

(1) A review of the strategic guidance of the Federal Government, the Department of Defense, and the Navy for identifying priorities, missions, objectives, and principles, in effect as of the date on which the assessment is submitted, that the force structure of the Navy must follow.

(2) An identification of the steady-state demand for maritime security and security force assistance activities.

(3) An identification of the force options that can satisfy the steady-state demands for activities required by theater campaign plans of combatant commanders.

(4) A force optimization analysis that produces a day-to-day global posture required to accomplish peacetime and steady-state tasks assigned by combatant commanders.

(5) A modeling of the ability of the force to fight and win scenarios approved by the Department of Defense.

(6) A calculation of the number and global posture of each force element required to meet steady-state presence demands and warfighting response timelines.

(c) REQUIREMENT.—(1) Each requirement required by subsection (a) shall—

(A) be based on the assessment required by subsection (b); and

(B) identify, for each of the fiscal years that are five, 10, 15, 20, 25, and 30 years from the date of the covered event—

(i) the total number of battle force ships required;

(ii) the number of battle force ships required in each of the categories described in paragraph (2);

(iii) the classes of battle force ships included in each of the categories described in paragraph (2); and

(iv) the number of battle force ships required in each class.

(2) The categories described in this paragraph are the following:

- (A) Aircraft carriers.
- (B) Large surface combatants.
- (C) Small surface combatants.
- (D) Amphibious warfare ships.
- (E) Attack submarines.
- (F) Ballistic missile submarines.
- (G) Combat logistics force.
- (H) Expeditionary fast transport.
- (I) Expeditionary support base.
- (J) Command and support.
- (K) Other.

(d) DEFINITIONS.—In this section:

(1) The term “battle force ship” means the following:

(A) A commissioned United States Ship warship capable of contributing to combat operations.

(B) A United States Naval Ship that contributes directly to Navy warfighting or support missions.

(2) The term “covered event” means a significant change to any of the following:

(A) Strategic guidance that results in changes to theater campaign plans or warfighting scenarios.

(B) Strategic laydown of vessels or aircraft that affects sustainable peacetime presence or warfighting response timelines.

(C) Operating concepts, including employment cycles, crewing constructs, or operational tempo limits, that affect peacetime presence or warfighting response timelines.

(D) Assigned missions that affect the type or quantity of force elements.

(Added Pub. L. 117-81, div. A, title X, § 1017(a), Dec. 27, 2021, 135 Stat. 1896.)

#### Statutory Notes and Related Subsidiaries

##### BASELINE ASSESSMENT AND REQUIREMENT REQUIRED

Pub. L. 117-81, div. A, title X, § 1017(c), Dec. 27, 2021, 135 Stat. 1897, provided that: “The date of the enactment of this Act [Dec. 27, 2021] is deemed to be a covered event for the purposes of establishing a baseline battle force ship assessment and requirement under section 8695 of title 10, United States Code, as added by subsection (a) [enacting this section].”

#### CHAPTER 865—SALVAGE FACILITIES

Sec.

- 8701. Authority to provide for necessary salvage facilities.
- 8702. Acquisition and transfer of vessels and equipment.
- 8703. Settlement of claims.
- 8704. Disposition of receipts.

#### Editorial Notes

##### PRIOR PROVISIONS

A prior chapter 865, formerly consisting of sections 8881 to 8889, related to retirement from the Air Force for age, prior to repeal by Pub. L. 85-155, title IV, § 401(1), Aug. 21, 1957, 71 Stat. 390, and Pub. L. 96-513, title II, § 216, Dec. 12, 1980, 94 Stat. 2886.

##### AMENDMENTS

2018—Pub. L. 115-232, div. A, title VIII, § 807(e)(4), (f)(1), Aug. 13, 2018, 132 Stat. 1838, redesignated chapter 637 of this title as this chapter and items 7361 to 7364 as 8701 to 8704, respectively.

1996—Pub. L. 104-106, div. A, title X, § 1015, Feb. 10, 1996, 110 Stat. 424, amended analysis generally, adding items 7361 to 7364 and striking out former items 7361 “Naval salvage facilities: contracts for commercial facilities”, 7362 “Commercial use of naval facilities”, 7363 “Transfer of equipment: contract provisions”, 7365 “Settlement of claims”, and 7367 “Disposition of receipts”.

1994—Pub. L. 103-355, title II, § 2001(j)(3)(B), Oct. 13, 1994, 108 Stat. 3303, struck out item 7364 “Advancement of funds for salvage operations”.

1993—Pub. L. 103-160, div. A, title VIII, § 828(a)(8), Nov. 30, 1993, 107 Stat. 1713, struck out item 7366 “Limitation on appropriations”.

#### § 8701. Authority to provide for necessary salvage facilities

(a) AUTHORITY.—The Secretary of the Navy may provide, by contract or otherwise, necessary salvage facilities for public and private vessels.

(b) COORDINATION WITH SECRETARY OF HOMELAND SECURITY.—The Secretary shall submit to the Secretary of Homeland Security for comment each proposed contract for salvage facilities that affects the interests of the Department of Homeland Security.

(c) LIMITATION.—The Secretary of the Navy may enter into a term contract under subsection

(a) only if the Secretary determines that available commercial salvage facilities are inadequate to meet the requirements of national defense.

(d) PUBLIC NOTICE.—The Secretary may not enter into a contract under subsection (a) until the Secretary has provided public notice of the intent to enter into such a contract.

(e) SALVAGE FACILITIES DEFINED.—In this section, the term “salvage facilities” includes equipment and gear utilized to prevent, abate, or minimize damage to the environment.

(Added Pub. L. 104–106, div. A, title X, § 1015, Feb. 10, 1996, 110 Stat. 424, § 7361; amended Pub. L. 107–296, title XVII, § 1704(b)(1), (6), Nov. 25, 2002, 116 Stat. 2314; Pub. L. 108–136, div. A, title III, § 315(a), Nov. 24, 2003, 117 Stat. 1431; renumbered § 8701, Pub. L. 115–232, div. A, title VIII, § 807(d)(3), Aug. 13, 2018, 132 Stat. 1836.)

#### Editorial Notes

##### AMENDMENTS

2018—Pub. L. 115–232 renumbered section 7361 of this title as this section.

2003—Subsec. (e). Pub. L. 108–136 added subsec. (e).

2002—Subsec. (b). Pub. L. 107–296 substituted “of Homeland Security” for “of Transportation” in heading and in two places in text.

#### 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.

##### EFFECTIVE DATE OF 2002 AMENDMENT

Amendment by Pub. L. 107–296 effective on the date of transfer of the Coast Guard to the Department of Homeland Security, see section 1704(g) of Pub. L. 107–296, set out as a note under section 101 of this title.

#### § 8702. Acquisition and transfer of vessels and equipment

(a) AUTHORITY.—The Secretary of the Navy may acquire or transfer for operation by private salvage companies such vessels and equipment as the Secretary considers necessary.

(b) AGREEMENT ON USE.—Before any salvage vessel or salvage gear is transferred by the Secretary to a private party, the private party must agree in writing with the Secretary that the vessel or gear will be used to support organized offshore salvage facilities for a period of as many years as the Secretary considers appropriate.

(c) REFERENCE TO AUTHORITY TO ADVANCE FUNDS FOR IMMEDIATE SALVAGE OPERATIONS.—For authority for the Secretary of the Navy to advance to private salvage companies such funds as the Secretary considers necessary to provide for the immediate financing of salvage operations, see section 3808(b) of this title.

(Added Pub. L. 104–106, div. A, title X, § 1015, Feb. 10, 1996, 110 Stat. 424, § 7362; renumbered § 8702, Pub. L. 115–232, div. A, title VIII, § 807(d)(3), Aug. 13, 2018, 132 Stat. 1836; amended Pub. L. 116–283, div. A, title XVIII, § 1834(i)(5), as added Pub. L. 117–81, div. A, title XVII, § 1701(n)(2), Dec. 27,

2021, 135 Stat. 2145; Pub. L. 116–283, div. A, title XVIII, § 1876(c), Jan. 1, 2021, 134 Stat. 4291; Pub. L. 117–81, div. A, title XVII, § 1701(n)(3), Dec. 27, 2021, 135 Stat. 2146.)

#### Editorial Notes

##### AMENDMENTS

2021—Subsec. (c). Pub. L. 116–283, § 1876(c), which directed striking the first two words of the subsec. heading, striking the text of subsec. (c) and inserting the text of par. (2) of section 2307(g) of this title, and substituting “this subsection” for “this paragraph” in the second sentence thereof, was repealed by Pub. L. 117–81, § 1701(n)(3), effective as if included in title XVIII of Pub. L. 116–283.

Pub. L. 116–283, § 1834(i)(5), as added by Pub. L. 117–81, § 1701(n)(2), which directed substitution of “section 3808(b)” for “section 2307(g)(2)” in section 8702(c), without specifying the Code title to be amended, was executed to subsec. (c) of this section to reflect the probable intent of Congress.

2018—Pub. L. 115–232 renumbered section 7362 of this title as this section.

#### Statutory Notes and Related Subsidiaries

##### EFFECTIVE DATE OF 2021 AMENDMENT

Amendment by Pub. L. 117–81 applicable as if included in the enactment of title XVIII of Pub. L. 116–283 as enacted, see section 1701(a)(2) of Pub. L. 117–81, set out in a note preceding section 3001 of this title and note below.

Amendment by Pub. L. 116–283 effective Jan. 1, 2022, with additional provisions for delayed implementation and applicability of existing law, see section 1801(d) of Pub. L. 116–283, set out as a note preceding section 3001 of this title.

##### 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.

#### § 8703. Settlement of claims

(a) AUTHORITY TO SETTLE CLAIM.—The Secretary of the Navy may settle any claim by the United States for salvage services rendered by the Department of the Navy and may receive payment of any such claim.

(b) SALVAGE SERVICES DEFINED.—In this section, the term “salvage services” includes services performed in connection with a marine salvage operation that are intended to prevent, abate, or minimize damage to the environment.

(Added Pub. L. 104–106, div. A, title X, § 1015, Feb. 10, 1996, 110 Stat. 425, § 7363; amended Pub. L. 108–136, div. A, title III, § 315(b), Nov. 24, 2003, 117 Stat. 1431; renumbered § 8703, Pub. L. 115–232, div. A, title VIII, § 807(d)(3), Aug. 13, 2018, 132 Stat. 1836.)

#### Editorial Notes

##### AMENDMENTS

2018—Pub. L. 115–232 renumbered section 7363 of this title as this section.

2003—Pub. L. 108–136 designated existing provisions as subsec. (a), inserted heading, and added subsec. (b).

#### 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