAL.—Not later than 45 days after the date of the delivery of the first ship in a new class of battle force ships, the Secretary of the Navy shall submit to the congressional defense committees a report on the employment, maintenance, and manning baseline plans for the class, including a description of the following:

(1) The sustainment and maintenance plans for the class that encompass the number of years the class is expected to be in service, including—

(A) the allocation of maintenance tasks among organizational, intermediate, depot, or other activities;

(B) the planned duration and interval of maintenance for all depot-level maintenance availabilities; and

(C) the planned duration and interval of drydock maintenance periods.

(2) Any contractually required integrated logistics support deliverables for the ship, including technical manuals, and an identification of—

(A) the deliverables provided to the Government on or before the delivery date; and

(B) the deliverables not provided to the Government on or before the delivery date and the expected dates those deliverables will be provided to the Government.

(3) The planned maintenance system for the ship, including—

(A) the elements of the system, including maintenance requirement cards, completed on or before the delivery date;