AMENDMENT TO RULES COMMITTEE PRINT 116-19

OFFERED BY MR. LANGEVIN OF RHODE ISLAND

At the appropriate place in title VIII, insert the following new section:

SEC. 8. REVISIONS TO REQUIREMENT TO USE FIRM FIXED-PRICE CONTRACTS FOR FOREIGN MILITARY SALES.

(a) IN GENERAL.—Section 830 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat. 2282; 22 U.S.C. 2762 note) is amended—

(1) by amending subsection (a) to read as follows:

“(a) IN GENERAL.—

“(1) REQUIREMENTS.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall prescribe regulations to require the use of firm fixed-price contracts for production in foreign military sales cases.

“(2) SCOPE.—Paragraph (1) shall apply to—

“(A) a contract exclusively for sales to a foreign military;
“(B) the terms regarding sales to a foreign military on a contract that also includes procurement of the same or similar system by the United States Government; or

“(C) a contract for sales to a foreign military when the Secretary is also engaged in a cooperative project involving the same or similar item or system under section 2350b of title 10, United States Code.”; and

(2) in subsection (b)—

(A) in paragraph (1), by striking the word “or” at the end;

(B) in paragraph (2), by striking the period at the end and inserting “; or”; and

(C) by adding at the end the following new paragraph:

“(3) has requested modification to the to the item or system requiring significant development work.”.

(b) REGULATIONS.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense shall revise the Defense Federal Acquisition Regulation Supplement to conform with the amendments made by this section.