

retary of the Navy may use funds deposited in the Fund, in conjunction with funds appropriated for the procurement of other nuclear-powered vessels, to enter into one or more multiyear contracts (including economic ordering quantity contracts), for the procurement of critical contractor-furnished and Government-furnished components for critical components of national sea-based deterrence vessels. The authority under this subsection extends to the procurement of equivalent critical components common with and required for other nuclear-powered vessels.

(2) In each annual budget request submitted to Congress, the Secretary shall clearly identify funds requested for critical components and the individual ships and programs for which such funds are requested.

(3) Any contract entered into pursuant to paragraph (1) shall provide that any obligation of the United States to make a payment under the contract is subject to the availability of appropriations for that purpose and that the total liability to the Government for the termination of the contract shall be limited to the total amount of funding obligated for the contract as of the date of the termination.

(j) BUDGET REQUESTS.—Budget requests submitted to Congress for the Fund shall separately identify the amount requested for programs, projects, and activities for construction (including design of vessels), purchase, alteration, and conversion of national sea-based deterrence vessels.

(k) DEFINITIONS.—In this section:

(1) The term “Fund” means the National Sea-Based Deterrence Fund established by subsection (a).

(2) The term “national sea-based deterrence vessel” means any submersible vessel constructed or purchased after fiscal year 2016 that is owned, operated, or controlled by the Department of Defense and that carries operational intercontinental ballistic missiles.

(3) The term “critical component” means any of the following:

- (A) A common missile compartment component.
- (B) A spherical air flask.
- (C) An air induction diesel exhaust valve.
- (D) An auxiliary seawater valve.
- (E) A hovering valve.
- (F) A missile compensation valve.
- (G) A main seawater valve.
- (H) A launch tube.
- (I) A trash disposal unit.
- (J) A logistics escape trunk.
- (K) A torpedo tube.
- (L) A weapons shipping cradle weldment.
- (M) A control surface.
- (N) A launcher component.
- (O) A propulsor.

(Added Pub. L. 113-291, div. A, title X, §1022(a)(1), Dec. 19, 2014, 128 Stat. 3486; amended Pub. L. 114-92, div. A, title X, §1022(a), Nov. 25, 2015, 129 Stat. 965; Pub. L. 114-328, div. A, title X, §1023, Dec. 23, 2016, 130 Stat. 2388; Pub. L. 115-91, div. A, title X, §1022, Dec. 12, 2017, 131 Stat. 1548; Pub. L. 116-283, div. A, title X, §1023(a), Jan. 1, 2021, 134 Stat. 3840.)

AMENDMENTS

2021—Subsec. (h)(1). Pub. L. 116-283 substituted “incrementally funded contracts for—” for “incrementally funded contracts for advance procurement of high value, long lead time items for nuclear powered vessels to better support construction schedules and achieve cost savings through schedule reductions and properly phased installment payments.” and added subpars. (A) and (B).

2017—Subsec. (i). Pub. L. 115-91, §1022(c), struck out “of the Common Missile Compartment” after “Continuous Production” in heading.

Subsec. (i)(1). Pub. L. 115-91, §1022(a)(2), substituted “equivalent critical components” for “equivalent critical parts, components, systems, and subsystems”.

Pub. L. 115-91, §1022(a)(1), which directed the substitution of “critical components” for “the common missile compartment” wherever appearing, was executed by making the substitution for “the common missile compartment” the first time appearing and for “the common missile compartments” the second time appearing, to reflect the probable intent of Congress.

Subsec. (i)(2). Pub. L. 115-91, §1022(a)(1), substituted “critical components” for “the common missile compartment”.

Subsec. (k)(3). Pub. L. 115-91, §1022(b), added par. (3). 2016—Subsecs. (i), (j). Pub. L. 114-328, §1023(a), added subsec. (i) and redesignated former subsec. (i) as (j). Former subsec. (j) redesignated (k).

Subsec. (k). Pub. L. 114-328, §1023(a)(1), redesignated subsec. (j) as (k).

Subsec. (k)(2). Pub. L. 114-328, §1023(b), substituted “any submersible vessel constructed or purchased after fiscal year 2016 that is” for “any vessel” and inserted “and” before “that carries”.

2015—Subsecs. (f) to (j). Pub. L. 114-92 added subsecs. (f) to (h) and redesignated former subsecs. (f) and (g) as (i) and (j), respectively.

[§ 2219. Renumbered § 2491c]**§ 2220. Performance based management: acquisition programs**

(a) ESTABLISHMENT OF GOALS.—The Secretary of Defense shall approve or define the cost, performance, and schedule goals for major defense acquisition programs of the Department of Defense and for each phase of the acquisition cycle of such programs.

(b) EVALUATION OF COST GOALS.—The Under Secretary of Defense (Comptroller) shall evaluate the cost goals proposed for each major defense acquisition program of the Department.

(c) SUNSET.—The authority under this section shall terminate on September 30, 2018.

(Added Pub. L. 103-355, title V, §5001(a)(1), Oct. 13, 1994, 108 Stat. 3349; amended Pub. L. 104-106, div. A, title XV, §1503(a)(20), div. D, title XLIII, §4321(b)(1), Feb. 10, 1996, 110 Stat. 512, 671; Pub. L. 105-85, div. A, title VIII, §841(a), Nov. 18, 1997, 111 Stat. 1843; Pub. L. 107-314, div. A, title X, §1041(a)(8), Dec. 2, 2002, 116 Stat. 2645; Pub. L. 114-328, div. A, title VIII, §833(a)(2), Dec. 23, 2016, 130 Stat. 2283.)

AMENDMENTS

2016—Subsec. (c). Pub. L. 114-328 added subsec. (c).

2002—Subsec. (a). Pub. L. 107-314, §1041(a)(8)(B), (C), struck out par. (1) designation and redesignated par. (2) as subsec. (b).

Subsec. (b). Pub. L. 107-314, §1041(a)(8)(A), (C), redesignated subsec. (a)(2) as (b) and struck out heading and text of former subsec. (b). Text read as follows: “The Secretary of Defense shall include in the annual report submitted to Congress pursuant to section 113(c) of this