

114TH CONGRESS
1ST SESSION

S. 1386

To provide multiyear procurement authority for the procurement of up to six polar icebreakers to be owned and operated by the Coast Guard.

IN THE SENATE OF THE UNITED STATES

MAY 19, 2015

Ms. CANTWELL (for herself, Ms. MURKOWSKI, and Mr. SULLIVAN) introduced the following bill; which was read twice and referred to the Committee on Armed Services

A BILL

To provide multiyear procurement authority for the procurement of up to six polar icebreakers to be owned and operated by the Coast Guard.

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. SHORT TITLE.**

4 This Act may be cited as the “Icebreaker Recapital-
5 ization Act”.

6 **SEC. 2. MULTIYEAR PROCUREMENT AUTHORITY FOR**
7 **POLAR ICEBREAKERS.**

8 (a) MULTIYEAR PROCUREMENT.—Subject to section
9 2306b of title 10, United States Code, the Secretary of

1 the Navy shall enter into multiyear contracts for the pro-
2 curement of up to six heavy duty polar icebreakers and
3 any systems and equipment associated with those vessels.

4 (b) **AUTHORITY FOR ADVANCE PROCUREMENT.**—The
5 Secretary may enter into one or more contracts, beginning
6 in fiscal year 2016, for advance procurement associated
7 with the vessels, systems, and equipment for which author-
8 ization to enter into a multiyear contract is provided under
9 subsection (a).

10 (c) **CONDITION FOR OUT-YEAR CONTRACT PAY-**
11 **MENTS.**—A contract entered into under subsection (a)
12 shall provide that any obligation of the United States to
13 make a payment under the contract for a fiscal year after
14 fiscal year 2016 is subject to the availability of appropria-
15 tions or funds for that purpose for such later fiscal year.

16 (d) **MEMORANDUM OF AGREEMENT.**—Not later than
17 180 days after the date of the enactment of this Act, the
18 Secretary of the Navy and the Secretary of the Depart-
19 ment in which the Coast Guard is operating shall enter
20 into a memorandum of agreement establishing a process
21 by which the Coast Guard, in concurrence with the Navy,
22 shall—

23 (1) identify the vessel specifications, capabili-
24 ties, systems, equipment, and other details required
25 for the design of heavy polar icebreakers capable of

1 fulfilling Navy and Coast Guard mission require-
2 ments, with the Coast Guard, as the sole operator
3 of United States Government polar icebreaking as-
4 sets, retaining final decision authority in the estab-
5 lishment of vessel requirements;

6 (2) oversee the construction of heavy polar ice-
7 breakers authorized to be procured under this sec-
8 tion; and

9 (3) to the extent not adequately addressed in
10 the 1965 Revised Memorandum of Agreement be-
11 tween the Department of the Navy and the Depart-
12 ment of the Treasury on the Operation of Ice-
13 breakers, transfer heavy polar icebreakers procured
14 through contracts authorized under this section from
15 the Navy to the Coast Guard to be maintained and
16 operated by the Coast Guard.

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