

(4) a prototype of the system to be procured was demonstrated in a relevant environment.

(b) SPECIAL TRANSFER AUTHORITY.—(1) The Secretary of a military department may, as specified in advance by appropriations Acts, transfer funds that remain available for obligation in procurement appropriation accounts of the military department to fund the low-rate initial production of the rapid fielding project until required funding for full-rate production can be submitted and approved through the regular budget process of the Department of Defense.

(2) The funds transferred under this subsection to fund the low-rate initial production of a rapid fielding project shall be for a period not to exceed two years, the amount for such period may not exceed \$50,000,000, and the special transfer authority provided in this subsection may not be used more than once to fund procurement of a particular new or upgraded system.

(3) The special transfer authority provided in this subsection is in addition to any other transfer authority available to the Department of Defense.

(c) NOTIFICATION TO CONGRESS.—Within 30 days after the service acquisition executive of a military department selects a weapon system component or technology project for a follow-on production contract or other transaction, the service acquisition executive shall notify the congressional defense committees of the selection and provide a brief description of the rapid fielding project.

(Added Pub. L. 114-328, div. A, title VIII, § 806(a)(1), Dec. 23, 2016, 130 Stat. 2259.)

EFFECTIVE DATE

Section effective Jan. 1, 2017, see section 806(a)(2) of Pub. L. 114-328, set out as a note under section 2447a of this title.

**§ 2447e. Definition of weapon system component**

In this subchapter, the term “weapon system component” has the meaning given the term “major system component” in section 2446a of this title.

(Added Pub. L. 114-328, div. A, title VIII, § 806(a)(1), Dec. 23, 2016, 130 Stat. 2259.)

EFFECTIVE DATE

Section effective Jan. 1, 2017, see section 806(a)(2) of Pub. L. 114-328, set out as a note under section 2447a of this title.

**SUBCHAPTER III—COST, SCHEDULE, AND PERFORMANCE OF MAJOR DEFENSE ACQUISITION PROGRAMS**

Sec.

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

2448b. Independent technical risk assessments.

**§ 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 conduct or approve independent technical risk assessments—

(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) GUIDANCE.—The Secretary shall issue guidance and a framework for the conduct, execution, and approval of independent technical risk assessments.

(Added Pub. L. 114-328, div. A, title VIII, § 807(a)(1), Dec. 23, 2016, 130 Stat. 2261; amended Pub. L. 116-92, div. A, title IX, § 902(73), Dec. 20, 2019, 133 Stat. 1552.)

#### AMENDMENTS

2019—Pub. L. 116-92 added subsecs. (a) and (b) and struck out former subsecs. (a) and (b) which read as follows:

“(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.”

#### 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 products (as defined in section 103 of title 41) 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.)