

Public Law 94-307
94th 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.

June 4, 1976

[H.R. 12453]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated to the National Aeronautics and Space Administration:

National
Aeronautics and
Space
Administration
Authorization
Act, 1977.
Research and
development.

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

- (1) Space Shuttle, \$1,288,100,000;
- (2) Space flight operations, \$202,700,000;
- (3) Expendable launch vehicles, \$151,400,000;
- (4) Physics and astronomy, \$166,300,000;
- (5) Lunar and planetary exploration, \$192,100,000;
- (6) Life sciences, \$22,125,000;
- (7) Space applications, \$198,000,000;
- (8) Earth resources operational systems, \$200,000;
- (9) Aeronautical research and technology, \$191,100,000;
- (10) Space research and technology, \$86,300,000;
- (11) Tracking and data acquisition, \$255,000,000;
- (12) Technology utilization, \$8,100,000.

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

Construction of
facilities.

- (1) Modification for high enthalpy entry facility, Ames Research Center, \$1,220,000;
- (2) Modification of flight simulator for advanced aircraft, Ames Research Center, \$1,730,000;
- (3) Construction of supply support facility, Ames Research Center, \$1,540,000;
- (4) Construction of addition to flight control facility, Hugh L. Dryden Flight Research Center, \$750,000;
- (5) Construction of addition to lunar sample curatorial facility, Lyndon B. Johnson Space Center, \$2,200,000;
- (6) Construction of airlock to spin test facility, John F. Kennedy Space Center, \$360,000;
- (7) Modifications for utility control system, John F. Kennedy Space Center, \$2,445,000;
- (8) Construction of addition for aeroelastic model laboratory, Langley Research Center, \$730,000;
- (9) Construction of data reduction center annex, Langley Research Center, \$2,970,000;
- (10) Construction of refuse-fired steam generating facility, Langley Research Center, \$2,485,000;
- (11) Modification of refrigeration system, electric propulsion laboratory, Lewis Research Center, \$680,000;
- (12) Rehabilitation of combustion air drying system, engine research building, Lewis Research Center, \$1,490,000;
- (13) Large aeronautical facility: construction of national transonic facility, Langley Research Center, \$25,000,000;

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

(A) Construction of Orbiter processing facility, John F. Kennedy Space Center, \$3,750,000;

(B) Modifications to launch complex 39, John F. Kennedy Space Center, \$18,855,000;

(C) Modification for solid rocket booster processing facilities, John F. Kennedy Space Center, \$8,700,000;

(D) Construction of Shuttle/Carrier aircraft mating facility, John F. Kennedy Space Center, \$1,700,000;

(E) Rehabilitation and modification of Shuttle facilities, at various locations, \$1,760,000;

(F) Modification of manufacturing and final assembly facilities for external tanks, Michoud Assembly Facility, \$1,930,000;

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

(A) Modifications to operations and checkout building for Spacelab, John F. Kennedy Space Center, \$3,570,000;

(B) Modifications and addition for Shuttle payload development, Goddard Space Flight Center, \$770,000;

(16) Rehabilitation and modification of facilities at various locations, not in excess of \$500,000 per project, \$17,875,000;

(17) Minor construction of new facilities and additions to existing facilities at various locations, not in excess of \$250,000 per project, \$5,125,000;

(18) Facility planning and design not otherwise provided for, \$12,655,000.

Research and
program
management.

(c) For "Research and program management," \$813,455,000, and such additional or supplemental amounts as may be necessary for increases in salary, pay, retirement, or other employee benefits authorized by law.

Program
specifications.

(d) Notwithstanding the provisions of subsection 1(g), appropriations 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 Aeronautical and Space Sciences of the Senate of the nature, location, and estimated cost of such facility.

Notice to Speaker
of the House,
President of the
Senate and
congressional
committees.

(e) When so specified 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 1(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 1(a) and 1(c), not in excess of \$25,000 for each project, including collateral equipment, may be used for construction of new facilities and additions to existing facilities, and not in excess of \$50,000 for each project, including collateral equipment, may be used for rehabilitation or modification of facilities: *Provided*, That of the funds appropriated pursuant to subsection 1(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.

Limitations.

SEC. 2. Authorization is hereby granted whereby any of the amounts prescribed in paragraphs (1) through (17), inclusive, of subsection 1(b)—

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

Cost variations.

(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 Aeronautical and Space Sciences of the Senate on the circumstances of such action, may be varied upward 25 per centum,

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. 3. Not to exceed one-half of 1 per centum of the funds appropriated pursuant to subsection 1(a) hereof may be transferred to the "Construction of facilities" appropriation, and, when so transferred, together with \$10,000,000 of the funds appropriated pursuant to subsection 1(b) hereof (other than funds appropriated pursuant to paragraph (18) 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 1(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 thirty 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 Aeronautical and Space Sciences of the Senate a written report containing a full and complete statement concerning (1) the nature of such construction, expansion, or modification, (2) the cost thereof

Unforeseen program changes, transfer of research funds to construction.

Report to Speaker of the House, President of the Senate and congressional committees.

including the cost of any real estate action pertaining thereto, and (3) 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 the Administrator written notice to the effect that such committee has no objection to the proposed action.

Use of funds,
restriction.

SEC. 4. 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 Aeronautical and Space Sciences,

(2) no amounts appropriated pursuant to this Act may be used for any program in excess of the amount actually authorized for that particular program by sections 1(a) and 1(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,

Notice to the
Speaker of the
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of the Senate and
congressional
committees.

unless (A) a period of thirty 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.

Research funds,
geographical
distribution.
42 USC 2459
note.

SEC. 5. 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.

Satellite services,
contract
authorization.
42 USC 2463.

SEC. 6. The National Aeronautics and Space Administration is authorized, when so provided in an appropriation Act, to enter into a contract for tracking and data relay satellite services. Such services shall be furnished to the National Aeronautics and Space Administration in accordance with applicable authorization and appropriations Acts. The Government shall incur no costs under such contract prior to the furnishing of such services except that the contract may provide for the payment for contingent liability of the Government which may accrue in the event the Government should decide for its convenience to terminate the contract before the end of the period of the contract. Facilities which may be required in the performance of the contract may be constructed on Government-owned lands if there is included in the contract a provision under which the Government may acquire a title to the facilities, under terms and conditions agreed upon in the contract, upon termination of the contract.

Report to
congressional
committees.

The Administrator shall in January of each year report to the Committee on Science and Technology and the Committee on Appropriations of the House of Representatives and the Committee on Aeronautical and Space Sciences and the Committee on Appropriations of the Senate the projected aggregate contingent liability of the Government under termination provisions of any contract authorized in this section through the next fiscal year. The authority of the National Aeronautics and Space Administration to enter into and to maintain the contract authorized hereunder shall remain in effect as long as provision therefor is included in Acts authorizing appropriations to the National Aeronautics and Space Administration for subsequent fiscal years.

SEC. 7. Paragraph (15) of section 5316, title 5, United States Code, is amended by striking out “(6)” and inserting in lieu thereof “(7)”.

SEC. 8. Section 6 of the National Aeronautics and Space Administration Authorization Act, 1968 (81 Stat. 170), is amended by striking out the words “the rate of \$100” and inserting in lieu thereof the words “a rate not to exceed the per diem rate equivalent to the rate for GS-18”.

42 USC 2477.

5 USC 5332 note.

Short title.

SEC. 9. This Act may be cited as the “National Aeronautics and Space Administration Authorization Act, 1977”.

Approved June 4, 1976.

LEGISLATIVE HISTORY:

HOUSE REPORTS: No. 94-897 (Comm. on Science and Technology) and No. 94-1176 (Comm. of Conference).

SENATE REPORTS: No. 94-718 (Comm. on Aeronautics and Space Sciences) and No. 94-901 (Comm. of Conference).

CONGRESSIONAL RECORD, Vol. 122 (1976):

Mar. 22, considered and passed House.

Apr. 1, considered and passed Senate, amended.

May 17, Senate agreed to conference report.

May 21, House agreed to conference report.