

109<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. R. 4326

To authorize the Secretary of the Navy to enter into a contract for the nuclear refueling and complex overhaul of the U.S.S. Carl Vinson (CVN-70).

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## IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 15, 2005

Mrs. JO ANN DAVIS of Virginia (for herself and Mr. SCOTT of Virginia) introduced the following bill; which was referred to the Committee on Armed Services

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## A BILL

To authorize the Secretary of the Navy to enter into a contract for the nuclear refueling and complex overhaul of the U.S.S. Carl Vinson (CVN-70).

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. REFUELING AND COMPLEX OVERHAUL OF THE**  
4 **U.S.S. CARL VINSON.**

5 (a) CONTRACT AUTHORIZED.—Notwithstanding sec-  
6 tion 1502 of title 31, United States Code, the Secretary  
7 of the Navy may, subject to subsection (c), enter into a  
8 contract for the nuclear refueling and complex overhaul  
9 of the U.S.S. Carl Vinson (CVN-70).

1           (b) FISCAL YEAR 2006 LIMITATION.—Funds avail-  
2 able to the Secretary of the Navy for fiscal year 2006 may  
3 be used for the commencement of work on the contract  
4 authorized by subsection (a) during fiscal year 2006, but  
5 only for obligations in an amount not to exceed  
6 \$89,000,000. Additional amounts may be obligated for  
7 such work for fiscal year 2006 only to the extent to which  
8 authority is expressly provided by law, and funds are ap-  
9 propriated by law, for such obligations after the date of  
10 the enactment of this Act.

11           (c) CONDITION ON SUBSEQUENT CONTRACT PAY-  
12 MENTS.—A contract entered into under subsection (a)  
13 shall provide that any obligation of the United States to  
14 make a payment under the contract—

15                 (1) for fiscal year 2006 for an amount that  
16 would result in the total of the amounts so paid  
17 being in excess of the amount specified in subsection  
18 (b) is subject to the availability of appropriations for  
19 that purpose made in an Act making appropriations  
20 for the Department of Defense for that fiscal year;  
21 and

22                 (2) for a fiscal year after fiscal year 2006 is  
23 subject to the availability of appropriations for that  
24 purpose for that fiscal year.

1 (d) WAIVER OF PROHIBITION OF NEW STARTS  
2 UNDER CONTINUING RESOLUTION AUTHORITY.—The  
3 contract authorized by this section may be entered into  
4 without regard to section 102(a) of Public Law 109–77  
5 (119 Stat. 2038).

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