

Defense Primer: Procurement

Background

While *procurement* implies a process of obtaining goods or services, the word also refers to a specific title and associated accounts within the annual National Defense Authorization Act (NDAA) and Department of Defense Appropriations Act.

Appropriations for Procurement

The Department of Defense (DOD) procurement appropriations title provides funds for non-construction-related *investment costs*—the costs to acquire capital assets, such as an F-35 Joint Strike Fighter aircraft or a Virginia-class submarine. Investment costs are distinguished from *expenses*—the costs of resources consumed in operating the department, such as food and fuel. DOD uses procurement appropriations to obtain various categories of materiel, including

- new military hardware (e.g., aircraft, ships, armored vehicles, radios, and satellites);
- upgrades to existing equipment, including service life extension or remanufacturing programs;
- weapons and ammunition (e.g., air-to-air missiles and rifle rounds); and
- spares and repair parts.

Procurement funding provided to the department in a given fiscal year can usually be obligated over a period of three years. The most prominent exception is Navy Shipbuilding and Conversion funding, which is available for five years. The Department of Defense Appropriations Act, 2023 (Division C of P.L. 117-328) provided \$162.2 billion for procurement accounts (see **Table 1**).

Defense Authorization and Appropriations Resources

CRS In Focus IF10516, *Defense Primer: Navigating the NDAA*
CRS In Focus IF10515, *Defense Primer: The NDAA Process*
CRS In Focus IF10514, *Defense Primer: Defense Appropriations Process*

How is DOD Procurement Funded?

In general, Congress appropriates money for defense procurement under a policy of *full funding*, which requires funding the entire procurement cost of end-items (e.g., AIM-9 Sidewinder missiles or KC-46A refueling tankers) in one fiscal year. In other words, the total funding necessary to acquire a useable end-item is approved by Congress in a single fiscal year, even though related work

may span many years. In some cases, programs have been procured using *incremental funding*, a funding policy typically associated with research and development activities. Under incremental funding, a system's cost is divided into two or more annual portions, or increments, that can reflect the need to make annual progress payments to the contractor as the system is built. Incremental funding has principally been used to procure certain ships and submarines.

Table 1. Funding for DOD Procurement Accounts in the Department of Defense Appropriations Act, 2023

Account (Acronym)	\$ (billions)
Aircraft Procurement, Army (APA)	\$3.8
Missile Procurement, Army (MIPA)	\$3.8
Procurement of Weapons and Tracked Combat Vehicles, Army (WTCV)	\$4.5
Procurement of Ammunition, Army (PAA)	\$2.8
Other Procurement, Army (OPA)	\$8.7
Aircraft Procurement, Navy (APN)	\$19.0
Weapons Procurement, Navy (WPN)	\$4.8
Procurement of Ammunition, Navy and Marine Corps (PANMC)	\$0.9
Shipbuilding and Conversion, Navy (SCN)	\$32.0
Other Procurement, Navy (OPN)	\$12.1
Procurement, Marine Corps (PMC)	\$3.7
Aircraft Procurement, Air Force (APAF)	\$22.2
Missile Procurement, Air Force (MPAF)	\$3.0
Procurement of Ammunition, Air Force (PAAF)	\$0.9
Other Procurement, Air Force (OPAF)	\$28.0
Procurement, Space Force (PSF)	\$4.5
Procurement, Defense-Wide (PDW)	\$6.1
Defense Production Act Purchases	\$0.4
National Guard and Reserve Equipment	\$1.0
TOTAL	\$162.2

Source: CRS analysis of Department of Defense Appropriations Act, 2023 (Division C of P.L. 117-328) and accompanying explanatory statement.

Note: Totals do not include emergency funding provided in the Additional Ukraine Supplemental Appropriations Act, 2023 or the Disaster Relief Supplemental Appropriations Act, 2023 (Division M and Division N, respectively, of P.L. 117-328).

Figure 1. Milestones for Major Capability Acquisition

Source: CRS graphic based on DOD Instruction 5000.02, “Operation of the Adaptive Acquisition Framework,” January 23, 2020, p. 9.

Exceptions to Full Funding

- Multiyear Procurement.** Under 10 U.S.C. §2306b, Congress sometimes authorizes *multiyear procurement* (MYP) for programs. MYP can achieve savings by committing to buy items from a contractor over multiple years for a reduced price per unit. Qualifying for MYP requires a program to achieve savings in estimated costs, receive sufficient funding, and procure items unlikely to substantially change over the multiyear period. Examples include ships (e.g., Virginia-class submarines and DDG-51 Arleigh Burke-class destroyers); aircraft (e.g., UH-60 Black Hawk helicopters, MV-22 Osprey tilt-rotor aircraft, and C-130J Super Hercules cargo planes); and munitions (e.g., M142 High Mobility Artillery Rocket Systems, or HIMARS, and MGM-140 Army Tactical Missile Systems, or ATACMS).
- Advance Procurement.** More commonly, programs receive *advance procurement* funds for components of a unit that need to be purchased long before the unit itself is purchased. For programs using MYP, advance procurement may also be used to achieve economic order quantity, which is defined as buying enough of an item to minimize the total cost.

When Does a Program Enter Procurement?

Programs that produce a major capability (e.g., an aircraft carrier or armored fighting vehicle) usually enter procurement after they receive Milestone C approval in the Defense Acquisition System. Prior to procurement, programs are considered to be in development and generally funded through Research, Development, Test and Evaluation (RDT&E) appropriations. Some programs will receive procurement funds before a formal Milestone C approval. See **Figure 1** for an overview of milestones associated with major capability acquisition, one pathway within DOD’s adaptive acquisition framework.

How Else Does DOD Purchase Goods and Services? How Does Procurement Relate to Defense Contracting?

DOD is authorized and appropriated procurement funding for non-construction investments. DOD typically uses funding other than procurement to purchase services (e.g., research, architectural design, or cleaning services) and smaller goods (e.g., gauze or light bulbs) because such purchases are considered to be expenses rather than investments and are funded in other parts of DOD’s budget.

Goods and services from the private sector are purchased through contracts and accounted for as contract obligations. These individual activities—most of which are too granular to be captured in appropriations data—are tracked at the level of obligations. *Obligation* is the term used when agencies enter into contracts, employ personnel, or otherwise commit to spending money.

Relevant Statutes

Title 10, *U.S. Code*, Part IV—Service, Supply, and Procurement.

CRS Products

For information on the Defense Acquisition System, see CRS Report RL34026, *Defense Acquisitions: How DOD Acquires Weapon Systems and Recent Efforts to Reform the Process*

For information on the full funding policy in DOD procurement, see CRS Report RL31404, *Defense Procurement: Full Funding Policy—Background, Issues, and Options for Congress*

For information on special cases of procurement, see CRS Report R41909, *Multiyear Procurement (MYP) and Block Buy Contracting in Defense Acquisition: Background and Issues for Congress*

For information on RDT&E funding see CRS In Focus IF10553, *Defense Primer: RDT&E*.

For general information on defense procurement and contract acquisition, see CRS In Focus IF10600, *Defense Primer: Department of Defense Contractors* and CRS Report R44010, *Defense Acquisitions: How and Where DOD Spends Its Contracting Dollars*

Other Resources

DOD Comptroller, Defense Budget Materials, <http://comptroller.defense.gov/Budget-Materials>

DOD 7000.14-R, “Financial Management Regulation,” *Budget Formulation and Presentation: Procurement Appropriations*, vol. 2B, ch. 4, November 2017, at https://comptroller.defense.gov/Portals/45/documents/fmr/Volume_02b.pdf

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