

year, the Commandant of the Coast Guard may enter into a contract or place an order, in advance of a contract or order for construction of a vessel, for—

- (1) materials, parts, components, and labor for the vessel;
- (2) the advance construction of parts or components for the vessel;
- (3) protection and storage of materials, parts, or components for the vessel; and
- (4) production planning, design, and other related support services that reduce the overall procurement lead time of the vessel.

(b) USE OF MATERIALS, PARTS, AND COMPONENTS MANUFACTURED IN THE UNITED STATES.—In entering into contracts and placing orders under subsection (a), the Commandant may give priority to persons that manufacture materials, parts, and components in the United States.

(Added Pub. L. 112-213, title II, §211(a), Dec. 20, 2012, 126 Stat. 1551.)

SUBCHAPTER III—DEFINITIONS

§ 581. Definitions

In this chapter:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term “appropriate congressional committees” means the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate.

(2) CHIEF ACQUISITION OFFICER.—The term “Chief Acquisition Officer” means the officer appointed under section 56 of this title.

(3) COMMANDANT.—The term “Commandant” means the Commandant of the Coast Guard.

(4) LEVEL 1 ACQUISITION.—The term “Level 1 acquisition” means—

- (A) an acquisition by the Coast Guard—
  - (i) the estimated life-cycle costs of which exceed \$1,000,000,000; or
  - (ii) the estimated total acquisition costs of which exceed \$300,000,000; or

(B) any acquisition that the Chief Acquisition Officer of the Coast Guard determines to have a special interest—

- (i) due to—
  - (I) the experimental or technically immature nature of the asset;
  - (II) the technological complexity of the asset;
  - (III) the commitment of resources; or
  - (IV) the nature of the capability or set of capabilities to be achieved; or
- (ii) because such acquisition is a joint acquisition.

(5) LEVEL 2 ACQUISITION.—The term “Level 2 acquisition” means an acquisition by the Coast Guard—

- (A) the estimated life-cycle costs of which are equal to or less than \$1,000,000,000, but greater than \$300,000,000; or
- (B) the estimated total acquisition costs of which are equal to or less than \$300,000,000,<sup>1</sup> but greater than \$100,000,000.

(6) LIFE-CYCLE COST.—The term “life-cycle cost” means all costs for development, procurement, construction, and operations and support for a particular capability or asset, without regard to funding source or management control.

(7) PROJECT OR PROGRAM MANAGER DEFINED.—The term “project or program manager” means an individual designated—

- (A) to develop, produce, and deploy a new asset to meet identified operational requirements; and
- (B) to manage cost, schedule, and performance of the acquisition, project, or program.

(8) SAFETY CONCERN.—The term “safety concern” means any hazard associated with a capability or asset or a subsystem of a capability or asset that is likely to cause serious bodily injury or death to a typical Coast Guard user in testing, maintaining, repairing, or operating the capability, asset, or subsystem or any hazard associated with the capability, asset, or subsystem that is likely to cause major damage to the capability, asset, or subsystem during the course of its normal operation by a typical Coast Guard user.

(9) DEVELOPMENTAL TEST AND EVALUATION.—The term “developmental test and evaluation” means—

- (A) the testing of a capability or asset and the subsystems of the capability or asset to determine whether they meet all contractual performance requirements, including technical performance requirements, supportability requirements, and interoperability requirements and related specifications; and
- (B) the evaluation of the results of such testing.

(10) OPERATIONAL TEST AND EVALUATION.—The term “operational test and evaluation” means—

- (A) the testing of a capability or asset and the subsystems of the capability or asset, under conditions similar to those in which the capability or asset and subsystems will actually be deployed, for the purpose of determining the effectiveness and suitability of the capability or asset and subsystems for use by typical Coast Guard users to conduct those missions for which the capability or asset and subsystems are intended to be used; and
- (B) the evaluation of the results of such testing.

(Added Pub. L. 111-281, title IV, §402(a), Oct. 15, 2010, 124 Stat. 2948.)

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<sup>1</sup> So in original.

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## AMENDMENTS

2012—Pub. L. 112-213, title II, §§212(b)(2), 213(c)(1), 214(b), 217(9), Dec. 20, 2012, 126 Stat. 1552, 1553, 1555, 1558, added items 656, 663, 669, 674, and 678 and struck out former items 656 “Use of moneys appropriated for acquisition, construction, and improvement; for research, development, test, and evaluation; and for the alteration of bridges over the navigable waters”, 663 “Submission of plans to Congress”, 669 “Telephone Installation and Charges”, and 674 “Small boat station capability”.

2010—Pub. L. 111-281, title IX, §903(b)(2), Oct. 15, 2010, 124 Stat. 3011, inserted period at end of item 677.

2006—Pub. L. 109-241, title IX, §901(b), July 11, 2006, 120 Stat. 564, amended Pub. L. 108-293, §212(b), effective Aug. 9, 2004. See 2004 Amendment note below.

Pub. L. 109-241, title II, §205(b), July 11, 2006, 120 Stat. 521, added item 677.

2004—Pub. L. 108-293, title II, §212(b), Aug. 9, 2004, 118 Stat. 1037, as amended by Pub. L. 109-241, title IX, §901(b), July 11, 2006, 120 Stat. 564, substituted “Long-

term lease of special purpose facilities” for “Long-term lease authority for navigation and communications systems sites” in item 672.

Pub. L. 108-293, title II, §205(e)(2), Aug. 9, 2004, 118 Stat. 1033, substituted “indemnity” for “immunity” in item 637.

2002—Pub. L. 107-296, title XVII, §1704(f)(2), Nov. 25, 2002, 116 Stat. 2316, which directed the redesignation of item 673 “Small boat station rescue capability” as item 673a, could not be executed because of prior amendment by Pub. L. 107-295, §405(c), see below.

Pub. L. 107-295, title IV, §§405(c), 417(b), Nov. 25, 2002, 116 Stat. 2116, 2123, added items 672a and 674 to 676, and struck out item 673 “Small boat station rescue capability” and former item 674 “Small boat station closures”.

1996—Pub. L. 104-324, title III, §309(b), Oct. 19, 1996, 110 Stat. 3919, added item 673 “Small boat station rescue capability” and item 674.

Pub. L. 104-201, div. A, title X, §1009(a)(2)(B), Sept. 23, 1996, 110 Stat. 2634, added item 673 “Designation, powers, and accountability of deputy disbursing officials”.

1993—Pub. L. 103-206, title III, §§302(b), 303(b), 304(b), Dec. 20, 1993, 107 Stat. 2423, 2424, added items 670, 671, and 672.

1992—Pub. L. 102-587, title V, §§5203(b), 5204(b), Nov. 4, 1992, 106 Stat. 5074, added items 645 and 669.

1990—Pub. L. 101-595, title III, §§306(b), 319(b), Nov. 16, 1990, 104 Stat. 2985, 2989, added items 667 and 668.

Pub. L. 101-510, div. A, title III, §327(d)(2), Nov. 5, 1990, 104 Stat. 1532, added item 640.

1989—Pub. L. 101-225, title II, §206(b), Dec. 12, 1989, 103 Stat. 1913, added item 666.

1988—Pub. L. 100-690, title VII, §7401(b), Nov. 18, 1988, 102 Stat. 4483, substituted “immunity for firing at or into vessel” for “immunity of Coast Guard officer” in item 637.

Pub. L. 100-448, §§26(b), 29(b), Sept. 28, 1988, 102 Stat. 1848, 1849, added items 659 and 665.

1986—Pub. L. 99-509, title V, §5102(a)(1), Oct. 21, 1986, 100 Stat. 1925, added item 664.

1982—Pub. L. 97-295, §2(17), (19)(B), (20)(B), Oct. 12, 1982, 96 Stat. 1302, 1303, struck out items 645 and 659, and added items 661, 662, and 663.

1980—Pub. L. 96-376, §10(b), Oct. 3, 1980, 94 Stat. 1511, added item 660.

1977—Pub. L. 95-61, §4(2), July 1, 1977, 91 Stat. 260, added item 659.

1974—Pub. L. 93-283, §1(11), May 14, 1974, 88 Stat. 140, substituted “Use of moneys appropriated for acquisition, construction, and improvement; for research, development, test, and evaluation; and for the alteration of bridges over the navigable waters” for “Use of appropriations to restore, replace, establish, or develop facilities” in item 656, and added item 658.

1972—Pub. L. 92-417, §2(b), Aug. 29, 1972, 86 Stat. 656, substituted “Admiralty claims against the United States” for “Claims for damages occasioned by vessels” in item 646.

1970—Pub. L. 91-278, §1(15), June 12, 1970, 84 Stat. 306, added item 657.

1963—Pub. L. 88-45, §3, June 21, 1963, 77 Stat. 69, added item 656.

1962—Pub. L. 87-526, §1(7), July 10, 1962, 76 Stat. 142, added item 655.

1959—Pub. L. 86-159, §2, Aug. 14, 1959, 73 Stat. 358, added item 654.

1958—Pub. L. 85-861, §5(1), Sept. 2, 1958, 72 Stat. 1547, struck out item 640.

1956—Act Aug. 7, 1956, ch. 1023, §1(b), 70 Stat. 1077, substituted “Coast Guard Supply Fund” for “Coast Guard supply fund and supply account” in item 650.

## § 631. Delegation of powers by the Secretary

The Secretary is authorized to confer or impose upon the Commandant any of the rights, privileges, powers, or duties, in respect to the administration of the Coast Guard, vested in or imposed upon the Secretary by this title or other provisions of law.