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(Original Signature of Member)

116TH CONGRESS
2D SESSION

H. R. _____

To authorize the Secretary of the Navy to enter into contracts for the procurement of amphibious vessels, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. WITTMAN introduced the following bill; which was referred to the Committee on _____

A BILL

To authorize the Secretary of the Navy to enter into contracts for the procurement of amphibious vessels, 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 PROCUREMENT AUTHORITY FOR**
4 **AMPHIBIOUS VESSELS.**

5 (a) AUTHORITY FOR MULTIYEAR PROCUREMENT.—

6 Except as provided in subsection (b) and subject to section
7 2306b of title 10, United States Code, the Secretary of

1 the Navy may enter into one or more multiyear contracts
2 for the procurement of the following:

3 (1) Three amphibious transport dock vessels
4 designated LPD-31, LPD-32, and LPD-33.

5 (2) One amphibious landing helicopter assault
6 vessel designated LHA-9.

7 (b) LIMITATION ON CONTRACT AUTHORITY.—The
8 Secretary of the Navy may not enter into a contract under
9 subsection (a) until the date on which the Secretary cer-
10 tifies to the congressional defense committees that the pro-
11 curement of the vessels specified in such subsection is con-
12 sistent with—

13 (1) the most recent 30-year shipbuilding plan of
14 the Navy; and

15 (2) the most recent Commandant's Planning
16 Guidance of the 38th Commandant of the Marine
17 Corps.

18 (c) LIMITATION ON CONTRACT MODIFICATION.—The
19 Secretary of the Navy may not modify a contract entered
20 into under subsection (a)(1) if the modification would in-
21 crease the total target price of the three amphibious trans-
22 port dock vessels by more than 10 percent above the target
23 price specified in the original contract awarded for the ves-
24 sels under subsection (a)(1).

1 (d) USE OF INCREMENTAL FUNDING FOR LPD-31
2 AND LHA-9.—With respect to a contract entered into
3 under subsection (a) for the vessel LPD-31 or the vessel
4 LHA-9, the Secretary may use incremental funding to
5 make payments under the contract.

6 (e) AUTHORITY FOR ADVANCE PROCUREMENT.—The
7 Secretary of the Navy may enter into one or more con-
8 tracts, beginning in fiscal year 2021, for advance procure-
9 ment associated with the vessels for which authorization
10 to enter into a multiyear procurement contract is provided
11 under subsection (a) and for equipment or subsystems as-
12 sociated with the vessels, including procurement of—

13 (1) long lead time material; or

14 (2) materiel or equipment in economic order
15 quantities when cost savings are achievable.

16 (f) CONDITION FOR OUT-YEAR CONTRACT PAY-
17 MENTS.—A contract entered into under subsection (a)
18 shall provide that any obligation of the United States to
19 make a payment under the contract for a fiscal year after
20 fiscal year 2021 is subject to the availability of appropria-
21 tions or funds for that purpose for such later fiscal year.

22 (g) LIMITATION ON TERMINATION LIABILITY.—A
23 contract for the construction of vessels entered into under
24 subsection (a) shall include a clause that limits the liability
25 of the United States to the contractor for any termination

1 of the contract. The maximum liability of the United
2 States under the clause shall be the amount appropriated
3 for the vessels covered by the contract regardless of the
4 amount obligated under the contract.

5 (h) REPEAL.—Sections 127 and 129 of the National
6 Defense Authorization Act for Fiscal Year 2020 (Public
7 Law 116–92) are repealed.