

Public Law 98-52
98th Congress

An Act

To authorize appropriations to the National Aeronautics and Space Administration for research and development, construction of facilities, and research and program management, and for other purposes.

July 15, 1983
[H.R. 2065]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

National
Aeronautics and
Space
Administration
Authorization
Act, 1984.

TITLE I

SEC. 101. That there is hereby authorized to be appropriated to the National Aeronautics and Space Administration to become available October 1, 1983:

Research and
development.

(a) For "Research and development," for the following programs:

- (1) Space transportation capability development, \$2,009,400,000;
- (2) Space transportation operations, \$1,545,600,000;
- (3) Physics and astronomy, \$562,100,000;
- (4) Planetary exploration, \$220,400,000;
- (5) Life sciences, \$59,000,000;
- (6) Space applications, \$313,000,000;
- (7) Technology utilization, \$10,000,000;
- (8) Aeronautical research and technology, \$320,300,000;
- (9) Space research and technology, \$143,000,000; and
- (10) Tracking and data systems, \$700,200,000; and

(b) For "Construction of facilities," including land acquisition, as follows:

Facilities
construction.

(1) Space Shuttle facilities at various locations as follows:

(A) Modifications for additional chillers for mission control center, Lyndon B. Johnson Space Center, \$2,300,000; and

(B) Modifications to mobile launch platform, John F. Kennedy Space Center, \$27,300,000; and

(C) Modification of manufacturing and final assembly facilities for external tanks, Michoud Assembly Facility, \$11,700,000;

(2) Space Shuttle payload facilities at various locations as follows:

(A) Construction of cargo hazardous servicing facility, John F. Kennedy Space Center, \$9,000,000; and

(B) Modifications to spacecraft assembly and encapsulation facility for cargo processing, John F. Kennedy Space Center, \$3,000,000;

(3) Construction of frequency standards laboratory, Jet Propulsion Laboratory, \$2,700,000;

(4) Modifications to space flight operations facility, Jet Propulsion Laboratory, \$1,600,000;

(5) Construction of fluid mechanics laboratory, Ames Research Center, \$3,900,000;

(6) Construction of aeronautical tracking facility, Hugh L. Dryden Flight Research Facility, \$800,000;

(7) Modifications and addition for composite materials laboratory, Langley Research Center, \$5,100,000;

(8) Modifications to 30- by 60-foot wind tunnel, Langley Research Center, \$4,400,000;

(9) Modifications for small engine component testing facility, Lewis Research Center, \$7,000,000;

(10) Modifications to icing research tunnel, Lewis Research Center, \$3,600,000;

(11) Relocation of 26-meter STDN antenna, Spain, \$1,700,000;

(12) Repair of facilities at various locations, not in excess of \$500,000 per project, \$19,500,000;

(13) Rehabilitation and modification of facilities at various locations, not in excess of \$500,000 per project, \$24,500,000;

(14) Minor construction of new facilities and additions to existing facilities at various locations, not in excess of \$250,000 per project, \$4,800,000; and

(15) Facility planning and design not otherwise provided for, \$9,200,000.

Research and
program
management.

(c) For "Research and program management," \$1,242,500,000, and such additional or supplemental amounts as may be necessary for increases in salary, pay, retirement, or other employee benefits authorized by law.

Research and
development.

(d) Notwithstanding the provisions of subsection 101(g), appropriations hereby authorized for "Research and development" may be used (1) for any items of a capital nature (other than acquisition of land) which may be required at locations other than installations of the Administration for the performance of research and development contracts, and (2) for grants to nonprofit institutions of higher education, or to nonprofit organizations whose primary purpose is the conduct of scientific research, for purchase or construction of additional research facilities; and title to such facilities shall be vested in the United States unless the Administrator determines that the national program of aeronautical and space activities will best be served by vesting title in any such grantee institution or organization. Each such grant shall be made under such conditions as the Administrator shall determine to be required to insure that the United States will receive therefrom benefit adequate to justify the making of that grant. None of the funds appropriated for "Research and development" pursuant to this Act may be used in accordance with this subsection for the construction of any major facility, the estimated cost of which, including collateral equipment, exceeds \$250,000, unless the Administrator or his designee has notified the Speaker of the House of Representatives and the President of the Senate and the Committee on Science and Technology of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate of the nature, location, and estimated cost of such facility.

(e) When so specified and to the extent provided in an appropriation Act, (1) any amount appropriated for "Research and development" or for "Construction of facilities" may remain available without fiscal year limitation, and (2) maintenance and operation of facilities, and support services contracts may be entered into under the "Research and program management" appropriation for periods not in excess of twelve months beginning at any time during the fiscal year.

(f) Appropriations made pursuant to subsection 101(c) may be used, but not to exceed \$35,000, for scientific consultations or extraordinary expenses upon the approval or authority of the Administrator and his determination shall be final and conclusive upon the accounting officers of the Government.

Scientific consultations or extraordinary expenses.

(g) Of the funds appropriated pursuant to subsections 101(a) and 101(c), not in excess of \$75,000 for each project, including collateral equipment, may be used for construction of new facilities and additions to existing facilities, and for repair, rehabilitation, or modification of facilities: *Provided*, That, of the funds appropriated pursuant to subsection 101(a), not in excess of \$250,000 for each project, including collateral equipment, may be used for any of the foregoing for unforeseen programmatic needs.

SEC. 102. Authorization is hereby granted whereby any of the amounts prescribed in paragraphs (1) through (14), inclusive, of subsection 101(b)—

(1) in the discretion of the Administrator or his designee, may be varied upward 10 percent, or

(2) following a report by the Administrator or his designee to the Committee on Science and Technology of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate on the circumstances of such action, may be varied upward 25 percent,

Report to congressional committees.

to meet unusual cost variations, but the total cost of all work authorized under such paragraphs shall not exceed the total of the amounts specified in such paragraphs.

SEC. 103. Not to exceed one half of 1 percent of the funds appropriated pursuant to subsection 101(a) hereof may be transferred to and merged with the "Construction of facilities" appropriation, and, when so transferred, together with \$10,000,000 of the funds appropriated pursuant to subsection 101(b) hereof (other than funds appropriated pursuant to paragraph (15) of such subsection) shall be available for expenditure to construct, expand, or modify laboratories and other installations at any location (including locations specified in subsection 101(b)), if (1) the Administrator determines such action to be necessary because of changes in the national program of aeronautical and space activities or new scientific or engineering developments and (2) he determines that deferral of such action until the enactment of the next authorization Act would be inconsistent with the interest of the Nation in aeronautical and space activities. The funds so made available may be expended to acquire, construct, convert, rehabilitate, or install permanent or temporary public works, including land acquisition, site preparation, appurtenances, utilities, and equipment. No portion of such sums may be obligated for expenditure or expended to construct, expand, or modify laboratories and other installations unless (A) a period of 30 days has passed after the Administrator or his designee has transmitted to the Speaker of the House of Representatives and to the President of the Senate and to the Committee on Science and Technology of the House of Representatives and to the Committee on Commerce, Science, and Transportation of the Senate a written report containing a full and complete statement concerning (i) the nature of such construction, expansion, or modification, (ii) the cost thereof including the cost of any real estate action pertaining thereto, and (iii) the reason why such construction, expansion, or modification is necessary in the national interest, or (B) each such committee before the expiration of such period has transmitted to

Transfer of funds.

Report to congressional committees.

the Administrator written notice to the effect that such committee has no objection to the proposed action.

Restrictions.

SEC. 104. Notwithstanding any other provision of this Act—

(1) no amount appropriated pursuant to this Act may be used for any program deleted by the Congress from requests as originally made to either the House Committee on Science and Technology or the Senate Committee on Commerce, Science, and Transportation,

(2) no amount appropriated pursuant to this Act may be used for any program in excess of the amount actually authorized for that particular program by subsections 101(a) and 101(c), and

(3) no amount appropriated pursuant to this Act may be used for any program which has not been presented to or requested of either such committee,

Notification to congressional committees.

unless (A) a period of 30 days has passed after the receipt by the Speaker of the House of Representatives and the President of the Senate and each such committee of notice given by the Administrator or his designee containing a full and complete statement of the action proposed to be taken and the facts and circumstances relied upon in support of such proposed action, or (B) each such committee before the expiration of such period has transmitted to the Administrator written notice to the effect that such committee has no objection to the proposed action.

Federal research funds, geographical distribution. 42 USC 2459 note.

SEC. 105. It is the sense of the Congress that it is in the national interest that consideration be given to geographical distribution of Federal research funds whenever feasible, and that the National Aeronautics and Space Administration should explore ways and means of distributing its research and development funds whenever feasible.

SEC. 106. The authorization for space transportation capability development includes provision for the production activities necessary to provide for a fleet of Space Shuttle orbiters, including the production of structural and component spares, necessary to ensure confident and cost-effective operation of the orbiter fleet, as well as provisions for maintaining production readiness for a fifth orbiter vehicle.

SEC. 107. Title III of the National Aeronautics and Space Act of 1958, as amended, is amended by adding at the end thereof the following new section:

“MISUSE OF AGENCY NAME AND INITIALS

42 USC 2459b.
42 USC 2457.

“SEC. 310. (a) No person (as defined by section 305) may (1) knowingly use the words ‘National Aeronautics and Space Administration’ or the letters ‘NASA’, or any combination, variation, or colorable imitation of those words or letters either alone or in combination with other words or letters, as a firm or business name in a manner reasonably calculated to convey the impression that such firm or business has some connection with, endorsement of, or authorization from, the National Aeronautics and Space Administration which does not, in fact, exist; or (2) knowingly use those words or letters or any combination, variation, or colorable imitation thereof either alone or in combination with other words or letters in connection with any product or service being offered or made available to the public in a manner reasonably calculated to convey the impression that such product or service has the authorization, support, sponsorship, or endorsement of, or the development,

use, or manufacture by or on behalf of the National Aeronautics and Space Administration which does not, in fact, exist.

“(b) Whenever it appears to the Attorney General that any person is engaged in an act or practice which constitutes or will constitute conduct prohibited by subsection (a), the Attorney General may initiate a civil proceeding in a district court of the United States to enjoin such act or practice.”

Violations.

SEC. 108. Section 103(1) of the National Aeronautics and Space Act of 1958, as amended, is amended, by striking out “and (C)” and inserting in lieu thereof “(C) the operation of a space transportation system including the Space Shuttle, upper stages, space platforms, and related equipment, and (D)”.

42 USC 2452.

SEC. 109. Notwithstanding any other provision of law, there shall be transferred to NASA three government-owned tracts of NASA used land and improvements thereon (totalling approximately 33.5 acres) at Ellington Air Force Base, Texas, without any transfer of funds therefor.

Transfer of land.

SEC. 110. Any decision or proposed policy by the President or the National Aeronautics and Space Administration to commercialize some or all of the existing expendable launch vehicle technologies and associated facilities and equipment shall be presented to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science and Technology of the House of Representatives for their review. No such decision or policy shall be implemented unless (A) a period of 30 days has passed after the receipt by each such committee of a full and complete statement of the decision or proposed policy and the facts and circumstances relied upon in support of such decision or proposed policy, or (B) each such committee before the expiration of such period has transmitted to the Administrator written notice to the effect that such committee has no objection to the decision or proposed policy.

42 USC 2465.

SEC. 111. This Act may be cited as the “National Aeronautics and Space Administration Authorization Act, 1984”

Short title.

TITLE II

SEC. 201. There is authorized to be appropriated \$29,336,000 for the fiscal year 1984 for the purpose of operating the land remote sensing satellite system, including provision for storage of a backup satellite.

SEC. 202. Notwithstanding title II of the National Aeronautics and Space Administration Authorization Act, 1983, the Secretary of Commerce shall not transfer the ownership or management of any civil land, meteorological, or ocean remote sensing space satellite system and associated ground system equipment unless, in addition to any other requirement of law—

Transference of civil land, meteorological, or ocean remote sensing space satellite system.
15 USC 1517 note.
96 Stat. 1601.

(1) the Secretary of Commerce or his designee has presented, in writing, to the Speaker of the House of Representatives and the President of the Senate, and to the Committee on Science and Technology of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate, a comprehensive statement of recommended policies, procedures, conditions, and limitations to which any transfer should be subject; and

(2) the Congress thereafter enacts a law which contains such policies, procedures, conditions, or limitations (or a combination thereof) as it deems appropriate for any such transfer.

Approved July 15, 1983.

TITLE II

LEGISLATIVE HISTORY—H.R. 2065 (S. 1096):

HOUSE REPORT No. 98-65 (Comm. on Science and Technology).

SENATE REPORT No. 98-108 accompanying S. 1096 (Comm. on Commerce, Science, and Transportation).

CONGRESSIONAL RECORD, Vol. 129 (1983):

Apr. 26, considered and passed House.

June 15, S. 1096 considered and passed Senate.

June 28, H.R. 2065 considered and passed Senate, amended.

June 29, House concurred in Senate amendments.