

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

# H. R. 2043

To authorize appropriations to the National Aeronautics and Space Administration for human space flight, science, aeronautics, and technology, mission support, and Inspector General, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JULY 17, 1995

Mr. WALKER (for himself and Mr. SENSENBRENNER) introduced the following bill; which was referred to the Committee on Science

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## A BILL

To authorize appropriations to the National Aeronautics and Space Administration for human space flight, science, aeronautics, and technology, mission support, and Inspector General, 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. SHORT TITLE.**

4        This Act may be cited as the “National Aeronautics  
5        and Space Administration Authorization Act, Fiscal Year  
6        1996”.

7        **SEC. 2. FINDINGS.**

8        The Congress makes the following findings:

1           (1) The National Aeronautics and Space Ad-  
2           ministration has failed to request sufficient funds to  
3           perform all missions it has proposed in annual budg-  
4           et requests. For fiscal year 1996, the budget re-  
5           quested is \$140,000,000 below the amount required  
6           to fulfill program commitments made by the fiscal  
7           year 1995 budget approved by Congress. The re-  
8           quest for fiscal year 1996 proposes continued  
9           underfunding of the requirements of the National  
10          Aeronautics and Space Administration by  
11          \$439,000,000 for fiscal year 1997, \$847,000,000 for  
12          fiscal year 1998, \$1,189,000,000 for fiscal year  
13          1999, and \$1,532,000,000 for fiscal year 2000.

14          (2) In order to close the gap between projected  
15          program requirements and the underfunding re-  
16          quested, the National Aeronautics and Space Admin-  
17          istration should aggressively pursue actions and re-  
18          forms directed at reducing institutional costs, includ-  
19          ing management restructuring, facility consolidation,  
20          procurement reform, personnel base downsizing, and  
21          convergence with other defense and private sector  
22          systems.

23          (3) While institutional reforms, restructurings,  
24          and downsizing hold the promise of comporting the  
25          projected needs of the National Aeronautics and

1 Space Administration with funding levels requested  
2 by the Administration, such reforms provide no  
3 guarantee against cancellation of missions in the  
4 event reform efforts fail to achieve cost reduction  
5 targets.

6 (4) The National Aeronautics and Space Ad-  
7 ministration must reverse its current trend toward  
8 becoming an operational agency, and return to its  
9 proud history as the Nation's leader in basic sci-  
10 entific air and space research.

11 (5) Commercial space activity is in a delicate  
12 stage of growth but has the potential to eclipse Fed-  
13 eral space activity in its economic return to the Na-  
14 tion if not stifled.

15 (6) The United States is on the verge of creat-  
16 ing and using new technologies in microsatellites, in-  
17 formation processing, and space launch that could  
18 radically alter the manner in which the Government  
19 approaches its space mission.

20 (7) In formulating a national space transpor-  
21 tation service policy, the National Aeronautics and  
22 Space Administration should aggressively pursue re-  
23 verse contracting opportunities to support the pri-  
24 vate sector development of advanced space transpor-  
25 tation technologies including reusable space vehicles,

1 single-stage-to-orbit vehicles, and manned space sys-  
2 tems.

3 (8) International cooperation in space explo-  
4 ration and science activities serves the United States  
5 national interest—

6 (A) when it—

7 (i) reduces the cost of undertaking  
8 missions the United States Government  
9 would pursue unilaterally;

10 (ii) enables the United States to pur-  
11 sue missions that it could not otherwise af-  
12 ford to pursue unilaterally; or

13 (iii) enhances United States capabili-  
14 ties to use and develop space for the bene-  
15 fit of United States citizens; and

16 (B) when it does not—

17 (i) otherwise harm or interfere with  
18 the ability of United States private sector  
19 firms to develop or explore space commer-  
20 cially;

21 (ii) interfere with the ability of Fed-  
22 eral agencies to use space to complete their  
23 missions;

24 (iii) undermine the ability of United  
25 States private enterprise to compete favor-

1 ably with foreign entities in the commercial  
2 space arena; or

3 (iv) transfer sensitive or commercially  
4 advantageous technologies or knowledge  
5 from the United States to other countries  
6 or foreign entities except as required by  
7 those countries or entities to make their  
8 contribution to a multilateral space project  
9 in partnership with the United States, or  
10 on a quid pro quo basis.

11 (9) The National Aeronautics and Space Ad-  
12 ministration and the Department of Defense can co-  
13 operate more effectively in leveraging their mutual  
14 capabilities to conduct joint space missions that im-  
15 prove United States space capabilities and reduce  
16 the cost of conducting space missions.

17 **SEC. 3. DEFINITIONS.**

18 For purposes of this Act—

19 (1) the term “Administrator” means the Ad-  
20 ministrator of the National Aeronautics and Space  
21 Administration; and

22 (2) the term “institution of higher education”  
23 has the meaning given such term in section 1201(a)  
24 of the Higher Education Act of 1965 (20 U.S.C.  
25 1141(a)).

1       **TITLE I—AUTHORIZATION OF**  
2                   **APPROPRIATIONS**  
3                   **Subtitle A—Authorizations**

4       **SEC. 101. HUMAN SPACE FLIGHT.**

5           (a) AUTHORIZATIONS.—There are authorized to be  
6 appropriated to the National Aeronautics and Space Ad-  
7 ministration for fiscal year 1996 for Human Space Flight  
8 the following amounts:

9                   (1) For Space Shuttle Operations,  
10                   \$2,341,800,000.

11                   (2) For Space Shuttle Safety and Performance  
12                   Upgrades, \$837,000,000.

13                   (3) For Payload and Utilization Operations,  
14                   \$315,000,000.

15                   (4) For Russian Cooperation, \$100,000,000.

16           (b) CONSTRUCTION OF FACILITIES.—(1) Of the  
17 funds authorized to be appropriated under subsection  
18 (a)(2), \$5,000,000 are authorized for modernization of the  
19 Firex System, Pads A and B, Kennedy Space Center.

20                   (2) Of the funds authorized to be appropriated under  
21 subsection (a)(2), \$7,500,000 are authorized for replace-  
22 ment of the Chemical Analysis Facility, Kennedy Space  
23 Center.

24                   (3) Of the funds authorized to be appropriated under  
25 subsection (a)(2), \$4,900,000 are authorized for replace-

1 ment of the Space Shuttle Main Engine Processing Facil-  
2 ity, Kennedy Space Center.

3 **SEC. 102. SCIENCE, AERONAUTICS, AND TECHNOLOGY.**

4 (a) AUTHORIZATIONS.—There are authorized to be  
5 appropriated to the National Aeronautics and Space Ad-  
6 ministration for fiscal year 1996 for Science, Aeronautics,  
7 and Technology the following amounts:

8 (1) For Space Science, \$1,995,400,000, of  
9 which—

10 (A) \$1,167,600,000 are authorized for  
11 Physics and Astronomy, of which \$51,500,000  
12 shall be for the Gravity Probe B, except that no  
13 funds are authorized for the Space Infrared  
14 Telescope Facility; and

15 (B) \$827,800,000 are authorized for Plan-  
16 etary Exploration, of which \$30,000,000 shall  
17 be for the New Millennium Spacecraft, includ-  
18 ing \$5,000,000 for the National Aeronautics  
19 and Space Administration's participation in  
20 Clementine 2 (Air Force Program Element  
21 0603401F Advanced Spacecraft Technology).

22 (2) For Life and Microgravity Sciences and Ap-  
23 plications, \$293,200,000.

24 (3) For Mission to Planet Earth,  
25 \$1,013,100,000, of which \$21,500,000 shall only be

1 for activities described in section 208(7), except that  
2 no funds are authorized for the Consortium for  
3 International Earth Science Information Network,  
4 the Global Observations to Benefit the Environment,  
5 or the Topex Poseidon Follow-On mission. Funds  
6 authorized by this paragraph may not be expended  
7 to duplicate private sector or other Federal activities  
8 or to procure systems to provide data unless the Ad-  
9 ministrator certifies to Congress that no private sec-  
10 tor or Federal entity can provide suitable data in a  
11 timely manner. Notwithstanding any other provision  
12 of law, funds in excess of those authorized by this  
13 paragraph may not be obligated for Mission To  
14 Planet Earth.

15 (4) For Space Access and Technology,  
16 \$639,800,000 of which—

17 (A) \$193,000,000 are authorized for Ad-  
18 vanced Space Transportation;

19 (B) \$10,000,000 are authorized to be  
20 made available for defraying the costs of con-  
21 verting or redesigning commercially inconsistent  
22 elements of former Federal facilities or to take  
23 actions required for conformance with Federal  
24 laws or regulations relating to commercial space



1 transportation infrastructure, to remain avail-  
2 able until expended;

3 (C) \$20,000,000 shall be for continuing  
4 the Launch Voucher Demonstration Program  
5 authorized under section 504 of the National  
6 Aeronautics and Space Administration Author-  
7 ization Act, Fiscal Year 1993 (15 U.S.C.  
8 5803); and

9 (D) \$33,900,000 are authorized for the  
10 Small Spacecraft Technology Initiative, except  
11 that funds for such Initiative may not be ex-  
12 pended to duplicate private sector activities or  
13 to fund any activities that a private sector en-  
14 tity is proposing to carry out for commercial  
15 purposes. No funds are authorized under this  
16 paragraph for the Partnership for Next Genera-  
17 tion Vehicle.

18 (5) For Aeronautical Research and Technology,  
19 \$826,900,000, of which—

20 (A) \$354,700,000 are authorized for Re-  
21 search and Technology Base activities;

22 (B) \$245,500,000 are authorized for High  
23 Speed Research;

24 (C) \$133,000,000 are authorized for Ad-  
25 vanced Subsonic Technology, except that no

1 funds are authorized for concept studies for Ad-  
2 vanced Traffic Management and Affordable De-  
3 sign and Manufacturing;

4 (D) \$40,200,000 are authorized for High-  
5 Performance Computing and Communications;  
6 and

7 (E) \$48,100,000 are authorized for Nu-  
8 merical Aerodynamic Simulation.

9 (6) For Mission Communication Services,  
10 \$461,300,000.

11 (7) For Academic Programs, \$102,200,000.

12 (b) CONSTRUCTION OF FACILITIES.—(1) Of the  
13 funds authorized to be appropriated under subsection  
14 (a)(3), \$17,000,000 are authorized for construction of the  
15 Earth Systems Science Building, Goddard Space Flight  
16 Center.

17 (2) Of the funds authorized to be appropriated under  
18 subsection (a)(5), \$5,400,000 are authorized for mod-  
19 ernization of the Unitary Plan Wind Tunnel Complex,  
20 Ames Research Center.

21 (3) Of the funds authorized to be appropriated under  
22 subsection (a)(2), \$3,000,000 are authorized for the con-  
23 struction of an addition to the Microgravity and Develop-  
24 ment Laboratory, Marshall Space Flight Center.

1 **SEC. 103. MISSION SUPPORT.**

2 There are authorized to be appropriated to the Na-  
3 tional Aeronautics and Space Administration for fiscal  
4 year 1996 for Mission Support the following amounts:

5 (1) For Safety, Reliability, and Quality Assur-  
6 ance, \$37,600,000.

7 (2) For Space Communication Services,  
8 \$319,400,000.

9 (3) For Construction of Facilities, including  
10 land acquisition, \$152,600,000, of which—

11 (A) \$6,300,000 shall be for restoration of  
12 Flight Systems Research Laboratory, Ames Re-  
13 search Center;

14 (B) \$3,000,000 shall be for restoration of  
15 chilled water distribution system, Goddard  
16 Space Flight Center;

17 (C) \$4,800,000 shall be for replacing  
18 chillers, various buildings, Jet Propulsion Lab-  
19 oratory;

20 (D) \$1,100,000 shall be for rehabilitation  
21 of electrical distribution system, White Sands  
22 Test Facility, Johnson Space Center;

23 (E) \$4,200,000 shall be for replacement of  
24 main substation switchgear and circuit break-  
25 ers, Johnson Space Center;

1 (F) \$1,800,000 shall be for replacement of  
2 15kV load break switches, Kennedy Space Cen-  
3 ter;

4 (G) \$9,000,000 shall be for rehabilitation  
5 of Central Air Equipment Building, Lewis Re-  
6 search Center;

7 (H) \$4,700,000 shall be for restoration of  
8 high pressure air compressor system, Marshall  
9 Space Flight Center;

10 (I) \$6,800,000 shall be for restoration of  
11 Information and Electronic Systems Labora-  
12 tory, Marshall Space Flight Center;

13 (J) \$1,400,000 shall be for restoration of  
14 canal lock, Stennis Space Center;

15 (K) \$2,500,000 shall be for restoration of  
16 primary electrical distribution system, Wallops  
17 Flight Facility;

18 (L) \$30,000,000 shall be for repair of fa-  
19 cilities at various locations, not in excess of  
20 \$1,500,000 per project;

21 (M) \$30,000,000 shall be for rehabilitation  
22 and modification of facilities at various loca-  
23 tions, not in excess of \$1,500,000 per project;

24 (N) \$2,000,000 shall be for minor con-  
25 struction of new facilities and additions to exist-

1 ing facilities at various locations, not in excess  
2 of \$750,000 per project;

3 (O) \$10,000,000 shall be for facility plan-  
4 ning and design not otherwise provided for; and

5 (P) \$35,000,000 shall be for environmental  
6 compliance and restoration.

7 (4) For Research and Program Management,  
8 including personnel and related costs, travel, and re-  
9 search operations support, \$2,094,800,000.

10 **SEC. 104. INSPECTOR GENERAL.**

11 There are authorized to be appropriated to the Na-  
12 tional Aeronautics and Space Administration for Inspector  
13 General, \$17,300,000 for fiscal year 1996.

14 **SEC. 105. TOTAL AUTHORIZATION.**

15 Notwithstanding any other provision of this title, the  
16 total amount authorized to be appropriated under this Act  
17 shall not exceed \$11,547,400,000 for fiscal year 1996.

18 **Subtitle B—Restructuring the Na-**  
19 **tional Aeronautics and Space**  
20 **Administration**

21 **SEC. 111. FINDINGS.**

22 The Congress finds that—

23 (1) the restructuring of the National Aero-  
24 nautics and Space Administration is essential to ac-

1       completing the space missions of the United States  
2       while simultaneously balancing the Federal budget;

3           (2) to restructure the National Aeronautics and  
4       Space Administration rapidly without reducing mis-  
5       sion content and safety requires objective financial  
6       judgment;

7           (3) no effort has been undertaken by the Na-  
8       tional Aeronautics and Space Administration to per-  
9       form a formal economic review of its missions and  
10      the Federal assets that support them;

11          (4) therefore it is premature and unwarranted  
12      to attempt closing any National Aeronautics and  
13      Space Administration field center until an asset-  
14      based review of United States space missions and  
15      capabilities to support them is performed; and

16          (5) cost savings from the closing of National  
17      Aeronautics and Space Administration field centers  
18      are speculative and potentially injurious to mission  
19      goals, unless derived from an asset-based analysis.

20   **SEC. 112. ASSET-BASED REVIEW.**

21      (a) REQUEST FOR PROPOSALS.—Not later than 30  
22      days after the date of the enactment of this Act, the Ad-  
23      ministrators shall publish in the Commerce Business Daily  
24      a request for proposals to perform a National Aeronautics  
25      and Space Administration asset-based review.

1 (b) QUALIFIED PROPOSALS.—Qualified proposals to  
2 perform the asset-based review under this section shall be  
3 from United States persons whose primary business is cor-  
4 porate financial strategy, investment banking, accounting,  
5 or asset management. All proposals shall, at a minimum,  
6 propose to review, for each capital asset owned by the Na-  
7 tional Aeronautics and Space Administration—

8 (1) its primary function or purpose in relation-  
9 ship to a program, mission, or activity of the Na-  
10 tional Aeronautics and Space Administration;

11 (2) the existence of other capital assets which  
12 duplicate or overlap with such function or purpose;

13 (3) the Federal and non-Federal users thereof;  
14 and

15 (4) its necessity to carry out a program, mis-  
16 sion, or activity of the National Aeronautics and  
17 Space Administration.

18 (c) REPORT.—The contractor selected to perform the  
19 asset-based review under this section shall complete such  
20 review and transmit to the Administrator and the Con-  
21 gress, no later than July 31, 1996, a report containing,  
22 at a minimum—

23 (1) for each National Aeronautics and Space  
24 Administration field center facility—

1 (A) a list of capital assets that should be  
2 permanently retired or disposed of;

3 (B) a list of capital assets that may be  
4 transferred to non-Federal institutions and cor-  
5 porations, if the transfer of such asset is cost  
6 effective; and

7 (C) a list of capital assets essential to the  
8 conduct of National Aeronautics and Space Ad-  
9 ministration programs, missions, or activities,  
10 and a justification for retaining the asset;

11 (2) for each National Aeronautics and Space  
12 Administration program element—

13 (A) a list of capital assets essential to the  
14 conduct of the program element; and

15 (B) a plan for achieving the most cost-ef-  
16 fective consolidation and efficient use of nec-  
17 essary capital assets to support such program  
18 element, including the use of non-Federal assets  
19 where appropriate; and

20 (3) for each National Aeronautics and Space  
21 Administration capital asset—

22 (A) the total annual cost of maintaining  
23 and operating such capital asset, including Fed-  
24 eral employee and contractor costs;



1 (B) the depreciated cost, replacement cost,  
2 and salvage value; and

3 (C) the most cost-effective strategy for  
4 maintaining, replacing, upgrading, or disposing  
5 of the capital asset, as appropriate.

6 (d) IMPLEMENTATION.—The Administrator shall  
7 consider the results of the asset-based review conducted  
8 under this section, and based on the Administrator's rec-  
9 ommendations, the President shall propose to Congress  
10 legislation required to implement those recommendations  
11 no later than September 30, 1996.

12 (e) CLOSING OF FIELD CENTERS.—The Adminis-  
13 trator shall not close any National Aeronautics and Space  
14 Administration field center until after the asset-based re-  
15 view report is transmitted under subsection (c), and may  
16 only close field centers that would become obsolete as a  
17 result of the implementation of the Administrator's rec-  
18 ommendations, and may do so only after enactment of leg-  
19 islation implementing those recommendations.

20 **Subtitle C—Limitations and**  
21 **Special Authority**

22 **SEC. 121. USE OF FUNDS FOR CONSTRUCTION.**

23 (a) AUTHORIZED USES.—Funds appropriated under  
24 sections 101(a), 102(a), and 103 (1) and (2), and funds  
25 appropriated for research operations support under sec-

1 tion 103(4), may be used for the construction of new fa-  
2 cilities and additions to, repair of, rehabilitation of, or  
3 modification of existing facilities at any location in support  
4 of the purposes for which such funds are authorized.

5 (b) LIMITATION.—None of the funds used pursuant  
6 to subsection (a) may be expended for a project, the esti-  
7 mated cost of which to the National Aeronautics and  
8 Space Administration, including collateral equipment, ex-  
9 ceeds \$500,000, until 30 days have passed after the Ad-  
10 ministrator has notified the Committee on Science of the  
11 House of Representatives and the Committee on Com-  
12 merce, Science, and Transportation of the Senate of the  
13 nature, location, and estimated cost to the National Aero-  
14 nautics and Space Administration of such project.

15 (c) TITLE TO FACILITIES.—If funds are used pursu-  
16 ant to subsection (a) for grants to institutions of higher  
17 education, or to nonprofit organizations whose primary  
18 purpose is the conduct of scientific research, for purchase  
19 or construction of additional research facilities, title to  
20 such facilities shall be vested in the United States unless  
21 the Administrator determines that the national program  
22 of aeronautical and space activities will best be served by  
23 vesting title in the grantee institution or organization.  
24 Each such grant shall be made under such conditions as  
25 the Administrator shall determine to be required to ensure

1 that the United States will receive therefrom benefits ade-  
2 quate to justify the making of that grant.

3 **SEC. 122. AVAILABILITY OF APPROPRIATED AMOUNTS.**

4 To the extent provided in appropriations Acts, appro-  
5 priations authorized under subtitle A may remain avail-  
6 able without fiscal year limitation.

7 **SEC. 123. REPROGRAMMING FOR CONSTRUCTION OF FA-**  
8 **CILITIES.**

9 (a) IN GENERAL.—Appropriations authorized under  
10 any paragraph of section 101(b), 102(b), or 103(3)—

11 (1) may be varied upward by 10 percent in the  
12 discretion of the Administrator; or

13 (2) may be varied upward by 25 percent, to  
14 meet unusual cost variations, after the expiration of  
15 15 days following a report on the circumstances of  
16 such action by the Administrator to the Committee  
17 on Science of the House of Representatives and the  
18 Committee on Commerce, Science, and Transpor-  
19 tation of the Senate.

20 The aggregate amount authorized to be appropriated  
21 under sections 101(b), 102(b), and 103(3) shall not be  
22 increased as a result of actions authorized under para-  
23 graphs (1) and (2) of this subsection.

24 (b) SPECIAL RULE.—Where the Administrator deter-  
25 mines that new developments in the national program of

1 aeronautical and space activities have occurred; and that  
2 such developments require the use of additional funds for  
3 the purposes of construction, expansion, or modification  
4 of facilities at any location; and that deferral of such ac-  
5 tion until the enactment of the next National Aeronautics  
6 and Space Administration Authorization Act would be in-  
7 consistent with the interest of the Nation in aeronautical  
8 and space activities, the Administrator may use up to  
9 \$10,000,000 of the amounts authorized under section  
10 101(b), 102(b), or 103(3) for each fiscal year for such  
11 purposes. No such funds may be obligated until a period  
12 of 30 days has passed after the Administrator has trans-  
13 mitted to the Committee on Commerce, Science, and  
14 Transportation of the Senate and the Committee on  
15 Science of the House of Representatives a written report  
16 describing the nature of the construction, its costs, and  
17 the reasons therefor.

18 **SEC. 124. CONSIDERATION BY COMMITTEES.**

19 Notwithstanding any other provision of law—

20 (1) no amount appropriated to the National  
21 Aeronautics and Space Administration may be used  
22 for any program for which the President's annual  
23 budget request included a request for funding, but  
24 for which the Congress denied or did not provide  
25 funding;

1           (2) no amount appropriated to the National  
2           Aeronautics and Space Administration may be used  
3           for any program in excess of the amount actually  
4           authorized for the particular program by subtitle A;  
5           and

6           (3) no amount appropriated to the National  
7           Aeronautics and Space Administration may be used  
8           for any program which has not been presented to  
9           the Congress in the President's annual budget re-  
10          quest or the supporting and ancillary documents  
11          thereto,

12 unless a period of 30 days has passed after the receipt  
13 by the Committee on Science of the House of Representa-  
14 tives and the Committee on Commerce, Science, and  
15 Transportation of the Senate of notice given by the Ad-  
16 ministrator containing a full and complete statement of  
17 the action proposed to be taken and the facts and cir-  
18 cumstances relied upon in support of such proposed ac-  
19 tion. The National Aeronautics and Space Administration  
20 shall keep the Committee on Science of the House of Rep-  
21 resentatives and the Committee on Commerce, Science,  
22 and Transportation of the Senate fully and currently in-  
23 formed with respect to all activities and responsibilities  
24 within the jurisdiction of those committees. Except as oth-  
25 erwise provided by law, any Federal department, agency,

1 or independent establishment shall furnish any informa-  
2 tion requested by either committee relating to any such  
3 activity or responsibility.

4 **SEC. 125. LIMITATION ON OBLIGATION OF UNAUTHORIZED**  
5 **APPROPRIATIONS.**

6 (a) **REPORTS TO CONGRESS.**—Not later than 30 days  
7 after the later of the date of enactment of an Act making  
8 appropriations to the National Aeronautics and Space Ad-  
9 ministration for fiscal year 1996 and the date of enact-  
10 ment of this Act, the Administrator shall submit a report  
11 to Congress and to the Comptroller General which speci-  
12 fies—

13 (1) the portion of such appropriations which are  
14 for programs, projects, or activities not authorized  
15 under subtitle A of this title, or which are in excess  
16 of amounts authorized for the relevant program,  
17 project, or activity under this Act; and

18 (2) the portion of such appropriations which are  
19 authorized under this Act.

20 (b) **FEDERAL REGISTER NOTICE.**—The Adminis-  
21 trator shall, coincident with the submission of the report  
22 required by subsection (a), publish in the Federal Register  
23 a notice of all programs, projects, or activities for which  
24 funds are appropriated but which were not authorized  
25 under this Act, and solicit public comment thereon regard-

1 ing the impact of such programs, projects, or activities on  
2 the conduct and effectiveness of the national aeronautics  
3 and space program.

4 (c) LIMITATION.—Notwithstanding any other provi-  
5 sion of law, no funds may be obligated for any programs,  
6 projects, or activities of the National Aeronautics and  
7 Space Administration for fiscal year 1996 not authorized  
8 under this Act until 30 days have passed after the close  
9 of the public comment period contained in the notice re-  
10 quired in subsection (b).

11 **SEC. 126. USE OF FUNDS FOR SCIENTIFIC CONSULTATIONS**  
12 **OR EXTRAORDINARY EXPENSES.**

13 Not more than \$30,000 of the funds appropriated  
14 under section 102 may be used for scientific consultations  
15 or extraordinary expenses, upon the authority of the Ad-  
16 ministrator.

17 **SEC. 127. LIMITATION ON TRANSFERS TO RUSSIA.**

18 (a) LIMITATION.—No funds authorized to be appro-  
19 priated to the National Aeronautics and Space Adminis-  
20 tration for fiscal year 1996 may be paid or otherwise  
21 transferred to Russia unless—

22 (1) the purpose of the payment or transfer is  
23 authorized by this Act;

24 (2) the payment or transfer is made in ex-  
25 change for goods or services that have been provided

1 to the National Aeronautics and Space Administra-  
2 tion in accordance with a written agreement between  
3 the National Aeronautics and Space Administration  
4 and Russia;

5 (3) the Government of the Russian Federation  
6 agrees to provide a monthly report to the National  
7 Aeronautics and Space Administration during the  
8 term of such written agreement, that fully accounts  
9 for the disposition of the funds paid or transferred,  
10 including information with respect to the preceding  
11 month on—

12 (A) the amount of the funds received, and  
13 the date of receipt;

14 (B) the amount of the funds converted  
15 from United States currency, the currency into  
16 which the funds have been converted, and the  
17 date and rate of conversion;

18 (C) the amount of non-United States cur-  
19 rency, and of United States currency, that is  
20 disbursed to any contractor or subcontractor,  
21 the identity of such contractor or subcontractor,  
22 and the date of disbursement; and

23 (D) the balance of the funds not disbursed  
24 as of the date of the report;



1 (4) Russia has provided all monthly reports  
2 with respect to which an agreement was made pur-  
3 suant to paragraph (3); and

4 (5) the President, before such payment or  
5 transfer and annually upon submission of the Presi-  
6 dent's budget request for fiscal years after fiscal  
7 year 1996, has certified to the Congress that—

8 (A) the presence of any troops of the Rus-  
9 sian Federation or the Commonwealth of Inde-  
10 pendent States; and

11 (B) any action by the Russian Federation  
12 or the Commonwealth of Independent States,  
13 in Estonia, Latvia, Lithuania, or any other inde-  
14 pendent state of the former Soviet Union do not vio-  
15 late the sovereignty of those independent states.

16 (b) DEFINITION.—For purposes of this section, the  
17 term “Russia” means the Government of the Russian  
18 Federation, the Russian Space Agency, or any agency or  
19 instrumentality of the Government of the Russian Federa-  
20 tion or the Russian Space Agency.

21 **TITLE II—MISCELLANEOUS**  
22 **PROVISIONS**

23 **SEC. 201. COMMERCIAL SPACE LAUNCH AMENDMENTS.**

24 (a) AMENDMENTS.—Chapter 701 of title 49, United  
25 States Code, is amended—

1 (1) in the table of sections—

2 (A) by amending the item relating to sec-  
3 tion 70104 to read as follows:

“70104. Restrictions on launches, operations, and reentries.”;

4 (B) by amending the item relating to sec-  
5 tion 70108 to read as follows:

“70108. Prohibition, suspension, and end of launches, operation of launch sites  
and reentry sites, and reentries.”;

6 and

7 (C) by amending the item relating to sec-  
8 tion 70109 to read as follows:

“70109. Preemption of scheduled launches or reentries.”;

9 (2) in section 70101—

10 (A) by inserting “microgravity research,”  
11 after “information services,” in subsection  
12 (a)(3);

13 (B) by inserting “, reentry,” after “launch-  
14 ing” both places it appears in subsection (a)(4);

15 (C) by inserting “, reentry vehicles,” after  
16 “launch vehicles” in subsection (a)(5);

17 (D) by inserting “and reentry services”  
18 after “launch services” in subsection (a)(6);

19 (E) by inserting “, reentries,” after  
20 “launches” both places it appears in subsection  
21 (a)(7);

1 (F) by inserting “, reentry sites,” after  
2 “launch sites” in subsection (a)(8);

3 (G) by inserting “and reentry services”  
4 after “launch services” in subsection (a)(8);

5 (H) by inserting “reentry sites,” after  
6 “launch sites,” in subsection (a)(9);

7 (I) by inserting “and reentry site” after  
8 “launch site” in subsection (a)(9);

9 (J) by inserting “, reentry vehicles,” after  
10 “launch vehicles” in subsection (b)(2);

11 (K) by striking “launch” in subsection  
12 (b)(2)(A);

13 (L) by inserting “and reentry” after “com-  
14 mercial launch” in subsection (b)(3);

15 (M) by striking “launch” after “and trans-  
16 fer commercial” in subsection (b)(3); and

17 (N) by inserting “and development of re-  
18 entry sites,” after “launch-site support facili-  
19 ties,” in subsection (b)(4);

20 (3) in section 70102—

21 (A) by inserting “from Earth” after “and  
22 any payload” in paragraph (3);

23 (B) by redesignating paragraphs (10)  
24 through (12) as paragraphs (14) through (16),  
25 respectively;

1 (C) by inserting after paragraph (9) the  
2 following new paragraphs:

3 “(10) ‘reenter’ and ‘reentry’ mean to return or  
4 attempt to return, purposefully, a reentry vehicle  
5 and its payload, if any, from Earth orbit or from  
6 outer space to Earth.

7 “(11) ‘reentry services’ means—

8 “(A) activities involved in the preparation  
9 of a reentry vehicle and its payload, if any, for  
10 reentry; and

11 “(B) the conduct of a reentry.

12 “(12) ‘reentry site’ means the location on Earth  
13 to which a reentry vehicle is intended to return (as  
14 defined in a license the Secretary issues or transfers  
15 under this chapter).

16 “(13) ‘reentry vehicle’ means a vehicle designed  
17 to return from Earth orbit or outer space to Earth  
18 substantially intact.”; and

19 (D) by inserting “or reentry services” after  
20 “launch services” each place it appears in para-  
21 graph (15), as so redesignated by subparagraph  
22 (B) of this paragraph;

23 (4) in section 70103(b)—

24 (A) by inserting “AND REENTRIES” after  
25 “LAUNCHES” in the subsection heading;

1 (B) by inserting “and reentries” after  
2 “space launches” in paragraph (1); and

3 (C) by inserting “and reentry” after  
4 “space launch” in paragraph (2);  
5 (5) in section 70104—

6 (A) by amending the section designation  
7 and heading to read as follows:

8 **“§ 70104. Restrictions on launches, operations, and**  
9 **reentries”;**

10 (B) by inserting “or reentry site, or reen-  
11 ter a reentry vehicle,” after “operate a launch  
12 site” each place it appears in subsection (a);

13 (C) by inserting “or reentry” after “launch  
14 or operation” in subsection (a) (3) and (4);

15 (D) in subsection (b)—

16 (i) by striking “launch license” and  
17 inserting in lieu thereof “license”;

18 (ii) by inserting “or reenter” after  
19 “may launch”; and

20 (iii) by inserting “or reentering” after  
21 “related to launching”; and

22 (E) in subsection (c)—

23 (i) by amending the subsection head-  
24 ing to read as follows: “PREVENTING  
25 LAUNCHES AND REENTRIES.—”;

1 (ii) by inserting “or reentry” after  
2 “prevent the launch”; and

3 (iii) by inserting “or reentry” after  
4 “decides the launch”;

5 (6) in section 70105—

6 (A) by inserting “or reentry site, or re-  
7 entry of a reentry vehicle,” after “operation of  
8 a launch site” in subsection (b)(1); and

9 (B) by striking “or operation” and insert-  
10 ing in lieu thereof “, operation, or reentry” in  
11 subsection (b)(2)(A);

12 (7) in section 70106(a)—

13 (A) by inserting “or reentry site” after  
14 “observer at a launch site”; and

15 (B) by inserting “or reentry vehicle” after  
16 “assemble a launch vehicle”;

17 (8) in section 70108—

18 (A) by amending the section designation  
19 and heading to read as follows:

20 **“§ 70108. Prohibition, suspension, and end of**  
21 **launches, operation of launch sites and**  
22 **reentry sites, and reentries”;**

23 and

24 (B) in subsection (a)—

1 (i) by inserting “or reentry site, or re-  
2 entry of a reentry vehicle,” after “oper-  
3 ation of a launch site”; and

4 (ii) by inserting “or reentry” after  
5 “launch or operation”;

6 (9) in section 70109—

7 (A) by amending the section designation  
8 and heading to read as follows:

9 **“§ 70109. Preemption of scheduled launches or reen-**  
10 **tries”;**

11 (B) in subsection (a)—

12 (i) by inserting “or reentry” after  
13 “ensure that a launch”;

14 (ii) by inserting “, reentry site,” after  
15 “United States Government launch site”;

16 (iii) by inserting “or reentry date  
17 commitment” after “launch date commit-  
18 ment”;

19 (iv) by inserting “or reentry” after  
20 “obtained for a launch”;

21 (v) by inserting “, reentry site,” after  
22 “access to a launch site”;

23 (vi) by inserting “, or services related  
24 to a reentry,” after “amount for launch  
25 services”; and

1 (vii) by inserting “or reentry” after  
2 “the scheduled launch”; and

3 (C) in subsection (c), by inserting “or re-  
4 entry” after “prompt launching”;

5 (10) in section 70110—

6 (A) by inserting “or reentry” after “pre-  
7 vent the launch” in subsection (a)(2); and

8 (B) by inserting “or reentry site, or re-  
9 entry of a reentry vehicle,” after “operation of  
10 a launch site” in subsection (a)(3)(B);

11 (11) in section 70111—

12 (A) by inserting “and reentry services”  
13 after “launch services” in subsection (a)(1)(B);

14 (B) by inserting “or reentry services” after  
15 “or launch services” in subsection (a)(2);

16 (C) by inserting “or reentry” after “com-  
17 mercial launch” both places it appears in sub-  
18 section (b)(1);

19 (D) by inserting “or reentry services” after  
20 “launch services” in subsection (b)(2)(C);

21 (E) by striking “or its payload for launch”  
22 in subsection (d) and inserting in lieu thereof  
23 “or reentry vehicle, or the payload of either, for  
24 launch or reentry”; and



1 (F) by inserting “, reentry vehicle,” after  
2 “manufacturer of the launch vehicle” in sub-  
3 section (d);

4 (12) in section 70112—

5 (A) by inserting “or reentry” after “one  
6 launch” in subsection (a)(3);

7 (B) by inserting “or reentry services” after  
8 “launch services” in subsection (a)(4);

9 (C) by inserting “or reentry services” after  
10 “launch services” each place it appears in sub-  
11 section (b);

12 (D) by striking “, Space, and Technology”  
13 in subsection (d);

14 (E) by inserting “OR REENTRIES” after  
15 “LAUNCHES” in the heading for subsection (e);  
16 and

17 (F) by inserting “or reentry site or a re-  
18 entry” after “launch site” in subsection (e);

19 (13) in section 70113(a)(1) and (d)(1) and (2),  
20 by inserting “or reentry” after “one launch” each  
21 place it appears;

22 (14) in section 70115(b)(1)(D)(i)—

23 (A) by inserting “reentry site,” after  
24 “launch site,”; and

1 (B) by inserting “or reentry vehicle” after  
2 “launch vehicle” both places it appears;  
3 (15) in section 70117—

4 (A) by inserting “or reentry site or reenter  
5 a reentry vehicle” after “operate a launch site”  
6 in subsection (a);

7 (B) by inserting “or reentry” after “ap-  
8 proval of a space launch” in subsection (d);

9 (C) by amending subsection (f) to read as  
10 follows:

11 “(f) LAUNCH NOT AN EXPORT; REENTRY NOT AN  
12 IMPORT.—A launch vehicle, reentry vehicle, or payload  
13 that is launched or reentered is not, because of the launch  
14 or reentry, an export or import, respectively, for purposes  
15 of a law controlling exports or imports.”; and

16 (D) in subsection (g)—

17 (i) by striking “operation of a launch  
18 vehicle or launch site,” in paragraph (1)  
19 and inserting in lieu thereof “reentry, op-  
20 eration of a launch vehicle or reentry vehi-  
21 cle, or operation of a launch site or reentry  
22 site,”;

23 (ii) by striking “or” at the end of  
24 paragraph (1);

1 (iii) by inserting “reentry,” after  
2 “launch,” in paragraph (2);

3 (iv) by striking the period at the end  
4 of paragraph (2) and inserting in lieu  
5 thereof “; or”; and

6 (v) by adding at the end the following  
7 new paragraph:

8 “(3) any amateur and similar small rocket ac-  
9 tivities, as defined by the Secretary by regulation.”;

10 (16) in section 70119, by inserting the follow-  
11 ing after paragraph (2):

12 “There are authorized to be appropriated to the Secretary  
13 of Transportation \$6,000,000 to carry out this chapter for  
14 fiscal year 1996. None of the funds authorized by this sec-  
15 tion may be expended for policy development or analysis  
16 activities not directly related to the Secretary’s regulatory  
17 responsibilities under this chapter.”.

18 (b) ADDITIONAL AMENDMENTS.—(1) Section 70105  
19 of title 49, United States Code, is amended—

20 (A) by inserting “(1)” before “A person may  
21 apply” in subsection (a);

22 (B) by striking “receiving an application” both  
23 places it appears in subsection (a) and inserting in  
24 lieu thereof “accepting an application in accordance

1 with criteria established pursuant to subsection  
2 (b)(2)(D)”;

3 (C) by adding at the end of subsection (a) the  
4 following new paragraph:

5 “(2) In carrying out paragraph (1), the Secretary  
6 may establish procedures for certification of the safety of  
7 a launch vehicle, reentry vehicle, or safety system, proce-  
8 dure, service, or personnel that may be used in conducting  
9 licensed commercial space launch or reentry activities.”;

10 (D) by striking “and” at the end of subsection  
11 (b)(2)(B);

12 (E) by striking the period at the end of sub-  
13 section (b)(2)(C) and inserting in lieu thereof  
14 “; and”;

15 (F) by adding at the end of subsection (b)(2)  
16 the following new subparagraph:

17 “(D) regulations establishing criteria for ac-  
18 cepting or rejecting an application for a license  
19 under this chapter within 60 days after receipt of  
20 such application.”; and

21 (G) by inserting “, or the requirement to obtain  
22 a license,” after “waive a requirement” in subsection  
23 (b)(3).

24 (2) The amendment made by paragraph (1)(B) shall  
25 take effect upon the effective date of final regulations is-

1 sued pursuant to section 70105(b)(2)(D) of title 49,  
2 United States Code, as added by paragraph (1)(F) of this  
3 subsection.

4 **SEC. 202. OFFICE OF AIR AND SPACE COMMERCIALIZATION**  
5 **AUTHORIZATION.**

6 There are authorized to be appropriated to the Sec-  
7 retary of Commerce for the activities of the Office of Air  
8 and Space Commercialization, \$457,000 for fiscal year  
9 1996.

10 **SEC. 203. REQUIREMENT FOR INDEPENDENT COST**  
11 **ANALYSIS.**

12 The Chief Financial Officer for the National Aero-  
13 nautics and Space Administration shall be responsible for  
14 conducting independent cost analyses of all new projects  
15 estimated to cost more than \$5,000,000 and shall report  
16 the results annually to Congress at the time of the submis-  
17 sion of the President's budget request. In developing cost  
18 accounting and reporting standards for carrying out this  
19 section, the Chief Financial Officer shall, to the extent  
20 practicable and consistent with other laws, solicit the ad-  
21 vice of expertise outside of the National Aeronautics and  
22 Space Administration.

1 **SEC. 204. NATIONAL AERONAUTICS AND SPACE ACT OF 1958**

2 **AMENDMENTS.**

3 (a) DECLARATION OF POLICY AND PURPOSE.—Sec-  
4 tion 102 of the National Aeronautics and Space Act of  
5 1958 (42 U.S.C. 2451) is amended—

6 (1) by striking subsection (e) and redesignating  
7 subsections (f) through (h) as subsections (e)  
8 through (g), respectively; and

9 (2) in subsection (g), as so redesignated by  
10 paragraph (1) of this subsection, by striking “(f),  
11 and (g)” and inserting in lieu thereof “and (f)”.

12 (b) REPORTS TO THE CONGRESS.—Section 206(a) of  
13 the National Aeronautics and Space Act of 1958 (42  
14 U.S.C. 2476(a)) is amended—

15 (1) by striking “January” and inserting in lieu  
16 thereof “May”; and

17 (2) by striking “calendar” and inserting in lieu  
18 thereof “fiscal”.

19 (c) DISCLOSURE OF TECHNICAL DATA.—Section 303  
20 of the National Aeronautics and Space Act of 1958 (42  
21 U.S.C. 2454) is amended—

22 (1) in subsection (a)(C), by inserting “or (c)”  
23 after “subsection (b)”; and

24 (2) by adding at the end the following new sub-  
25 section:

1       “(c)(1) The Administration may delay for a period  
2 not to exceed 5 years the unrestricted public disclosure  
3 of technical data in the possession of, or under the control  
4 of, the Administration that has been generated in the per-  
5 formance of experimental, developmental, or research ac-  
6 tivities or programs funded jointly by the Administration  
7 and the private sector.

8       “(2) Within 1 year after the date of the enactment  
9 of the National Aeronautics and Space Administration Au-  
10 thorization Act, Fiscal Year 1996, the Administrator shall  
11 issue regulations to carry out this subsection. Paragraph  
12 (1) shall not take effect until such regulations are issued.

13       “(3) Regulations issued pursuant to paragraph (2)  
14 shall include—

15               “(A) guidelines for a determination of whether  
16 data is technical data within the meaning of this  
17 subsection;

18               “(B) a requirement that a determination de-  
19 scribed in subparagraph (A) that particular data is  
20 technical data shall be reported to the Committee on  
21 Science of the House of Representatives and the  
22 Committee on Commerce, Science, and Transpor-  
23 tation of the Senate;

24               “(C) provisions to ensure that technical data is  
25 available for dissemination within the United States

1 to United States persons and entities in furtherance  
2 of the objective of maintaining leadership or com-  
3 petitiveness in civil and governmental aeronautical  
4 and space activities by the United States industrial  
5 base; and

6 “(D) a specification of the period or periods for  
7 which the delay in unrestricted public disclosure of  
8 technical data is to apply to various categories of  
9 such data, and the restrictions on disclosure of such  
10 data during such period or periods, including a re-  
11 quirement that the maximum 5-year protection  
12 under this subsection shall not be provided unless at  
13 least 50 percent of the funding for the activities or  
14 programs is provided by the private sector.

15 “(4) Along with the initial publication of proposed  
16 regulations under paragraph (2), the Administrator shall  
17 include a list of those experimental, developmental, or re-  
18 search activities or programs conducted by, or funded in  
19 whole or in part by, the Administration that may result  
20 in products or processes of significant value in maintain-  
21 ing leadership or competitiveness in civil and governmental  
22 aeronautical and space activities by the United States in-  
23 dustrial base. Such list shall be updated biannually.

24 “(5) For purposes of this subsection, the term ‘tech-  
25 nical data’ means any recorded information, including



1 computer software, that is or may be directly applicable  
2 to the design, engineering, development, production, man-  
3 ufacture, or operation of products or processes that may  
4 have significant value in maintaining leadership or com-  
5 petitiveness in civil and governmental aeronautical and  
6 space activities by the United States industrial base.”.

7 **SEC. 205. PROCUREMENT.**

8 (a) **PROCUREMENT DEMONSTRATION PROGRAM.**—

9 (1) **IN GENERAL.**—The Administrator shall es-  
10 tablish within the Office of Space Access and Tech-  
11 nology a program of expedited technology procure-  
12 ment for the purpose of demonstrating how innova-  
13 tive technology concepts can rapidly be brought to  
14 bear upon space missions of the National Aero-  
15 nautics and Space Administration.

16 (2) **PROCEDURES AND EVALUATION.**—The Ad-  
17 ministrator shall establish procedures for actively  
18 seeking from persons outside the National Aero-  
19 nautics and Space Administration innovative tech-  
20 nology concepts relating to the provision of space  
21 hardware, technology, or services to the National  
22 Aeronautics and Space Administration, and for the  
23 evaluation of such concepts by the National Aero-  
24 nautics and Space Administration’s Advisory Council  
25 against mission requirements.

1           (3) REQUIREMENT.—At least 1 percent of  
2 amounts authorized to be appropriated under section  
3 102(a)(4) shall be used for innovative technology  
4 procurements that are determined under paragraph  
5 (2) of this subsection to meet mission requirements.

6           (4) SPECIAL AUTHORITY.—In order to carry  
7 out this subsection the Administrator shall recruit  
8 and hire for limited term appointments persons from  
9 outside the National Aeronautics and Space Admin-  
10 istration with special expertise and experience relat-  
11 ed to the innovative technology concepts with respect  
12 to which procurements are made under this sub-  
13 section.

14           (5) SUNSET.—This subsection shall cease to be  
15 effective 10 years after the date of its enactment.

16           (b) TECHNOLOGY PROCUREMENT INITIATIVE.—

17           (1) IN GENERAL.—The Administrator shall co-  
18 ordinate National Aeronautics and Space Adminis-  
19 tration resources in the areas of procurement, com-  
20 mercial programs, and advanced technology in order  
21 to—

22           (A) fairly assess and procure commercially  
23 available technology from the marketplace in  
24 the most efficient manner practicable;

1           (B) achieve a continuous pattern of inte-  
2           grating advanced technology from the commer-  
3           cial sector, and from Federal sources outside  
4           the National Aeronautics and Space Adminis-  
5           tration, into the missions and programs of the  
6           National Aeronautics and Space Administra-  
7           tion;

8           (C) incorporate private sector buying and  
9           bidding procedures, including fixed price con-  
10          tracts, into procurements; and

11          (D) provide incentives for cost-plus con-  
12          tractors of the National Aeronautics and Space  
13          Administration to integrate commercially avail-  
14          able technology in subsystem contracts on a  
15          fixed-price basis.

16          (2) CERTIFICATION.—Upon solicitation of any  
17          procurement for space hardware, technology, or serv-  
18          ices that are not commercially available, the Admin-  
19          istrator shall certify, by publication of a notice and  
20          opportunity to comment in the Commerce Business  
21          Daily, for each such procurement action, that no  
22          functional equivalent, commercially available space  
23          hardware, technology, or service exists and that no  
24          commercial method of procurement is available.

1 **SEC. 206. ADDITIONAL NATIONAL AERONAUTICS AND**  
2 **SPACE ADMINISTRATION FACILITIES.**

3 The Administrator shall not construct or enter into  
4 a new lease for facilities to support National Aeronautics  
5 and Space Administration programs unless the Adminis-  
6 trator has certified to the Congress that the Administrator  
7 has reviewed existing National Aeronautics and Space Ad-  
8 ministration and other federally owned facilities, including  
9 military facilities scheduled for closing or reduction, and  
10 found no such facilities appropriate for the intended use.

11 **SEC. 207. PURCHASE OF SPACE SCIENCE DATA.**

12 (a) IN GENERAL.—To the maximum extent possible,  
13 the National Aeronautics and Space Administration shall  
14 purchase from the private sector space science data. Ex-  
15 amples of such data include scientific data concerning the  
16 elemental and mineralogical resources of the moon and the  
17 planets, Earth environmental data obtained through re-  
18 mote sensing observations, and solar storm monitoring.

19 (b) COMPETITIVE BIDDING.—(1) Contracts for the  
20 purchase of space data under this section shall be awarded  
21 in a process of full, fair, and open competitive bidding.

22 (2) Submission of cost data, either for the purposes  
23 of supporting the bid or fulfillment of the contract, shall  
24 not be required of bidders.

25 (3) Conformance with military specifications  
26 (Milspec) or National Aeronautics and Space Administra-

1 tion specifications systems with respect to the design, con-  
2 struction, or operation of equipment used in obtaining  
3 space science data under contracts entered into under this  
4 section shall not be a requirement for a commercial pro-  
5 vider bidding to provide such services.

6 (4) Contracts under this section shall not provide for  
7 the Federal Government to obtain ownership of data not  
8 specifically sought by the Federal Government.

9 **SEC. 208. REPORT ON MISSION TO PLANET EARTH.**

10 (a) REQUIREMENT.—The Administrator shall, within  
11 6 months after the date of the enactment of this Act,  
12 transmit to the Congress a report on Mission to Planet  
13 Earth.

14 (b) CONTENTS.—The plan required by subsection (a)  
15 shall include—

16 (1) an analysis of Earth observation systems of  
17 other countries and the ways in which the United  
18 States could benefit from such systems, including by  
19 eliminating duplication of effort;

20 (2) an analysis of how the Department of De-  
21 fense’s airborne and space sensor programs could be  
22 used in Mission to Planet Earth;

23 (3) a plan for infusing advanced technology into  
24 the Mission to Planet Earth program, including

1 milestones and an identification of available re-  
2 sources;

3 (4) a plan to solicit proposals from the private  
4 sector on how to innovatively accomplish the most  
5 critical research on global climate change;

6 (5) an integrated plan for research in the Sci-  
7 entific Research and Mission to Planet Earth enter-  
8 prises of the National Aeronautics and Space Ad-  
9 ministration;

10 (6) a plan for developing metrics and milestones  
11 to quantify the performance of work on Mission to  
12 Planet Earth; and

13 (7) an analysis of how the United States Gov-  
14 ernment can—

15 (A) most effectively utilize space-based and  
16 airborne Earth remote sensing data, services,  
17 distribution, and applications provided by the  
18 United States private sector to meet Govern-  
19 ment goals for Mission to Planet Earth; and

20 (B) evaluate and foster commercial data  
21 sources, commercial archiving services, commer-  
22 cial applications, and commercial distribution of  
23 Mission to Planet Earth data.

1 **SEC. 209. SHUTTLE PRIVATIZATION.**

2 (a) REQUEST FOR PROPOSALS.—Within 30 days  
3 after the date of the enactment of this Act, the Adminis-  
4 trator shall publish in the Commerce Business Daily a re-  
5 quest for proposals to achieve a single prime contract for  
6 the space shuttle program. The request for proposals shall  
7 include—

8 (1) a timetable and milestones for selecting a  
9 single prime contractor not later than September 30,  
10 1996;

11 (2) criteria for selection of the single prime con-  
12 tractor;

13 (3) the annual target cost to be achieved by the  
14 single prime contractor;

15 (4) proposed terms and conditions of the single  
16 prime contract, including fee and sentence for  
17 achieving the target cost; and

18 (5) a requirement that each proposal be accom-  
19 panied by a plan by the proposer to privatize the  
20 space shuttle program.

21 (b) PRIVATIZATION PLANS.—The Administrator shall  
22 forward all privatization plans received pursuant to sub-  
23 section (a)(5) to the Congress not later than 30 days after  
24 the deadline for submitting proposals under subsection  
25 (a).

1 **SEC. 210. AERONAUTICAL RESEARCH AND TECHNOLOGY**  
2 **FACILITIES.**

3 Notwithstanding any other provision of law, no funds  
4 may be obligated for fiscal year 1996 for Aeronautical Re-  
5 search and Technology programs of the National Aero-  
6 nautics and Space Administration in excess of amounts  
7 authorized by this Act, except to the extent that the Ad-  
8 ministrator receives from non-Federal sources full reim-  
9 bursement of such excess amounts through payment of  
10 costs associated with research at the aeronautical research  
11 and technology facilities of the National Aeronautics and  
12 Space Administration.

13 **SEC. 211. LAUNCH VOUCHER DEMONSTRATION PROGRAM**  
14 **AMENDMENTS.**

15 Section 504 of the National Aeronautics and Space  
16 Administration Authorization Act, Fiscal Year 1993 (15  
17 U.S.C. 5803) is amended—

18 (1) in subsection (a)—

19 (A) by striking “the Office of Commercial  
20 Programs within”; and

21 (B) by striking “Such program shall not  
22 be effective after September 30, 1995.”;

23 (2) by striking subsection (c); and

24 (3) by redesignating subsections (d) and (e) as  
25 subsections (c) and (d), respectively.



1 **SEC. 212. ELIGIBILITY FOR AWARDS.**

2 (a) IN GENERAL.—The Administrator shall exclude  
3 from consideration for awards of financial assistance made  
4 by the National Aeronautics and Space Administration  
5 after fiscal year 1995 any person who received funds,  
6 other than those described in subsection (b), appropriated  
7 for a fiscal year after fiscal year 1995, from any Federal  
8 funding source for a project that was not subjected to a  
9 competitive, merit-based award process. Any exclusion  
10 from consideration pursuant to this section shall be effec-  
11 tive for a period of 5 years after the person receives such  
12 Federal funds.

13 (b) EXCEPTION.—Subsection (a) shall not apply to  
14 awards to persons who are members of a class specified  
15 by law for which assistance is awarded to members of the  
16 class according to a formula provided by law.

17 **SEC. 213. PROHIBITION OF LOBBYING ACTIVITIES.**

18 None of the funds authorized by this Act shall be  
19 available for any activity whose purpose is to influence leg-  
20 islation pending before the Congress, except that this shall  
21 not prevent officers or employees of the United States or  
22 of its departments or agencies from communicating to  
23 Members of Congress on the request of any Member or  
24 to Congress, through the proper channels, requests for leg-  
25 islation or appropriations which they deem necessary for  
26 the efficient conduct of the public business.

1 **SEC. 214. LIMITATION ON APPROPRIATIONS.**

2 (a) EXCLUSIVE AUTHORIZATION FOR FISCAL YEAR  
3 1996.—Notwithstanding any other provision of law, no  
4 sums are authorized to be appropriated for fiscal year  
5 1996 for the activities for which sums are authorized by  
6 this Act unless such sums are specifically authorized to  
7 be appropriated by this Act.

8 (b) SUBSEQUENT FISCAL YEARS.—No sums are au-  
9 thorized to be appropriated for any fiscal year after fiscal  
10 year 1996 for the activities for which sums are authorized  
11 by this Act unless such sums are specifically authorized  
12 to be appropriated by Act of Congress with respect to such  
13 fiscal year.

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