

naval vessels, and was to become effective Jan. 1, 2022. Pub. L. 117-81, div. A, title XVII, §1701(n)(3), Dec. 27, 2021, 135 Stat. 2146, repealed section 1876 of Pub. L. 116-283, effective as if included in title XVIII of Pub. L. 116-283, thereby omitting this section before it took effect. Text of section 2307(g)(3) of this title, which had been transferred to this section, was transferred to section 3808(c) of this title.

§ 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(3) The prohibition in paragraph (1) may not be superseded except by a provision of law that specifically supersedes, repeals, or modifies this section.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.)

Editorial Notes

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. 665, related to assignments and allotments of pay, prior to repeal by Pub. L. 87-649, §14c(57), Sept. 7, 1962, 76 Stat. 502, effective Nov. 1, 1962. See section 701 of Title 37, Pay and Allowances of the Uniformed Services.

AMENDMENTS

2018—Pub. L. 115-232 renumbered section 7319 of this title as this section.

Statutory Notes and Related Subsidiaries

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.

§ 8690. Limitation on length of overseas forward deployment of naval vessels

(a) LIMITATION.—The Secretary of the Navy shall ensure that no naval vessel specified in subsection (b) that is listed in the Naval Vessel Register is forward deployed overseas for a period in excess of ten years. At the end of a period of overseas forward deployment, the vessel shall be assigned a homeport in the United States.

(b) VESSELS SPECIFIED.—A naval vessel specified in this subsection is any of the following:

- (1) Aircraft carrier.
- (2) Amphibious ship.
- (3) Cruiser.
- (4) Destroyer.
- (5) Frigate.
- (6) Littoral Combat Ship.

(c) WAIVER.—The Secretary of the Navy may waive the limitation under subsection (a) with respect to a naval vessel if the Secretary submits to the congressional defense committees notice in writing of—

- (1) the waiver of such limitation with respect to the vessel;
- (2) the date on which the period of overseas forward deployment of the vessel is expected to end; and
- (3) the factors used by the Secretary to determine that a longer period of deployment would promote the national defense or be in the public interest.

(Added §7320 and renumbered §8690, Pub. L. 115-232, div. A, title III, §323(a)(1), title VIII, §807(d)(2), Aug. 13, 2018, 132 Stat. 1719, 1836.)

Editorial Notes

PRIOR PROVISIONS

A prior section 8690, act Aug. 10, 1956, ch. 1041, 70A Stat. 538, exempted enlisted members of Air Force, while on active duty, from arrest for any debt, unless it was contracted before enlistment and amounted to at least \$20 when first contracted, prior to repeal by Pub. L. 90-235, §7(b)(1), Jan. 2, 1968, 81 Stat. 763.

AMENDMENTS

2018—Pub. L. 115-232, §807(d)(2), renumbered section 7320 of this title as this section.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2018 AMENDMENT

Amendment by section 807(d)(2) of 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.

**TREATMENT OF CURRENTLY DEPLOYED VESSELS;
EXTENSION OF LIMITATION FOR U.S.S. SHILOH**

Pub. L. 115-232, div. A, title III, §323(b), (c), Aug. 13, 2018, 132 Stat. 1720, as amended by Pub. L. 116-92, div. A, title III, §353(2), Dec. 20, 2019, 133 Stat. 1321; Pub. L. 116-283, div. A, title III, §344, Jan. 1, 2021, 134 Stat. 3538, provided that:

“(b) TREATMENT OF CURRENTLY DEPLOYED VESSELS.—In the case of any aircraft carrier, amphibious ship, cruiser, destroyer, frigate, or littoral combat ship that has been forward deployed overseas for a period in ex-

cess of ten years as of the date of the enactment of this Act [Aug. 13, 2018], the Secretary of the Navy shall ensure that such vessel is assigned a homeport in the United States by not later than three years after the date of the enactment of this Act.

“(C) EXTENSION OF LIMITATION ON LENGTH OF OVERSEAS FORWARD DEPLOYMENT FOR U.S.S. SHILOH (CG-67).—Notwithstanding subsection (b), the Secretary of the Navy shall ensure that the U.S.S. Shiloh (CG-67) is assigned a homeport in the United States by not later than September 30, 2023.”

§ 8691. Nuclear-powered aircraft carriers: dismantlement and disposal

(a) IN GENERAL.—Not less than 90 days before the award of a contract for the dismantlement and disposal of a nuclear-powered aircraft carrier, or the provision of funds to a naval shipyard for the dismantlement and disposal of a nuclear-powered aircraft carrier, the Secretary of the Navy shall submit to the congressional defense committees a report setting forth the following:

(1) A cost and schedule baseline for the dismantlement and disposal approved by the service acquisition executive of the Department of the Navy and the Chief of Naval Operations.

(2) A description of the regulatory framework applicable to the management of radioactive materials in connection with the dismantlement and disposal, including, in cases in which the Navy intends to have another government entity serve as the regulatory enforcement authority—

(A) a certification from that entity of its agreement to serve as the regulatory enforcement authority; and

(B) a description of the legal basis for the authority of that entity to serve as the regulatory enforcement authority.

(b) SUPPLEMENTAL INFORMATION WITH BUDGETS.—In the materials submitted to Congress by the Secretary of Defense in support of the budget of the President for a fiscal year (as submitted to Congress under section 1105(a) of title 31), the Secretary of the Navy shall include information on each dismantlement and disposal of a nuclear-powered aircraft carrier occurring or planned to occur during the period of the future-years defense program submitted to Congress with that budget. Such information shall include, by ship concerned, the following:

(1) A summary of activities and significant developments in connection with such dismantlement and disposal.

(2) If applicable, a detailed description of cost and schedule performance against the baseline for such dismantlement and disposal established pursuant to subsection (a), including a description of and explanation for any variance from such baseline.

(3) A description of the amounts requested, or intended or estimated to be requested, for such dismantlement and disposal for each of the following:

(A) Each fiscal year covered by the future-years defense program.

(B) Any fiscal years before the fiscal years covered by the future-years defense program.

(C) Any fiscal years after the end of the period of the future-years defense program.

(c) FUTURE-YEARS DEFENSE PROGRAM DEFINED.—In this section, the term “future-years defense program” means the future-years defense program required by section 221 of this title.

(Added §7321 and renumbered §8691, Pub. L. 115-232, div. A, title VIII, §807(d)(2), title X, §1016(a), Aug. 13, 2018, 132 Stat. 1836, 1950.)

Editorial Notes

PRIOR PROVISIONS

A prior section 8691 was renumbered section 9253 of this title.

AMENDMENTS

2018—Pub. L. 115-232, §807(d)(2), renumbered section 7321 of this title as this section.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2018 AMENDMENT

Amendment by section 807(d)(2) of 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.

§ 8692. Ford-class aircraft carriers: cost limitation baselines

(a) LIMITATION.—The total amounts obligated or expended from funds authorized to be appropriated or otherwise made available for Shipbuilding and Conversion, Navy, or for any other procurement account, may not exceed the following amounts for the following aircraft carriers:

(1) \$13,224,000,000 for the construction of the aircraft carrier designated CVN-78.

(2) \$11,398,000,000 for the construction of the aircraft carrier designated CVN-79.

(3) \$12,202,000,000 for the construction of the aircraft carrier designated CVN-80.

(4) \$12,451,000,000 for the construction of the aircraft carrier designated CVN-81.

(b) EXCLUSION OF BATTLE AND INTERIM SPARES FROM COST LIMITATION.—The Secretary of the Navy shall exclude from the determination of the amounts set forth in subsection (a) the costs of the following items:

(1) CVN-78 class battle spares.

(2) Interim spares.

(3) Increases attributable to economic inflation after December 1, 2018, not otherwise included in the amounts listed in subsection (a).

(c) WRITTEN NOTICE AND BRIEFING ON CHANGE IN AMOUNT.—The Secretary of the Navy may adjust an amount listed in subsection (a) not fewer than 15 days after submitting written notice and providing a briefing to the congressional defense committees, each of which shall include the amount and rationale of any change and the resulting amount after such change.

(Added Pub. L. 116-92, div. A, title I, §121(a), Dec. 20, 2019, 133 Stat. 1233.)

Editorial Notes

CODIFICATION

Another section 8692 was renumbered section 8693 of this title.