

§ 2448a. Program cost, fielding, and performance goals in planning major defense acquisition programs

(a) PROGRAM COST AND FIELDING TARGETS.—(1) Before funds are obligated for technology development, systems development, or production of a major defense acquisition program, the designated milestone decision authority for the program shall ensure, by establishing the goals described in paragraph (2), that the program will—

(A) be affordable;

(B) incorporate program planning that anticipates the evolution of capabilities to meet changing threats, technology insertion, and interoperability; and

(C) be fielded when needed.

(2) The goals described in this paragraph are goals for—

(A) the procurement unit cost and sustainment cost (referred to in this section as the “program cost targets”);

(B) the date for initial operational capability (referred to in this section as the “fielding target”); and

(C) technology maturation, prototyping, and a modular open system approach to evolve system capabilities and improve interoperability.

(b) DEFINITIONS.—In this section:

(1) The term “procurement unit cost” has the meaning provided in section 2432(a)(2) of this title.

(2) The term “initial capabilities document” has the meaning provided in section 2366a(d)(2) of this title.

(Added Pub. L. 114–328, div. A, title VIII, § 807(a)(1), Dec. 23, 2016, 130 Stat. 2260; amended Pub. L. 115–232, div. A, title VIII, § 831(a), Aug. 13, 2018, 132 Stat. 1857.)

AMENDMENTS

2018—Subsec. (a)(1). Pub. L. 115–232, § 831(a)(1), (2), in introductory provisions, substituted “designated milestone decision authority for the program shall ensure, by establishing the goals described in paragraph (2), that the program” for “Secretary of Defense shall ensure, by establishing the goals described in paragraph (2), that the milestone decision authority for the major defense acquisition program approves a program that”.

Subsecs. (b), (c). Pub. L. 115–232, § 831(a)(3), (4), redesignated subsec. (c) as (b) and struck out former subsec. (b). Prior to amendment, text of subsec. (b) read as follows: “The responsibilities of the Secretary of Defense in subsection (a) may be delegated only to the Deputy Secretary of Defense.”

EFFECTIVE DATE

Pub. L. 114–328, div. A, title VIII, § 807(a)(2), Dec. 23, 2016, 130 Stat. 2261, provided that: “Subchapter III of chapter 144B of title 10, United States Code, as added by paragraph (1), shall apply with respect to major defense acquisition programs that reach Milestone A after October 1, 2017.”

PROGRAM COST AND FIELD TARGETS

Pub. L. 114–328, div. A, title IX, § 925(b), Dec. 23, 2016, 130 Stat. 2361, as amended by Pub. L. 115–232, div. A, title VIII, § 831(b)(4), Aug. 13, 2018, 132 Stat. 1857, provided that: “The Secretary of Defense shall establish a process to develop program cost and fielding targets pursuant to section 2448a of title 10, United States Code, that—

“(1) is co-chaired by the designated milestone decision authority for the major defense acquisition program and the Vice Chief of Staff of the armed force concerned or, in the case of a program for which an alternate milestone decision authority is designated under section 2430(d)(2) of such title, the Vice Chairman of the Joint Chiefs of Staff;

“(2) is supported by—

“(A) the Joint Staff, to provide expertise on joint military capabilities, capability gaps, and performance requirements;

“(B) the Office of Cost Assessment and Program Evaluation, to provide expertise in resource allocation, operations research, systems analysis, and cost estimation; and

“(C) other Department of Defense organizations determined appropriate by the Secretary; and

“(3) ensures that appropriate trade-offs are made among life-cycle cost, schedule, and performance objectives and procurement quantity objectives.”

§ 2448b. Independent technical risk assessments

(a) IN GENERAL.—With respect to a major defense acquisition program, the Secretary of Defense shall ensure that an independent technical risk assessment is conducted—

(1) before any decision to grant Milestone A approval for the program pursuant to section 2366a of this title, that identifies critical technologies and manufacturing processes that need to be matured; and

(2) before any decision to grant Milestone B approval for the program pursuant to section 2366b of this title, any decision to enter into low-rate initial production or full-rate production, or at any other time considered appropriate by the Secretary, that includes the identification of any critical technologies or manufacturing processes that have not been successfully demonstrated in a relevant environment.

(b) CATEGORIZATION OF TECHNICAL RISK LEVELS.—The Secretary shall issue guidance and a framework for categorizing the degree of technical and manufacturing risk in a major defense acquisition program.

(Added Pub. L. 114–328, div. A, title VIII, § 807(a)(1), Dec. 23, 2016, 130 Stat. 2261.)

EFFECTIVE DATE

Section applicable with respect to major defense acquisition programs that reach Milestone A after Oct. 1, 2017, see section 807(a)(2) of Pub. L. 114–328, set out as a note under section 2448a of this title.

CHAPTER 145—CATALOGING AND STANDARDIZATION

Sec.

2451.	Defense supply management.
2452.	Duties of Secretary of Defense.
2453.	Supply catalog: distribution and use.
2454.	Supply catalog: new or obsolete items.
[2455.]	Repealed.]
2456.	Coordination with General Services Administration.
2457.	Standardization of equipment with North Atlantic Treaty Organization members.
2458.	Inventory management policies.

AMENDMENTS

1990—Pub. L. 101–510, div. A, title III, § 323(a)(2), title XIII, § 1331(6), Nov. 5, 1990, 104 Stat. 1530, 1673, struck out item 2455 “Reports to Congress” and added item 2458.

1982—Pub. L. 97-295, §1(30)(B), Oct. 12, 1982, 96 Stat. 1296, added item 2457.

§ 2451. Defense supply management

(a) The Secretary of Defense shall develop a single catalog system and related program of standardizing supplies for the Department of Defense.

(b) In cataloging, the Secretary shall name, describe, classify, and number each item recurrently used, bought, stocked, or distributed by the Department of Defense, so that only one distinctive combination of letters or numerals, or both, identifies the same item throughout the Department of Defense. Only one identification may be used for each item for all supply functions from purchase to final disposal in the field or other area. The catalog may consist of a number of volumes, sections, or supplements. It shall include all items of supply and, for each item, information needed for supply operations, such as descriptive and performance data, size, weight, cubage, packaging and packing data, a standard quantitative unit of measurement, and other related data that the Secretary determines to be desirable.

(c) In standardizing supplies the Secretary shall, to the highest degree practicable—

- (1) standardize items used throughout the Department of Defense by developing and using single specifications, eliminating overlapping and duplicate specifications, and reducing the number of sizes and kinds of items that are generally similar;
- (2) standardize the methods of packing, packaging, and preserving such items; and
- (3) make efficient use of the services and facilities for inspecting, testing, and accepting such items.

(d) The Secretary shall coordinate with the Administrator of General Services to enable the use of commercial identifiers for commercial items within the Federal cataloging system.

(Aug. 10, 1956, ch. 1041, 70A Stat. 138; Pub. L. 85-861, §33(a)(13), Sept. 2, 1958, 72 Stat. 1565; Pub. L. 108-136, div. A, title III, §341, Nov. 24, 2003, 117 Stat. 1448; Pub. L. 115-232, div. A, title VIII, §836(e)(9), Aug. 13, 2018, 132 Stat. 1870.)

AMENDMENT OF SUBSECTION (d)

Pub. L. 115-232, div. A, title VIII, §836(e)(9), (h), Aug. 13, 2018, 132 Stat. 1870, 1874, provided that, effective Jan. 1, 2020, subject to a savings provision, subsection (d) of this section is amended by striking “commercial items” and inserting “commercial products (as defined in section 103 of title 41)”. See 2018 Amendment note below.

HISTORICAL AND REVISION NOTES
1956 ACT

Revised section	Source (U.S. Code)	Source (Statutes at Large)
2451(a)	5:173.	July 1, 1952, ch. 539, §2.
2451(b)	5:173b(a).	4, 66 Stat. 318, 319; 1953 Reorg. Plan No. 6, §1(a) (as applicable to Defense Supply Management Agency), eff. June 30, 1953, 67 Stat. 638.
2451(c)	5:173b(b).	

In subsection (a), the words “for the Department of Defense” are inserted for clarity. 5:173 (1st sentence) is

omitted as impliedly repealed by section 2 of 1953 Reorganization Plan No. 6, effective June 30, 1953, 67 Stat. 638.

In subsection (b), the words “or any of the departments thereof”, “in such manner”, “original”, and “necessary or” are omitted as surplusage. The words “throughout the Department of Defense” are substituted for the words “either within a bureau or service, between bureaus or services, or between the departments”. The word “recurrently” is substituted for the word “repetitively”. The words “Only one identification may” are substituted for the words “The single item identification shall”.

In subsection (c), the words “the most” are omitted as surplusage. The words “to the highest degree practicable” are substituted for the words “achieve the highest practicable degree possible” and “The greatest practicable degree of standardization * * * shall be achieved”.

1958 ACT

The change makes clear that clauses (2) and (3) apply to all items, whether or not standardized, used throughout the Department of Defense.

AMENDMENTS

2018—Subsec. (d). Pub. L. 115-232 substituted “commercial products (as defined in section 103 of title 41)” for “commercial items”.

2003—Subsec. (d). Pub. L. 108-136 added subsec. (d).
1958—Subsec. (c). Pub. L. 85-861 substituted “such” for “standardized” in cl. (2), and “such” for “those” in cl. (3).

EFFECTIVE DATE OF 2018 AMENDMENT

Amendment by Pub. L. 115-232 effective Jan. 1, 2020, subject to a savings provision, see section 836(h) of Pub. L. 115-232, set out as an Effective Date of 2018 Amendment; Savings Provision note under section 453b of Title 6, Domestic Security.

EFFECTIVE DATE OF 1958 AMENDMENT

Amendment of section by Pub. L. 85-861 effective Aug. 10, 1956, see section 33(g) of Pub. L. 85-861, set out as a note under section 101 of this title.

DEFENSE-WIDE ELECTRONIC MALL SYSTEM FOR SUPPLY PURCHASES

Pub. L. 105-261, div. A, title III, §332, Oct. 17, 1998, 112 Stat. 1968, provided that:

“(a) ELECTRONIC MALL SYSTEM DEFINED.—In this section, the term ‘electronic mall system’ means an electronic system for displaying, ordering, and purchasing supplies and materiel available from sources within the Department of Defense and from the private sector.

“(b) DEVELOPMENT AND MANAGEMENT.—(1) Using systems and technology available in the Department of Defense as of the date of the enactment of this Act [Oct. 17, 1998], the Joint Electronic Commerce Program Office of the Department of Defense shall develop a single, defense-wide electronic mall system, which shall provide a single, defense-wide electronic point of entry and a single view, access, and ordering capability for all Department of Defense electronic catalogs. The Secretary of each military department and the head of each Defense Agency shall provide to the Joint Electronic Commerce Program Office the necessary and requested data to ensure compliance with this paragraph.

“(2) The Defense Logistics Agency, under the direction of the Joint Electronic Commerce Program Office, shall be responsible for maintaining the defense-wide electronic mall system developed under paragraph (1).

“(c) ROLE OF CHIEF INFORMATION OFFICER.—The Chief Information Officer of the Department of Defense shall be responsible for—

- “(1) overseeing the elimination of duplication and overlap among Department of Defense electronic catalogs; and
- “(2) ensuring that such catalogs utilize technologies and formats compliant with the requirements of subsection (b).