

104TH CONGRESS
2D SESSION

S. 1710

To authorize multiyear contracting for the C-17 aircraft program, and for other purposes.

IN THE SENATE OF THE UNITED STATES

APRIL 25, 1996

Mr. THURMOND introduced the following bill; which was read twice and referred to the Committee on Armed Services

A BILL

To authorize multiyear contracting for the C-17 aircraft program, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. MULTIYEAR CONTRACTING AUTHORITY FOR**

4 **THE C-17 AIRCRAFT PROGRAM.**

5 (a) MULTIYEAR CONTRACTS AUTHORIZED.—The
6 Secretary of the Air Force may, pursuant to section 2306b
7 of title 10, United States Code (except as provided in sub-
8 section (b)(1)), enter into one or more multiyear contracts
9 for the procurement of not more than a total of 80 C-
10 17 aircraft.

1 (b) CONTRACT PERIOD.—(1) Notwithstanding sec-
2 tion 2306b(k) of title 10, United States Code, the period
3 covered by a contract entered into on a multiyear basis
4 under the authority of subsection (a) may exceed five
5 years, but may not exceed seven years.

6 (2) Paragraph (1) shall not be construed as prohibit-
7 ing the Secretary of the Air Force from entering into a
8 multiyear contract for a period of less than seven years.
9 In determining to do so, the Secretary shall consider
10 whether—

11 (A) sufficient funding is provided for in the fu-
12 ture-years defense program for procurement, within
13 the shorter period, of the total number of aircraft to
14 be procured (within the number set forth in sub-
15 section (a)); and

16 (B) the contractor is capable of delivering that
17 total number of aircraft within the shorter period.

18 (c) OPTION TO CONVERT TO ONE-YEAR PROCURE-
19 MENTS.—Each multiyear contract for the procurement of
20 C-17 aircraft authorized by subsection (a) shall include
21 a clause that permits the Secretary of the Air Force—

22 (1) to terminate the contract as of September
23 30, 1998, without a modification in the price of each
24 aircraft and without incurring any obligation to pay
25 the contractor termination costs; and

1 (2) to then enter into follow-on one-year con-
2 tracts with the contractor for the procurement of C-
3 17 aircraft (within the total number of aircraft au-
4 thorized under subsection (a)) at a negotiated price
5 that is not to exceed the price that is negotiated be-
6 fore September 30, 1998, for the annual production
7 contract for the C-17 aircraft in lot VIII and subse-
8 quent lots.

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