BART GORDON, TENNESSEE
CHAIRMAN

RALPH M. HALL, TEXAS
RANKING MEMBER

U.S. HOUSE OF REPRESENTATIVES

COMMITTEE ON SCIENCE AND TECHNOLOGY

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October 8, 2010

The Hon. Daniel K. Inouye
Chairman
Committee on Appropriations
S-128 Capitol
Washington, DC 20510

The Hon. Thad Cochran
Ranking Member
Committee on Appropriations
S-128 Capitol
Washington, DC 20515

The Hon. Barbara A. Mikulski
Chairwoman
Subcommittee on Commerce, Justice, Science
SD-142
Washington, DC 20510

The Hon. Richard C. Shelby
Ranking Member
Subcommittee on Commerce, Justice, Science
SD-142
Washington, DC 20510

Dear Chairman Inouye, Ranking Member Cochran, Chairwoman Mikulski, Ranking Member Shelby:

Last week the House passed S. 3729, the NASA Authorization Act of 2010. Consideration of the Senate bill, and subsequent passage, was necessary to help provide a degree of certainty, stability, and clarity for our nation's space program, the NASA workforce, and the NASA communities across the country. However, over the past two months, discussions have been on-going between the House and Senate on development of a compromise NASA Authorization bill that would incorporate the best of the Senate-passed bill and the bill reported by the Committee on Science and Technology on July 22. Last week, we put forward a compromise which we believe met this test. Though every effort was made to secure support for this legislation in both chambers of Congress, an effort to provide for expedited consideration by the Senate of this compromise was unsuccessful.

As stated during House consideration of the Senate bill, some provisions of that bill could use further clarification and direction. To that end we have attached a copy of the compromise language for your reference. We wanted to highlight the following items for you to consider as you move forward in the appropriations process:

- The Senate bill includes an additional Shuttle flight to the International Space Station (ISS). It is important to clarify that the flight should be carried out subject to the Administrator certifying that it can be done safely and is needed as is not done in the Senate bill.. In addition, we are concerned that the Senate bill has a $500 million unfunded mandate that requires NASA to keep the Shuttle program going through the remainder of FY 2011. Extending the Shuttle program through the end of the fiscal year maintains the program for 4 months after the additional Launch-on-Need flight is completed without providing the funds to do so.

- We believe that NASA should determine the best approach for the future human space flight and exploration program, making use of the investments made to date in the Orion, Ares, and Shuttle programs—so that the taxpayer gets the best return on those investments. The Senate bill is very prescriptive as it relates to the design of a single rocket that is both undersized for exploration and oversized as a backup to the commercial efforts for carrying crew and cargo to the International Space Station (ISS).

- For any mission, but particularly those involving our astronauts, safety is a fundamental concern. We have been strong proponents of the increased safety measures recommended in the aftermath of the Space Shuttle *Columbia* accident. We would urge you to keep these recommendations in mind as you appropriate funds for the next human space flight system.

- We support the development of commercial cargo and crew capabilities, and we have long argued that there should be a "stepping stone" approach moving forward. As such, we believe that priority should be given to first providing the funding needed for the proposed Commercial Orbital Transportation Services (COTS) program to ensure cargo access to the ISS following the retirement of the Space Shuttle, and that this need should be prioritized over commercial crew capability funding at this time. We also think that it is appropriate that NASA tries to get the would-be commercial providers to put some "skin in the game" if they receive taxpayer funding.

- While we support the continued development of commercial capabilities to ferry crew and cargo to the ISS, we also want to ensure that there is a government backup in case those commercial entities are not ready or are unable to meet their objectives. The Senate bill contains a provision to complete testing of a multi-purpose crew vehicle by December 31, 2016. However, the bill is not clear about the goal of having a fully capable launch system based on existing exploration program investments able to serve the ISS no later than December 31, 2016. We remain concerned that without backup capability, the government will either need to provide additional open-ended commitment of financial resources to the commercial providers or rely on the Russians for a longer period of time.

- We support STEM education programs at NASA and would like to see new initiatives aimed at providing students with more hands-on space science and engineering education and training. Additionally, we would like to see continued balance in the Education account, and we are concerned that the Senate bill would force NASA to cut the Minority University Research and Education Program (MUREP) and STEM education programs in FY 11, 12, and 13 to pay for the increases given to Space Grant and EPSCOR. The bill doesn't increase the overall funding for NASA Education to pay for the increases it gives to those programs.

- We support strengthening the Senate bill's provisions on acquisition management, counterfeit parts, and information security at NASA.

When Congress returns in November and you work to address the final appropriations work for Fiscal Year 2011, it is our hope that you will reflect the concerns mentioned above as you craft the final funding bill for NASA. We believe attention to the matters that we attempted to resolve in the attached compromise provisions will allow our space program to flourish in the years to come.

Thank you in advance for your consideration.

Sincerely,

BART GORDON
Chairman
Committee on Science and Technology

RALPH M. HALL
Ranking Member
Committee on Science and Technology

GABRIELLE GIFFORDS
Chairwoman
Subcommittee on Space and Aeronautics

PETE OLSON
Ranking Member
Subcommittee on Space and Aeronautics

This letter was also sent to the following U.S.Representatives:

The Hon. David Obey
The Hon. Jerry Lewis
The Hon. Alan Mollohan
The Hon. Frank R. Wolf