

Calendar No. 400104TH 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

MAY 9, 1996

Reported by Mr. THURMOND, without amendment

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-

1 section (b)(1)), enter into one or more multiyear contracts
2 for the procurement of not more than a total of 80 C-
3 17 aircraft.

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

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

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

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

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

1 (1) to terminate the contract as of September
2 30, 1998, without a modification in the price of each
3 aircraft and without incurring any obligation to pay
4 the contractor termination costs; and

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

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