

104TH CONGRESS
2D SESSION

S. 1710

IN THE HOUSE OF REPRESENTATIVES

MAY 20, 1996

Referred to the Committee on National Security

AN ACT

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,*

1 **SECTION 1. MULTIYEAR CONTRACTING AUTHORITY FOR**
2 **THE C-17 AIRCRAFT PROGRAM.**

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

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

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

19 (A) sufficient funding is provided for in the fu-
20 ture-years defense program for procurement, within
21 the shorter period, of the total number of aircraft to
22 be procured (within the number set forth in sub-
23 section (a)); and

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

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

5 (1) to terminate the contract as of September
6 30, 1998, without a modification in the price of each
7 aircraft and without incurring any obligation to pay
8 the contractor termination costs; and

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

Passed the Senate May 17, 1996.

Attest:

KELLY J. JOHNSTON,

Secretary.