

and all shipboard equipment and systems, shall be determined solely as follows:

(1) In the case of a vessel, boat, craft, or component procured through a contract, in accordance with the provisions of section 2320 of this title.

(2) In the case of a vessel, boat, craft, or component procured through an instrument not governed by section 2320 of this title, by the terms of the instrument (other than a contract) under which the design for such vessel, boat, craft, or component, as applicable, was developed for the Government.

(b) CONSTRUCTION OF SUPERSEDING AUTHORITIES.—This section may be modified or superseded by a provision of statute only if such provision expressly refers to this section in modifying or superseding this section.

(Added Pub. L. 110-417, [div. A], title VIII, § 825(a), Oct. 14, 2008, 122 Stat. 4534, § 7317; renumbered § 8687, Pub. L. 115-232, div. A, title VIII, § 807(d)(2), Aug. 13, 2018, 132 Stat. 1836.)

#### PRIOR PROVISIONS

A prior section 8687, acts Aug. 10, 1956, ch. 1041, 70A Stat. 536; Sept. 2, 1958, Pub. L. 85-861, § 1(188), 72 Stat. 1534; Sept. 7, 1962, Pub. L. 87-649, § 6(d), 76 Stat. 494, related to compensation for members of Air Force other than Regular Air Force prior to repeal by Pub. L. 99-661, div. A, title VI, § 604(f)(1)(A), Nov. 14, 1986, 100 Stat. 3877.

#### AMENDMENTS

2018—Pub. L. 115-232 renumbered section 7317 of this title as this section.

#### 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.

### § 8688. Warranty requirements for shipbuilding contracts

(a) REQUIREMENT.—A contracting officer for a contract for new construction for which funds are expended from the Shipbuilding and Conversion, Navy account shall require, as a condition of the contract, that the work performed under the contract is covered by a warranty for a period of at least one year.

(b) WAIVER.—If the contracting officer for a contract covered by the requirement under subsection (a) determines that a limited liability of warranted work is in the best interest of the Government, the contracting officer may agree to limit the liability of the work performed under the contract to a level that the contracting officer determines is sufficient to protect the interests of the Government and in keeping with historical levels of warranted work on similar vessels.

(Added Pub. L. 114-328, div. A, title X, § 1022(a)(1), Dec. 23, 2016, 130 Stat. 2388, § 7318; renumbered § 8688, Pub. L. 115-232, div. A, title VIII, § 807(d)(2), Aug. 13, 2018, 132 Stat. 1836.)

#### PRIOR PROVISIONS

A prior section 8688, act Aug. 10, 1956, ch. 1041, 70A Stat. 536, related to death gratuity payable to survivors

of members of Air Force, prior to repeal by Pub. L. 85-861, § 36B(29), Sept. 2, 1958, 72 Stat. 1571. See sections 1475 to 1480 of this title.

#### AMENDMENTS

2018—Pub. L. 115-232 renumbered section 7318 of this title as this section.

#### 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.

#### EFFECTIVE DATE

Pub. L. 114-328, div. A, title X, § 1022(b), Dec. 23, 2016, 130 Stat. 2388, provided that: “Section 7318 of title 10, United States Code, as added by subsection (a), shall take effect on the later of the following dates:

“(1) The date of the enactment of the National Defense Authorization for Fiscal Year 2018 [Pub. L. 115-91, approved Dec. 12, 2017].

“(2) September 30, 2017.”

### § 8689. Requirements for availability of funds relating to advanced naval nuclear fuel systems based on low-enriched uranium

(a) AUTHORIZATION.—Low-enriched uranium activities may only be carried out using funds authorized to be appropriated or otherwise made available for the Department of Energy for atomic energy defense activities for defense nuclear nonproliferation.

(b) PROHIBITION REGARDING CERTAIN ACCOUNTS.—(1) None of the funds described in paragraph (2) may be obligated or expended to carry out low-enriched uranium activities.

(2) The funds described in this paragraph are funds authorized to be appropriated or otherwise made available for any fiscal year for any of the following accounts:

(A) Shipbuilding and conversion, Navy, or any other account of the Department of Defense.

(B) Any account within the atomic energy defense activities of the Department of Energy other than defense nuclear nonproliferation, as specified in subsection (a).

(3) The prohibition in paragraph (1) may not be superseded except by a provision of law that specifically supersedes, repeals, or modifies this section. A provision of law, including a table incorporated into an Act, that appropriates funds described in paragraph (2) for low-enriched uranium activities may not be treated as specifically superseding this section unless such provision specifically cites to this section.

(c) LOW-ENRICHED URANIUM ACTIVITIES DEFINED.—In this section, the term “low-enriched uranium activities” means the following:

(1) Planning or carrying out research and development of an advanced naval nuclear fuel system based on low-enriched uranium.

(2) Procuring ships that use low-enriched uranium in naval nuclear propulsion reactors.

(Added Pub. L. 115-91, div. C, title XXXI, § 3115(b)(1), Dec. 12, 2017, 131 Stat. 1886, § 7319; renumbered § 8689, Pub. L. 115-232, div. A, title VIII, § 807(d)(2), Aug. 13, 2018, 132 Stat. 1836.)

#### PRIOR PROVISIONS

A prior section 8689, acts Aug. 10, 1956, ch. 1041, 70A Stat. 537; Sept. 26, 1961, Pub. L. 87-304, § 9(d), 75 Stat.