The CHAIRMAN pro tempore. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker pro tempore (Mr. PETRI) having assumed the chair, Mr. DIAZ-BALART, Chairman pro tempore of the Committee of the Whole House on the State of the Union, reported that the Committee, having had under consideration the bill (H.R. 1273) to authorize appropriations for fiscal years 1998 and 1999 for the National Science Foundation, and for other purposes, pursuant to House Resolution 126, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment to the committee amendment in the nature of a substitute adopted by the Committee of the Whole? If not, the question is on the amendment.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. EHLERS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on the bill just passed.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

CIVILIAN SPACE AUTHORIZATION ACT, FISCAL YEARS 1998 AND 1999

The SPEAKER pro tempore. Pursuant to House Resolution 128 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 1275.

□ 1234

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 1275) to authorize appropriations for the National Aeronautics and Space Administration for fiscal years 1998 and 1999, and for other purposes, with Mr. DIAZ-BALART in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Pursuant to the rule, the bill is considered as having been read the first time.

Under the rule, the gentleman from Michigan [Mr. EHLERS] and the gentleman from Alabama [Mr. CRAMER] each will control 30 minutes.

The Chair recognizes the gentleman from Michigan [Mr. EHLERS].

Mr. EHLERS. Mr. Chairman, I reserve my time and defer to the gentleman from Alabama [Mr. CRAMER].

Mr. CRAMER. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise today in support of H.R. 1275, the Civilian Space Authorization Act for fiscal years 1998 and 1999. I believe this is a good bill and that it is the result of a bipartisan effort by members of the Committee on Science.

I want to congratulate the chairman of the committee, the gentleman from Wisconsin [Mr. SENSENBRENNER], the chairman of the subcommittee, the gentleman from California [Mr. ROHRABACHER], as well as the ranking member, the gentleman from California [Mr. GEORGE BROWN] for their work in crafting this important piece of legislation.

This provides for a balanced NASA program, fully funding its critical missions, and I am pleased that the bill maintains the Congress' commitment to the Space Shuttle and Space Station Programs. These programs are critical to our Nation's future in space and are the heart of the human space flight endeavor.

I am sure we will hear a little more about the Space Station Program when we likely debate what I believe is an ill-considered amendment to cancel the station program. I believe the gentleman from Indiana [Mr. ROEMER] will consider offering that amendment again here.

I want to focus on many more of the positive provisions of H.R. 1275. This bill ensures that the taxpayers' investment in the space station is protected. We have erected a firewall between the funding for the Space Station science payloads and the funding for the space station's hardware development. We need to make sure that the station program that we are building is a productive world-class research laboratory, and I believe this bill goes a long way toward ensuring that that goal is attained.

We heard through the committee hearing process from many different points of view. We heard loudly from the medical research community that they need the Space Station Program in order to continue to build on the highly effective life and microgravity science research that we are already conducting on the space shuttle program.

We heard from many witnesses about advances that are being made with infectious disease, combatting that, advances that are being made in treating particular kinds of cancers, diabetes, other issues as well, that cannot go much further here on Earth, they need the Space Station Program in order to get there.

This research has real potential for commercial development, and I hope those new Members of Congress that may be somewhat reserved about our investment in the Space Station Program will listen during this debate to the advances that we have made over those issues.

H.R. 1275 provides funding in fiscal year 1998 to allow NASA to continue flight research activities on the shuttle until the Space Station Program becomes operational. H.R. 1275 also contains a number of tough provisions regarding the Russian participation in the Space Station Program. Cooperation with Russia in space offers many benefits to America, but that cooperation has to be based on each party living up to its commitments. The Space Station Program that is funded through the authorization of this bill sends a strong signal to Russia that we expect them to deliver on their promises.

Turning to space science, I think we do an outstanding job in this piece of legislation to fully fund the President's request for space science. For example, the bill funds the continued operation of the Hubbell space telescope, which is making exciting scientific discoveries that are rewriting science textbooks.

In all, H.R. 1275 is a strong bill, and I urge my colleagues to consider this bill. I have more to say, but I want to make sure that I give the chairman of the committee the opportunity to discuss this.

Mr. Chairman, I reserve the balance of my time.

Mr. EHLERS. Mr. Chairman, I yield such time as he may consume to the gentleman from Wisconsin [Mr. SENSENBRENNER].

(Mr. SENSENBRENNER asked and was given permission to revise and extend his remarks.)

Mr. SENSENBRENNER. Mr. Chairman, I rise today to support H.R. 1275, the Civilian Space Authorization Act, which the Committee on Science recommends to the House by a wide bipartisan margin.

In fiscal year 1998, this bill provides a modest 1-percent increase for NASA over its fiscal 1997 appropriated level. For fiscal year 1999 we provide a 1½-percent increase over the 1997 level.

As most of the Members will recognize, these increases do not keep pace with inflation, so NASA's real budget continues to fall. Nevertheless, H.R. 1275 provides NASA with the stability it requires to achieve our national space goals during this period of declining budgets.

The bill fully funds NASA's programs and scientific research and includes modest increases in space science data analysis to correct NASA's failures to adequately fund its science investigations.

The bill also contains funding to take our reusable launch vehicle programs to the next level, a generation beyond the X–33 program. X–33 remains our first priority, but this new investment in another X plane concept ensures that the Nation has options for the future of its space transportation capabilities.

I would like to turn now to the bill's international space station provisions.

As my colleagues are aware, the Clinton administration invited Russia to join the international space station in 1993.

At the time Congress was skeptical that Russia would make a good partner based upon the instability associated with its transition from communism to democracy and capitalism. But the administration made a lot of promises, arguing that the Russians would never let their space program fall into disrepair, and that we would not be dependent upon the Russians for the success of the international space station.

As most of us know, those promises have been broken. This does not mean that we should walk away from the space station. Its potential to radically improve our knowledge of human physiology, plant and animal biology, microgravity, and material science has been demonstrated time and time again on the space shuttle and in testimony before the Committee on Science. Congress has been right and proper in continuing its support for the international space station, and I hope it continues to do so today.

We have been consistent and passed funding for the space station in the last Congress by 140 vote margins. Our mistake, which we were obligated to make, was to place any faith in the administration's promises. H.R. 1275 fixes that problem.

In committee, the gentleman from California [Mr. BROWN] and I offered an amendment that imposes a decision process on the administration relative to the Russian problem and the space station. That amendment was adopted by a unanimous division vote of 25 to nothing.

Briefly, we prohibit paying Russia for its commitments to the international space station. They have to pay for that themselves. United States taxpayers' money will not be used to pay for what the Russians promised to build.

Second, we put an end to the administration's practice of dissembling, denying, and ducking problems by forcing NASA to develop a contingency plan and time line for deciding whether or not to remove each Russian piece of hardware in the critical path.

Third, we require NASA to certify each month that the Russians are, or are not, living up to their obligations, so the administration cannot spring surprises on us and pretend it did not know what was going on.

Fourth, we require the President to certify by August 1 that he will or will not baseline the Russian elements in the Space Station's design.

Finally, long-term stays by our astronauts on the Russian Mir space station require an independent review of the Mir to determine whether it meets or exceeds U.S. safety standards. We cannot risk our astronauts on Mir just to save Russia's dignity or to allow the administration to remain in denial.

I would point out that there is currently a leak of antifreeze on Mir that has caused a partial evacuation of one of the modules of Mir. It does not place our astronauts in a life-threatening situation at the present time, but this is the latest in a long line of safety problems, because the Mir space station has outlived its useful and functional life, and is continuing to be used by the Russians.

The bill is a good package of policy initiatives that will put the space station back on the right track when it comes to dealing with Russia. We are not imposing a solution on the administration, at least not yet. We are not imposing a solution because the committee still hopes to work with the White House to come up with a national solution to this problem.

But we are imposing a decision-making process with deadlines that will force the administration to resolve this problem, and to prevent a hemorrhage of more U.S. taxpayer funds from being unnecessarily used because delaying the problem's resolution will simply increase costs.

□ 1245

This reason alone is enough to warrant continuing bipartisan support for H.R. 1275.

Mr. Chairman, I yield such time as he may consume to gentleman from California [Mr. ROHRABACHER], chairman of the subcommittee.

Mr. ROHRABACHER. Mr. Chairman, I rise today in strong support of H.R. 1275, the Civilian Space Authorization Act of 1997.

This bill authorizes appropriations in fiscal years 1998 and 1999 for and provides policy direction to the National Aeronautics and Space Administration, the Office of Commercial Space Transportation in the Federal Aviation Administration, and the Office of Space Commerce in the Department of Commerce.

Mr. Chairman, just as our Nation's efforts are helping to open up America's next frontier, this bill makes pioneering strides in bipartisanship, in funding vital scientific and technological research, and in promoting our Nation's emerging commercial space enterprises.

I would like to thank the gentleman from Wisconsin [Mr. SENSENBRENNER], my chairman, for his leadership on the space issues within this bill and his help in my efforts to prepare this bill. I would also like to thank the ranking member of the full committee, the gentleman from California [Mr. BROWN], who has been a guidepost for the rest of us and made major contributions as well. The gentleman from California [Mr. BROWN] is a good friend and has contributed a great deal to this, as has the gentleman from Wisconsin [Mr. SENSENBRENNER].

I might add that the gentleman from Alabama [Mr. CRAMER] and I have developed a relationship that some Members probably thought was impossible for a partisan guy like me to do. But the gentleman from Alabama [Mr. CRAMER] and I have been working for our country's space efforts to make sure that America has the number one space effort in the world. We have put together a package today, and I am very, very pleased with the cooperation that we have had. I pledge that I will do my very best to keep that level of cooperation going.

I would also like to thank, in passing, the gentleman from Florida [Mr. WELDON], who is the subcommittee's capable and active vice chairman, who has probably been more active than any vice chairman of any subcommittee that I have ever been a member of. So we thank the gentleman from Florida [Mr. WELDON] as well.

Because we do not yet have a budget resolution, this year, this bill's funding levels are based on the Committee on Science's views and estimates which call for strengthening our Nation's research and development investments while pursuing the bipartisan goal of balancing the budget. Actually this bill provides a mere 1.25 percent increase, that is a 1¼ percent increase in the funding for NASA over last year, over fiscal year 1997 levels. That is less than inflation. We do that while holding the other two agencies basically constant.

This bill reflects funding priorities set by the Committee on Science and its Subcommittee on Space and Aeronautics over the last several years. Over the last several years, obviously, both parties have been in a leadership position in these committees. We strongly support human space flight, space science and the aeronautics and space technology efforts which will keep American industry number one and open the frontier of space to commercial enterprise.

With a few exceptions, we have approved the President's budget request for NASA. It is a greatly improved budget submission over the one he made for fiscal year 1997, especially with regard to the outyears. In two areas, we have added the funds necessary to achieve high priority goals. In others, we have made small reductions or limitations on the use of funds.

NASA Administrator Goldin has repeatedly stated to the Congress and audiences all over the country that his highest goal after preserving the safety of the space shuttle flight program is dramatically reducing the cost of transporting people and cargo into space. NASA has made an excellent start in that direction with the X–33 Program and its smaller sibling, X–34 Program. We are fully funding those programs and indeed specifically authorizing the X–33 Program.

Unfortunately, the NASA budget only has funds to develop and flight test one concept for the X–33. NASA has indicated both in testimony and direct conversations with me and my staff that they wish to pursue additional X-vehicles in the future to continue pushing down the cost of space transportation. This bill uses most of

our increase over the President's request to fully fund a different competitively chosen X-vehicle by using the most advanced technologies possible as a complementary follow-on to X–33.

This will provide technical redundancy to the X–33 in case that program fails, and it will enable downstream competition in the reusable launch vehicle industry, should the X–33 program succeed.

It also will accelerate the drive toward cheap access to space and not in the long run but in the medium run save the taxpayers not only millions of dollars but billions of dollars by bringing down the cost of getting into space and making sure that as we explore and utilize space for national and all the purposes of mankind, that it not be, that the cost is not so high simply because the transportation costs are high.

Another goal of the subcommittee for NASA is preserving steady funding for scientific research. We are providing some small increases to the space science accounts in this bill, particularly for the analysis of data coming back from science missions and also for initiatives like asteroid detection and NASA participation in the Air Force's Clementine II asteroid intercept mission. We also increase and specify funding for life and microgravity sciences and applications, an area with tremendous potential to improve our daily lives here on earth and also an area which the gentleman from Alabama [Mr. CRAMER] in his remarks detailed for us that we learned during our hearings of the tremendous potential of this life and microgravity sciences.

Again, I would like to thank the gentleman from Alabama [Mr. CRAMER] for the positive role he played in those hearings and in relating that potential to us here today.

Perhaps the most well-known program in the bill is the International Space Station Program which we are fully funding at the President's request so it will enable vital science and help open new frontiers to American free enterprise. Of course, the space station program is currently facing the challenge of a lack of funding from the Russian Government for their share of the hardware. The Subcommittee on Space and Aeronautics held an excellent hearing on April 9 which discussed both the problems with the Russian partnership and the great importance of completing the space station on schedule for scientific and commercial reasons.

On April 16, the committee adopted without a single opposing vote a bipartisan amendment by the gentleman from Wisconsin [Mr. SENSENBRENNER], and the ranking member, the gentleman from California [Mr. BROWN], which imposes a responsible decision-making process on the administration for solving this problem.

Now, this bill does not just fund NASA. As commercial space activities continue to grow, creating high-wage, high-technology jobs here in America, using private capital in doing so, it is vital that the Government can provide a stable and streamlined regulatory and positive business environment for this emerging space industry.

That is why President Reagan created the Office of Commercial Space Transportation and the Office of Space Commerce. This bill funds and directs the Office of Commercial Space Transportation, now part of the Federal Aviation Administration, to license commercial space transportation vehicles and spaceports. We also fully fund and permanently establish the Office of Space Commerce in the Department of Commerce, which promotes the growth of current and emerging new commercial space activities.

As I said earlier, this bill provides significant policy direction as well as authorizing appropriations. That direction boils down to two important themes: ensuring NASA's accountability in the spending of nearly $14 billion each year in taxpayer funds and improving the cost effectiveness of all Government civil space spending.

Regarding accountability, this bill gives NASA four major directives. First, in the International Space Station Program, the Congress should be better informed as to the thinking behind and the commercial impact of the international hardware barter agreements NASA is negotiating with various foreign entities.

Second, we want to make sure that as NASA consolidates its nonshuttle operational contracts and moves those activities more into the private sector, that NASA fully consider and inform the Congress regarding the issues of competition and fixed-price versus cost-plus-fee contracting. Third, we direct NASA to pursue independent cost analysis of its programs which include all costs to the taxpayers.

Finally, we direct NASA to provide the Congress with a detailed report on the status of the Earth Observing System data information system. Of course, all of us on the committee and in this body want to ensure that our constituents' tax dollars are spent as effectively as possible, particularly as we drive toward a balanced budget in the year 2002.

So for civil space, like all other so-called discretionary programs, the Congress and the administration must work hard to continually improve and reform the cost effectiveness of all Federal space activities. To that end, this bill does several things to improve both efficiency and effectiveness of the taxpayers' investment.

We include an initiative to improve NASA procurement of new technology. We direct NASA to actively pursue the greatest possible commercial participation and use of the International Space Station Program. We direct NASA to purchase space science data from commercial providers. We fund a continuing program at the Stennis Space Center to purchase commercial remote sensing data to more cheaply meet the needs of the Mission to Planet Earth Program. We strongly state our commitment to move from Government-operated space launch vehicles to the purchase of commercially provided launch services, including the possible option of a privatized shuttle fleet. And we place in statute a very important provision of the President's national space policy, mandating the purchase of, and preventing NASA competition with, commercially available space goods and services.

In closing, let me say a few more words about the bipartisanship that we have enjoyed over these last few months and how critical that has been to this legislation.

Our Nation's space efforts have been and should remain bipartisan in nature and bipartisan in their support.

But the world is changing. The cold war that motivated our earlier space efforts has long since gone. Our space program and our policies concerning space must change as well. Bureaucracies do not like change and they often use partisan differences to keep the legislative branch from promoting positive reforms. We have in these last few months forged a solid bipartisan coalition which will permit us to make sure the taxpayers are getting their money's worth and that America will remain the No. 1 Nation in space, the No. 1 space power on this planet.

The great achievement of this bill is that the funding priorities and policy direction we have set are supported by both policies. Together we are saying that the reason we are funding the space station is to do scientific research and to promote commercial opportunities. Together we are saying that the space shuttle should be upgraded to improve safety. Together we are saying that cheap access to space is a critical goal which deserves additional funding.

Together we are saying that the space commercialization offers tremendous opportunities for creating new jobs and industries without increasing and in fact in some instances decreasing the actual funding level that we have to deal with. So today I would ask my colleagues to join me in strong support for H.R. 1275. We have found it in our abilities to work together, and I am sure we will continue this cooperation throughout this session.

Mr. CRAMER. Mr. Chairman, I yield such time as he may consume to the gentleman from California [Mr. Brown], former chairman of the full committee, ranking member of the full committee, and strong advocate for NASA.

Mr. BROWN of California. Mr. Chairman, I thank the subcommittee ranking member for yielding me this time.

Of course, I would also like to rise in support of H.R. 1275. I want to particularly note the contribution that the chairman of the subcommittee, the gentleman from California [Mr. ROHRABACHER] has made. Much of the

detail of this bill reflects his considerable input and his commitment to the space program.

□ 1300

I think all of my colleagues have noticed that the gentleman from California [Mr. ROHRABACHER], has made some changes. Some of these are highly visible, others are not quite so visible.

I, for example, have challenged his description of himself as an active partisan by accusing him of becoming a pragmatic statesman. He may not want me to say that in public, but it does reflect the fact that he has been able and has worked very closely with the minority in developing this excellent bill.

Mr. SENSENBRENNER. Mr. Chairman, will the gentleman yield?

Mr. BROWN of California. I yield to the gentleman from Wisconsin.

Mr. SENSENBRENNER. Mr. Chairman, I would say to the gentleman that serving on the Committee on Science from January 3, 1997, has been a tremendously maturing process for all of us.

Mr. BROWN of California. Mr. Chairman, reclaiming my time, I would note that I completely concur with the gentleman's statement.

Of course I will not belabor all the details of this bill, Mr. Chairman, which those who have worked more closely with it, including the gentleman from California [Mr. ROHRABACHER], and the gentleman from Alabama [Mr. CRAMER] have already spoken to or will speak to, but I would like to point out, just to emphasize the fact, that this bill does really represent a critical turning point in terms of support and funding for the NASA programs and many of the critical components in the national programs.

For example, I have been complaining to no avail now for several years that the budget for NASA, and particularly the 5-year outlook, was disastrous. As late as just last year, the projection was that we would be at about $11 billion per year by the year 2002. That has completely turned around, as has already been remarked by the gentleman from California [Mr. ROHRABACHER], and we now appear, although it is never wise to take too much for granted, to have stabilized NASA at a figure of roughly $14 billion, slightly under $14 billion.

I personally do not consider that that gives sufficient weight to the many diverse contributions that NASA makes to the future of this country, both in terms of scientific productivity but as well in our opportunity to be commercial leaders in what I believe will be a huge market in space and in space-related activities over the near future. I think that a recognition of the importance of this has infused the gentleman from California and the gentleman from Wisconsin, and has encouraged them to help us to move toward taking advantage of these great opportunities that we will have in the future.

Mr. Chairman, I am going to just comment very briefly about a couple of items that have already been mentioned.

The amendment which the chairman and I jointly offered with regard to Russian participation is, I believe, both tough and prudent. We are aware of the need to have full Russian commitment, backed up with Russian dollars, for those parts of the program that they have committed themselves to.

I would like to say that the chairman has been most assiduous, most conscientious in making sure that we were fully informed as to the problems that the Russians were having and the need to correct those problems at the earliest possible date.

I think it needs to be said that the Russians do face a particularly difficult period at the present time in their evolution from their former status as a dictatorship to a form of democracy. That is not, I would say, U.S.-style democracy, but one in which there is greater participation by the citizens of the country, and so on. That transition is going to take years and, in the meantime, the Russian Government has severe problems which they need our help in trying to overcome.

Having said that, that does not absolve them from their responsibility to keep their commitments, and it is this keeping of commitments that is spoken to in the language of the bill which we have adopted and which I think will be very helpful and will provide a little better guidance to our own Government in terms of how to operate in this kind of a spirit.

I would like to indicate also that there are some areas that represent modest new programs in this bill, so modest I almost hesitate to mention them. But, for example, with regard to the Asteroid Program, which the gentleman from California mentioned, he and I both, I suspect, have a background in old science fiction novels in which asteroids collide with Earth.

This may not happen for a million years, but, who knows, we ought to be prepared even for something that may not occur for quite a period of time. And the steps to take efforts to prepare are so simple, so rudimentary, and so inexpensive that we are hardly justified in not doing it. It involves a modest effort to improve our observation of incoming asteroids or Earth orbit-crossing asteroids as well as comets or whatever else may be out there.

For a modest $1 or $2 million per year we can substantially increase our level of observation to the point where we are detecting if not 100 percent, almost 100 percent of objects which might be affected. And, of course, programs such as the Clementine Program and others that would seek to actually research ways in which we might alter the path of an incoming object at this stage are extremely inexpensive. They fit in well with many programs that the Defense Department already has, and we would be imprudent not to begin to focus on these at this modest level in order to achieve the additional degree of protection which we could conceivably achieve at this point.

So for these and many other reasons, I am strongly supportive of this bill. I look forward to, of course, another fruitful debate on whether or not we ought to continue with the space station. I trust that will not take up more time than is necessary and we can get through with it fairly quickly.

Mr. Chairman, I would like to rise in support of H.R. 1275, the Civilian Space Authorization Act, Fiscal years 1998 and 1999. While H.R. 1275 is not a perfect bill, I believe that it represents a reasonable bipartisan compromise that keeps the Nation's civil space program on course.

I am particularly pleased that the bill provides full funding for NASA's programs. It has been my belief that the Federal Government has not been making an adequate investment in research and development. If uncorrected, the consequences of the underinvestment will do serious damage to our long-term national competitiveness. As many of you know, I have introduced an investment budget proposal that addresses that concern. NASA's activities are an important part of our Nation's overall Federal investment in R&D, and I support H.R. 1275's strong commitment to funding those activities.

There are many features of the bill that I could discuss, but I will confine my remarks to just a few. In particular, I would like to call attention to provisions related to the space station that were added to the bill by Chairman SENSENBRENNER and myself.

I believe that the provisions governing the Russian participation are tough and prudent. We have received much of value from our cooperation with Russia to date, and I hope that that cooperation will continue. Although I have long argued that Russia should not be on the station's critical path, I do not believe that we should end Russia's involvement in the Space Station Program.

Nevertheless, it is important for Russia to honor its commitments to the International Space Station Program if we are to maintain a productive relationship. At the same time, we need to ensure that NASA has credible contingency plans in place in the event that the Russian contributions are further delayed. H.R. 1275 establishes a concrete series of steps to be taken by NASA and the administration to protect our investment in the Space Station Program.

Next, I would note that the bill makes some modest, but important increments to the funding for NASA's science programs. These include funds for the analysis of the data returned from the incredibly productive science missions that have been undertaken over the last several years. In addition, the bill provides a small amount of additional funding to speed the rate at which NASA and the Department of Defense are detecting and cataloging Earth-crossing asteroid and comets. I believe that this investment is a prudent ''insurance policy'' given the consequences for life on Earth if one of these bodies would ever impact the Earth.

One area of concern I have with the bill is language that would hold NASA's innovative Earth System Science Pathfinder Program—for which three contracts have already been awarded—hostage to the Earth science data

purchase initiative. Since I interpret the data purchase provision as one that encourages NASA to buy such data when it is sensible and meets the scientific requirements of Mission to Planet Earth, these two activities appear to be totally unrelated and should not be linked in a punitive manner. Such actions send a chilling message to current and potential bidders of NASA programs. While I will not offer an amendment at this time, I hope that we can work together to remove this restriction prior to enactment.

In closing, I believe that, on balance, H.R. 1275 is a good bill, and I would urge Members to support it.

Mr. SENSENBRENNER. Mr. Chairman, I yield 4 minutes to the gentleman from Florida [Mr. WELDON], the distinguished vice chair of the subcommittee.

Mr. WELDON of Florida. Mr. Speaker, I thank the chairman for yielding me this time and I rise in strong support of H.R. 1275, the Civilian Space Authorization Act, and I commend both the chairman and the ranking member, as well as the subcommittee chairman, the gentleman from California [Mr. ROHRABACHER], and the subcommittee ranking member, the gentleman from Alabama [Mr. CRAMER], as well as the staff for putting together what I feel is a very well balanced and good piece of legislation.

In particular, I would like to associate myself with the remarks of the chairman regarding the Russian participation in the space station and, in particular, in support of the leadership that has been demonstrated by him as well as the ranking member in regard to the continuing ongoing problems with the Russian participation in this space station.

We have all been made aware on the committee, as well as many others in this body, of the tremendous potential that will come from the Space Station Program. We have heard testimony from scientists regarding the tremendous breakthroughs in our understanding of human physiology and disease, in particular as it relates to heart disease, bone disease, as well as the development of new drugs and our better understanding of the transmission of some infectious diseases, such as cholera.

Despite all these exciting developments and the reality that the Space Station Program is well on track, our international partners, such as the Europeans and the Japanese, have spent well beyond $6 billion in preparing their hardware. A critical partner in this project, the Russians, who were brought into the program by the Clinton administration, have been failing to appropriate the necessary funds to fulfill their obligations associated with the program.

Might I say that I feel very strongly that it is in the best interest of our country that the Russians participate in the program, and I would like to see them continue to do so. Reality is such that their economy has not allowed them to support this program, and I, along with the chairman of the subcommittee and the full committee, went to Russia in February and were able to see first hand the serious nature of their internal financial problems.

What has been lacking in dealing with this problem associated with the program is, I believe, a failure of leadership on the part of the White House, and particularly the Office of the Vice President, to clearly define how we are going to get beyond this problem area so that this program can be completed on schedule.

Mr. Chairman, I congratulate again the gentleman from Wisconsin [Mr. SENSENBRENNER] and the gentleman from California [Mr. BROWN] for their amendment that addresses this issue, and I am prepared to work with them to make sure that the space station goes on to become a reality, because I know first hand, as a practicing physician, the tremendous potential scientific benefits as well as medical benefits that we will see from this program.

I also rise in support of many of the other features associated with the program, such as the ongoing funding for the shuttle program, X–33, the Venture Star, as well as X–34, an important test bed technology that will help us develop new technologies for use in space.

I, additionally, want to rise in support of the space science features that are associated with this; and in particular, I want to thank the people at NASA, the men and women, who have worked very hard not only in helping us prepare this legislation but, as well, have been doing more with less for the past 5 years.

There have been many departments within the Federal Government that have been complaining about receiving decreases in the size of their increase. Whereas, NASA has been doing things better, faster, cheaper for a long time; and that is because of the commitment of the men and women at all the NASA centers all throughout our country to making sure that they keep their programs running efficiently and effectively. I would like to rise in strong support of them and again commend the ranking member and the chairman of the subcommittee for their hard work.

Mr. CRAMER. Mr. Chairman, I yield 2 minutes to my relentless colleague, the gentleman from Indiana [Mr. ROEMER].

Mr. ROEMER. With that generous allocation of time, Mr. Chairman, let me first of all thank the gentleman from Alabama [Mr. CRAMER] for his time and his hard work on this budget and this bill. Let me thank the gentleman from California [Mr. BROWN] and the gentleman from Wisconsin [Mr. SENSENBRENNER] and the gentleman from California [Mr. ROHRABACHER].

Certainly, the tone and the civility and bipartisanship of this committee have made it very, very easy to serve on for the past several months. In that tone, I also want to continue and say, as I rise today, I support about 80 percent of the NASA budget. I do not support a space station that started at $8 billion and now has costs of $100 billion over the lifetime of the contract.

But I do support so many good things that are taking place in this bill that most Americans do not even know about: the great observatories, which includes the Infrared, X ray, the Gamma Ray, and the Human Eye, the Hubble, which in this latest edition of National Geographic we are vividly shown the phenomenal and magnificent pictures that this eye is returning to us here on the ground.

I am a strong supporter of those great observatories and Hubble and the repair mission that the men and women pulled off so successfully in space. The *Galileo*, which explored Jupiter, has shown marvelous results for science. The Clementine project, which helped us map the Moon, I am a strong supporter; better, faster, cheaper, which allows us to get projects off the ground and into space with a cost efficiency that the taxpayer can be very proud of. And then the forgotten ''A'' in the NASA budget, aeronautics, where we helped develop the latest cleaner burning engine and helped our industry here in America compete with fledgling industries in Taiwan and in South Korea, in Japan and with Airbus in Europe.

It is in that context, Mr. Chairman, that we have a declining budget in NASA. We do not want the space station to cannibalize all these other good programs that are going on that return the money to the taxpayer. We want to get NASA back to the days where, for every dollar invested, $7 came back in return; and that is why I will be offering these two amendments later on in this process.

Mr. CRAMER. Mr. Chairman, I yield 3 minutes to my colleague, the gentleman from California [Mr. CAPPS].

Mr. CAPPS. Mr. Chairman, I rise to support the bill to reauthorize NASA. I would like to commend the Chair and ranking member for their work on this legislation. The bill before us provides adequate funding for NASA's important programs and gives the agency needed direction on a number of critical areas.

I also want to add how impressed I am with NASA projects that I have witnessed at close range at Vandenberg Air Force Base in the district that I am privileged to represent. In particular, I am pleased that the bill before us provides full funding for NASA's important Mission to Planet Earth Program.

I am a strong supporter of Mission to Planet Earth and grateful that the committee can work together in a bipartisan basis on this program. NASA has made great strides with this program, cutting the budget bill some 60 percent over the past several years, while continuing to achieve its original goals.

□ 1315

Mission to Planet Earth is a critical program that will expand our knowledge of ourselves, our Earth, and its incredibly complex environmental systems. I am convinced that we should never shrink from the opportunity to grasp such critically important knowledge about ourselves.

But Mission to Planet Earth will be more than the search for knowledge. With its series of orbiting satellites set to begin launching next year, Mission to Planet Earth's ability to accurately monitor and predict long-term climate variability will have great benefits for large sectors of our economy, including such diverse industries as agriculture, financial services, insurance, and disaster management. The ability to predict droughts, floods, and other cataclysmic natural events will reap huge benefits in lives and dollars for years to come.

Mission to Planet Earth information will not only be useful for long-range forecasting, but will have daily applications as well in agriculture. To use one example, farmers will be better able to anticipate irrigation and harvesting needs and disease control and eradication requirements.

As NASA programs add to our knowledge of the entire solar system, we must not lose sight of all that we still do not know about our own glorious world. Mission to Planet Earth will help fill in some of these gaps about our environmental systems, improving our quality of life here on Earth, while we continue to explore the stars and the planets.

I urge my colleagues to support this important legislation.

Mr. CRAMER. Mr. Chairman, I yield 5 minutes to the gentleman from Texas [Mr. LAMPSON].

Mr. LAMPSON. I thank the gentleman for yielding me this time.

Mr. Chairman, for the sake of our future, I rise today to support full funding for the International Space Station. I represent the Johnson Space Center and the thousands of men and women whose livelihoods depend upon this project and our commitment to space exploration and research. I am proud to represent them, but I do not want my support for the space station to be viewed as pork-barrel politics, helping only the ninth district of Texas. In fact, we must all support the space station for our future.

I stand before you today to voice this support for the station because of what America learned about its future in 1969. At that time I was teaching physical science at South Park High School in Beaumont, TX, and I saw firsthand how our progress in space culminating in the lunar landing encouraged and inspired students. The prospect of a fully functioning international space station will rekindle our enthusiasm for space and science and lead us to greater discoveries than we can even comprehend today.

I have with me some of the 7,000 letters that were written by science and math teachers from all across America voicing their support for the space station. They know the space station is crucial to the future of science and technology in this Nation. I am proud to speak today on their behalf.

We have an obligation to the future of this Nation and to that of humanity to use our resources to discover and interpret the scientific advancements that can be made through research in space.

As the 19th century philosopher and mathematician W.K. Clifford said:

> You cannot fail to see that scientific thought is not an accompaniment or a condition of human progress, but human progress itself.

Scientists performing research in zero gravity have been able to make tremendous breakthroughs. Their work has already provided new information about the makeup of diseases such as cancer, emphysema, diabetes, heart disease and stroke, viral hepatitis, and influenza. We have all been affected by these illnesses, and we want to utilize every possible resource to find a cure or a successful treatment.

Despite what its detractors say, the international space station is not an amusement park for scientists. It has real world, real life implications for people on this planet. I recognize the need to balance our budget, but the 2.2 cents per day that it will cost each American to fund our portion of the international space station is an investment in healthier, longer lives and new high-technology industries.

An important issue at this point in time is the participation of the Russians in the international space station. We all regret their inability to deliver on their promises. But let us not forget, though, that the Russians were in space before we were and they have expertise that will benefit the space station. While Russia endures difficulty in its political and economic transformation, the international space station keeps the Russian scientific community constructively engaged. This project will help solidify relations between the United States and Russia and all the participating nations. The Russian historian Zhores Medvedev described how scientific progress improves relationships between nations in 1970.

He wrote:

> As science progresses, the worldwide cooperation of scientists and technologists becomes more and more of a special friendship, in which, in place of antagonism, there is a growing up, a mutually advantageous sharing of work, a coordination of efforts and a common language for the exchange of information, and a solidarity, which are in many cases independent of the social and political differences of individual States.

Space is not the domain of any nation. Those of us who have the ability to go into space are still obliged to share its wonders with the world.

In 1969, I watched wide eyed as the future of humanity was instantly and forever changed. I was overwhelmed by the sheer magnitude of what man had been able to accomplish. The promise of space still lies before us. Through the space station we can translate a little more of that promise into better lives for us here on Earth. With 160,000 pounds of flight hardware already constructed, two-thirds of the international development funds already spent and with a launch scheduled, why would we stop now? We cannot.

Mr. CRAMER. Mr. Chairman, I yield 4 minutes to the gentleman from Maryland [Mr. HOYER].

Mr. HOYER. Mr. Chairman, I thank the distinguished gentleman from Alabama, the subcommittee ranking member, for yielding me this time. I appreciate his leadership on these issues.

Mr. Chairman, I rise in support of the civilian space authorization, H.R. 1275. In doing so I would like to commend the Committee on Science's decision to authorize the President's full fiscal year 1998 funding request of $1.4 billion for NASA's Mission to Planet Earth. The committee's decision to remove from the bill a provision mandating that $200 million of the Mission to Planet Earth budget come from an existing fund, this is a welcome addition.

Mission to Planet Earth research is expanding our understanding of the Earth's environment and natural processes, giving us new insights into how humanity affects and is affected by them, this unique research to yield practical, tangible benefits for all Americans and people around the globe.

Having said this, Mr. Chairman, I must say that my support for this bill has some reservations. There is one very ill-conceived, in my opinion, provision in this bill. I want to declare my intention to work to prevent its inclusion in the Senate bill and in the conference report.

This bill holds hostage one of the most low-cost, cost-effective programs in the NASA budget, the Earth Space Pathfinders Program. Section 127 precludes any and all funding for pathfinder missions unless and until NASA certifies that it will expend $50 million in fiscal 1998 for commercial data buys.

That may be a good policy, but, Mr. Chairman, there is no good reason for this relationship. There is no programmatic link and no legitimate policy reason to justify making the funding of pathfinders projects contingent on expenditures for commercial data buys. This is simply an attempt to force NASA's hand on a program and a concept to which NASA has already demonstrated its commitment.

I would point out to my colleagues that the pathfinders program is the direct product of a recommendation of the National Science Foundation, a recommendation solicited by former Committee on Science Chair Bob Walker. NASA has already approved two ESSP proposals and one alternate. Missions are selected not only for their scientific merit, but for their commercial application and potential as well. By changing the rules in midgame and

effectively yanking the rug from under investigators with existing contracts, this provision threatens not just these contracts but NASA's overall credibility. If enacted, it would chill the willingness of companies and institutions to compete for contracts or develop new applications.

Mr. Chairman, I will vote for the bill because of its support for Mission to Planet Earth and other component parts. In the coming weeks, however, I will be working with my Senate colleagues to ensure that the Senate hopefully does not approve this restriction on the Pathfinder Program.

I thank my friend the gentleman from Alabama, the chairman of the committee, and others for working effectively on this bill and hope that they would look at this particular provision and reconsider its impact both on NASA and on the private sector.

Mr. CRAMER. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, in closing on this side because we have no more speakers during general debate, I once again would like to congratulate the chairman of the committee and the chairman of the subcommittee. They have certainly made my few months in this job a pleasure. I have enjoyed working with them, and I think we have accomplished a lot. I particularly enjoy the way the gentleman from California [Mr. ROHRABACHER] has approached the hearings of the committee and I look forward to working with him more thoroughly as we move on through the year.

In closing, I would just like to make the point that NASA is an important part of America's total investment in R&D. NASA has pushed back the boundaries in countless areas of space and technology. We have so much to be thankful to NASA for. Their aeronautics programs have helped stimulate the growth and prosperity of our Nation's aviation industry, an industry that is the envy of all the world. Most importantly, NASA's programs have inspired our youth. NASA's achievements are a proud symbol of America's technological superiority and our citizens have reaped a bountiful harvest from our investment in the space program.

In sum, I believe that H.R. 1275 is a bill that maintains a balanced civil space program and maintains America's leadership in space. I urge my fellow Members to support this bill.

Ms. HARMAN. Mr. Chairman. I rise today to voice my strong support for H.R. 1275, the Civilian Space Authorization Act.

I have said time and time again here on the House floor, and in the Science Committee during the last two Congresses when I had the honor of serving on that committee, that we must provide the Nation with an adequately funded civilian space program which balances human space flight with science, aeronautics, and technology. While we must act swiftly to balance the budget, I believe we must be careful to not make shortsighted cuts in our country's research and development efforts.

In my view, H.R. 1275 gives our Nation a balanced space program. The bill moves us toward a permanent human presence in space, toward new and exciting scientific discoveries, and finally toward the development of a fully-reusable launch vehicle.

I am particularly pleased that this legislation fully-funds NASA's Mission to Planet Earth. From the unique vantage point of space, NASA's Earth observing satellites will help us understand our changing planet. Mission to Planet Earth will provide us with scientific answers to a wide range of global change questions.

We'll learn more about our planet's ozone layer and its polar ice caps. Most importantly, because of its comprehensive nature, Mission to Planet Earth will allow scientists to study the interplay between land, sea, and air here on our planet—perhaps to one day avoid the devastation which the residents of the Northern Plains are currently suffering.

In addition to these and other scientific benefits, Mission to Planet Earth data will have immediate practical applications. Farmers will make use of soil condition information as they seek to better plant their crops. Firefighters are already using NASA remote sensing data to help them battle forest fires. The list goes on and on.

Mr. Chairman, it was unfortunate that the 104th Congress was such a difficult one for Mission to Planet Earth, where the program was tossed around like a partisan football. But today, in a new Congress under new leadership, I would like to congratulate Science Committee Chairman JAMES SENSENBRENNER and Ranking Member GEORGE BROWN; and Space Subcommittee Chairman DANA ROHRABACHER and Ranking Member BUD CRAMER for putting partisanship behind and unifying support for this important program.

I urge my colleagues to support this legislation, which will continue our country's leadership in space well into the 21st century.

Mr. HILLEARY. Mr. Chairman, I rise to encourage the House Members to vote for H.R. 1275, Civilian Space Authorization Act. It is a good bill that authorizes vital programs and includes helpful language that affects the whole country.

This bill has provisions to update the language of the Unitary Wind Tunnel Act of 1949 which originally declared that the NASA Administrator and the Secretary of Defense should jointly develop a plan for construction of:

> Wind tunnel facilities for the solution of research, development, and evaluation problems in aeronautics at educational institutions within the continental limits of the United States for training and research in aeronautics, and to revise the uncompleted portions of the unitary plan from time to time to accord with changes in national defense requirements and scientific and technical advances.

The field of aeronautics has received many advances since this act was last amended in 1958—almost four decades ago. Unfortunately, as this Nation's facilities are showing their age, and the European countries, in a consortium, recently opened a new transonic wind tunnel which is technologically superior to any in the United States. This will have a direct effect on improving the competitiveness of European aircraft in the global market.

Mr. Chairman, just a few short years ago, the U.S. aerospace industry accounted for around 70 percent of the global market, recent reports show that we may have dropped below 50 percent. This loss of market share costs us billions of dollars in our trade deficit and each percentage point of global aerospace market lost by our domestic companies translates into Americans losing their jobs.

A study conducted by the National Research Council [NRC] in 1992 identified that our current wind tunnel facilities are inadequate for maintaining aeronautical superiority into the next century.

I believe that the integrated planning and organizational framework envisioned in the Unitary Wind Tunnel Plan Act of 1949, as amended in H.R. 1275, is a suitable and appropriate vehicle for the planning, development, and operation of aeronautics research and test facilities and activities in transonic, supersonic, and hypersonic flight regimes, since all regimes influence performance, cost and competition for civil aviation directly undertaken in whole or in part by NASA.

Although plans to build a new wind tunnel facility have been deferred, I believe the amendment included in the bill will properly update the Unitary Wind Tunnel Act to account for technological advances.

This will lay the proper foundation in the law should Congress and industry agree to construct new facilities in the future.

I thank Mr. ROHRABACHER for his foresight in adding this technical amendment to the manager's amendment and I encourage my colleagues to support this bill.

Mr. BLILEY. Mr. Chairman, I would like to insert attached letter in the RECORD as part of the debate on H.R. 1275 to note the interests of the Committee on Commerce in this piece of legislation.

APRIL 24, 1997.

HON. NEWT GINGRICH,
Speaker, U.S. House of Representatives, Washington, DC.

DEAR MR. SPEAKER: On April 17, 1997, the Committee on Science ordered reported H.R. 1275, the Civilian Space Authorization Act. This measure authorizes appropriations for the National Aeronautics Space Administration (NASA), and other space-related projects that include provisions on interstate and foreign commerce, and communications issues within the jurisdiction of the Committee on Commerce.

The bill has provisions that would regulate ''commercial providers,'' defined in section 3(2) as ''any person providing space transportation services or other space-related activities, primary control of which is'' privately held. Of particular concern in this definition is the term ''space-related activities,'' which would be interpreted to include both commerce and communications activities. In fact, this term could encompass policy and regulatory activities for communications or spectrum operations, including those that involve the use of satellite systems, within the jurisdiction of the Commerce Committee.

Section 303 of the bill, which establishes the Office of Space Commerce, raises similar concerns. For example, one of the six ''primary responsibilities'' of the Office of Space Commerce mandated in section 303(b)(5) would be to represent the Department of Commerce in the ''development of U.S. policies and in negotiations with foreign countries to ensure free and fair trade internationally in the area of space commerce.'' This provision implicates the Commerce Committee's jurisdiction regarding interstate and foreign commerce, particularly

with regard to communications policy in the international marketplace.

With regard to satellite systems, section 321 refers to the use of a NASA Tracking Data Relay Satellite System (TDRSS). The Commerce Committee has jurisdiction over policy or regulations on communications or spectrum activities, including the use of spectrum and orbital locations for satellites used for communications, as well as spectrum interference issues related to satellites, including but not limited to the TRDSS satellites. Therefore, section 321 is of jurisdictional interest to the Commerce Committee.

Nonetheless, recognizing the desire to bring this legislation expeditiously before the House, I will not seek a sequential referral of the bill. However, by not seeking a sequential referral, this Committee does not waive its jurisdictional interest in matters within the purview of the Committee. I would appreciate your support of my effort to seek conferees on all provisions of the bill that are within the Commerce Committee's jurisdiction during any House-Senate conference that may be convened on this legislation.

Sincerely,

TOM BLILEY,
Chairman.

Mr. CRAMER. Mr. Chairman, I yield back the balance of my time.

Mr. SENSENBRENNER. Mr. Chairman, I have no further requests for time, and I also yield back the balance of my time.

The CHAIRMAN pro tempore (Mr. LAHOOD). All time for general debate has expired.

Pursuant to the rule, the committee amendment in the nature of a substitute printed in the bill shall be considered under the 5-minute rule by titles and each title shall be considered read.

During consideration of the bill for amendment, the Chair may accord priority in recognition to a Member offering an amendment that he has printed in the designated place in the CONGRESSIONAL RECORD. Those amendments will be considered read.

The Clerk will designate section 1.

The text of section 1 is as follows:

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Civilian Space Authorization Act, Fiscal Years 1998 and 1999''.

(b) TABLE OF CONTENTS.—

Sec. 1. Short title; table of contents.
Sec. 2. Findings.
Sec. 3. Definitions.

TITLE I—AUTHORIZATION OF APPROPRIATIONS

SUBTITLE A—AUTHORIZATIONS

Sec. 101. Human space flight.
Sec. 102. Science, aeronautics, and technology.
Sec. 103. Mission support.
Sec. 104. Inspector General.
Sec. 105. Total authorization.
Sec. 106. Office of Commercial Space Transportation authorization.
Sec. 107. Office of Space Commerce.
Sec. 108. United States-Mexico Foundation for Science.

SUBTITLE B—RESTRUCTURING THE NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

Sec. 111. Findings.
Sec. 112. Restructuring reports.

SUBTITLE C—LIMITATIONS AND SPECIAL AUTHORITY

Sec. 121. Use of funds for construction.
Sec. 122. Availability of appropriated amounts.
Sec. 123. Reprogramming for construction of facilities.
Sec. 124. Consideration by committees.
Sec. 125. Limitation on obligation of unauthorized appropriations.
Sec. 126. Use of funds for scientific consultations or extraordinary expenses.
Sec. 127. Mission to Planet Earth limitation.
Sec. 128. Space operations.
Sec. 129. International Space University Limitation.
Sec. 130. Space Station program responsibilities transfer limitation.

TITLE II—INTERNATIONAL SPACE STATION

Sec. 201. Findings.
Sec. 202. Commercialization of Space Station.
Sec. 203. Space Station accounting reports.
Sec. 204. Report on international hardware agreements.
Sec. 205. International Space Station limitations.

TITLE III—MISCELLANEOUS PROVISIONS

Sec. 301. Commercial space launch amendments.
Sec. 302. Requirement for independent cost analysis.
Sec. 303. Office of Space Commerce.
Sec. 304. National Aeronautics and Space Act of 1958 amendments.
Sec. 305. Procurement.
Sec. 306. Acquisition of space science data.
Sec. 307. Commercial space goods and services.
Sec. 308. Acquisition of earth science data.
Sec. 309. EOSDIS report.
Sec. 310. Shuttle privatization.
Sec. 311. Launch voucher demonstration program amendments.
Sec. 312. Use of abandoned and underutilized buildings, grounds, and facilities.
Sec. 313. Cost effectiveness calculations.
Sec. 314. Foreign contract limitation.
Sec. 315. Authority to reduce or suspend contract payments based on substantial evidence of fraud.
Sec. 316. Next Generation Internet.
Sec. 317. Limitations.
Sec. 318. Notice.
Sec. 319. Sense of Congress on the Year 2000 problem.
Sec. 320. National Oceanographic Partnership Program.
Sec. 321. National Science Foundation Antarctic Program.
Sec. 322. Buy American.

The CHAIRMAN pro tempore. Are there amendments to section 1?

Mr. SENSENBRENNER. Mr. Chairman, I ask unanimous consent that the remainder of the committee amendment in the nature of a substitute be printed in the RECORD and open to amendment at any point.

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

The text of the remainder of the committee amendment in the nature of a substitute is as follows:

SEC. 2. FINDINGS.

The Congress makes the following findings:

(1) The National Aeronautics and Space Administration should aggressively pursue actions and reforms directed at reducing institutional costs, including management restructuring, facility consolidation, procurement reform, personnel base downsizing, and convergence with other defense and commercial sector systems.

(2) The National Aeronautics and Space Administration must reverse its current trend toward becoming an operational agency, and return to its proud history as the Nation's leader in basic scientific, air, and space research.

(3) The United States is on the verge of creating and using new technologies in microsatellites, information processing, and space launches that could radically alter the manner in which the Federal Government approaches its space mission.

(4) The overwhelming preponderance of the Federal Government's requirements for routine, nonemergency manned and unmanned space transportation can be met most effectively, efficiently, and economically by a free and competitive market in privately developed and operated space transportation services.

(5) In formulating a national space transportation service policy, the National Aeronautics and Space Administration should aggressively promote the pursuit by commercial providers of development of advanced space transportation technologies including reusable space vehicles, single-stage-to-orbit vehicles, and human space systems.

(6) The Federal Government should invest in the types of research and innovative technology in which United States commercial providers do not invest, while avoiding competition with the activities in which United States commercial providers do invest.

(7) International cooperation in space exploration and science activities serves the United States national interest—

(A) when it—

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

(ii) enables the United States to pursue missions that it could not otherwise afford to pursue unilaterally; or

(iii) enhances United States capabilities to use and develop space for the benefit of United States citizens; and

(B) when it does not—

(i) otherwise harm or interfere with the ability of United States commercial providers to develop or explore space commercially;

(ii) interfere with the ability of Federal agencies to use space to complete their missions;

(iii) undermine the ability of United States commercial providers to compete favorably with foreign entities in the commercial space arena; or

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

(8) The National Aeronautics and Space Administration and the Department of Defense can cooperate more effectively in leveraging their mutual capabilities to conduct joint space missions that improve United States space capabilities and reduce the cost of conducting space missions.

SEC. 3. DEFINITIONS.

For purposes of this Act—

(1) the term ''Administrator'' means the Administrator of the National Aeronautics and Space Administration;

(2) the term ''commercial provider'' means any person providing space transportation services or other space-related activities, primary control of which is held by persons other than Federal, State, local, and foreign governments;

(3) the term ''institution of higher education'' has the meaning given such term in section 1201(a) of the Higher Education Act of 1965 (20 U.S.C. 1141(a));

(4) the term ''State'' means each of the several States of the Union, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, and any other commonwealth, territory, or possession of the United States; and

(5) the term ''United States commercial provider'' means a commercial provider, organized under the laws of the United States or of a State, which is—

(A) more than 50 percent owned by United States nationals; or

(B) a subsidiary of a foreign company and the Secretary of Transportation finds that—

(i) such subsidiary has in the past evidenced a substantial commitment to the United States market through—

(I) investments in the United States in long-term research, development, and manufacturing (including the manufacture of major components and subassemblies); and

(II) significant contributions to employment in the United States; and

(ii) the country or countries in which such foreign company is incorporated or organized, and, if appropriate, in which it principally conducts its business, affords reciprocal treatment to companies described in subparagraph (A) comparable to that afforded to such foreign company's subsidiary in the United States, as evidenced by—

(I) providing comparable opportunities for companies described in subparagraph (A) to participate in Government sponsored research and development similar to that authorized under this Act;

(II) providing no barriers to companies described in subparagraph (A) with respect to local investment opportunities that are not provided to foreign companies in the United States; and

(III) providing adequate and effective protection for the intellectual property rights of companies described in subparagraph (A).

TITLE I—AUTHORIZATION OF APPROPRIATIONS

Subtitle A—Authorizations

SEC. 101. HUMAN SPACE FLIGHT.

There are authorized to be appropriated to the National Aeronautics and Space Administration for Human Space Flight the following amounts:

(1) For the Space Station—

(A) for fiscal year 1998, $2,121,300,000, of which $400,500,000, notwithstanding section 121(a)—

(i) shall only be for Space Station research or for the purposes described in section 102(2); and

(ii) shall be administered by the Office of Life and Microgravity Sciences and Applications; and

(B) for fiscal year 1999, $2,109,200,000, of which $496,200,000, notwithstanding section 121(a)—

(i) shall only be for Space Station research or for the purposes described in section 102(2); and

(ii) shall be administered by the Office of Life and Microgravity Sciences and Applications.

(2) For Space Shuttle Operations—

(A) for fiscal year 1998, $2,494,400,000; and

(B) for fiscal year 1999, $2,625,600,000.

(3) For Space Shuttle Safety and Performance Upgrades—

(A) for fiscal year 1998, $483,400,000, including related Construction of Facilities for—

(i) Repair of Payload Changeout Room Wall in Ceiling, Pad A, Kennedy Space Center, $2,200,000;

(ii) Restoration of Pad Surface and Slope, Kennedy Space Center, $1,800,000; and

(iii) Rehabilitation of 480V Electrical Distribution System, Kennedy Space Center, $2,800,000; and

(B) for fiscal year 1999, $392,900,000.

(4) For Payload and Utilization Operations—

(A) for fiscal year 1998, $247,400,000; and

(B) for fiscal year 1999, $178,600,000.

SEC. 102. SCIENCE, AERONAUTICS, AND TECHNOLOGY.

There are authorized to be appropriated to the National Aeronautics and Space Administration for Science, Aeronautics, and Technology the following amounts:

(1) For Space Science—

(A) for fiscal year 1998, $2,079,800,000, of which—

(i) $47,600,000 shall be for the Gravity Probe B;

(ii) $5,000,000 shall be for participation in Clementine 2 (Air Force Program Element 0603401F ''Advanced Spacecraft Technology'');

(iii) $3,400,000 shall be for the Near Earth Object Survey;

(iv) $529,400,000 shall be for Mission Operations and Data Analysis, of which $150,000,000 shall be for data analysis; and

(v) $5,000,000 shall be for the Solar B program; and

(B) for fiscal year 1999, $2,085,400,000, of which—

(i) $5,000,000 shall be for participation in Clementine 2 (Air Force Program Element 0603401F ''Advanced Spacecraft Technology'');

(ii) $3,400,000 shall be for the Near Earth Object Survey;

(iii) $561,100,000 shall be for Mission Operations and Data Analysis, of which $184,400,000 shall be for data analysis; and

(iv) $15,000,000 shall be for the Solar B program.

(2) For Life and Microgravity Sciences and Applications—

(A) for fiscal year 1998, $234,200,000, of which—

(i) $2,000,000 shall be for research and early detection systems for breast and ovarian cancer and other women's health issues; and

(ii) $2,000,000, shall be for modifications for the installation of the Bio-Plex, Johnson Space Center; and

(B) for fiscal year 1999, $249,800,000, of which $2,000,000 shall be for research and early detection systems for breast and ovarian cancer and other women's health issues.

(3) For Mission to Planet Earth, subject to the limitations set forth in section 127—

(A) for fiscal year 1998, $1,417,300,000, of which—

(i) $50,000,000 shall be for commercial Earth science data purchases under section 308(a);

(ii) $8,000,000 shall be for continuing operations of the Midcourse Space Experiment spacecraft constructed for the Ballistic Missile Defense Organization, except that such funds may not be obligated unless the Administrator receives independent validation of the scientific requirements for Midcourse Space Experiment data; and

(iii) $10,000,000 shall be for the lightning mapper, except that such funds may not be obligated unless the Administrator receives independent validation of the scientific requirements for lightning mapper data; and

(B) for fiscal year 1999, $1,446,300,000, of which—

(i) $50,000,000 shall be for commercial Earth science data purchases under section 308(a); and

(ii) $10,000,000 shall be for the lightning mapper, except that such funds may not be obligated unless the Administrator receives independent validation of the scientific requirements for lightning mapper data.

(4) For Aeronautics and Space Transportation Technology—

(A) for fiscal year 1998, $1,769,500,000, of which—

(i) $915,100,000 shall be for Aeronautical Research and Technology, of which not more than $35,700,000 shall be for High Performance Computing and Communications;

(ii) $696,600,000 shall be for Advanced Space Transportation Technology, including—

(I) $333,500,000, which shall only be for the X–33 advanced technology demonstration vehicle program, including $3,700,000 for rehabilitation and modification of the B2 test stand, Stennis Space Center;

(II) $150,000,000, which shall only be for a program of focused technology demonstrations to support the competitive awarding of a contract to develop, build, and flight test an experimental single-stage-to-orbit demonstration vehicle, which will be a complementary follow-on to the X–33, and which uses design concepts different from, and technologies more advanced than, the design concepts and technologies used for the X–33 program; and

(III) $150,000,000, which shall only be for the procurement of an experimental vehicle described in subclause (II), after the expiration of 30 days after the Administrator has transmitted to the Committee on Science of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a written report including a plan for the experimental vehicle program and the projected costs thereof; and

(iii) $157,800,000 shall be for Commercial Technology, of which $10,000,000 shall be for business facilitators, selected by a National Aeronautics and Space Administration Center with an existing State partnership for the purpose of developing business facilitators, from among candidates who receive at least 40 percent State matching funds and who obtain significant participation from local community colleges; and

(B) for fiscal year 1999, $1,816,400,000, of which—

(i) $832,400,000 shall be for Aeronautical Research and Technology;

(ii) $818,600,000 shall be for Advanced Space Transportation Technology, including—

(I) $313,900,000, which shall only be for the X–33 advanced technology demonstration vehicle program;

(II) $425,000,000, which shall only be for the procurement of an experimental vehicle described in subparagraph (A)(ii)(II); and

(III) $40,770,000, which shall only be for the Advanced Space Transportation program; and

(iii) $165,400,000 shall be for Commercial Technology, of which $10,000,000 shall be for business facilitators, selected by a National Aeronautics and Space Administration Center with an existing State partnership for the purpose of developing business facilitators, from among candidates who receive at least 40 percent State matching funds and who obtain significant participation from local community colleges.

(5) For Mission Communication Services—

(A) for fiscal year 1998, $400,800,000; and

(B) for fiscal year 1999, $436,100,000.

(6) For Academic Programs—

(A) for fiscal year 1998, $102,200,000, of which—

(i) $15,300,000 shall be for the National Space Grant College and Fellowship Program; and

(ii) $46,700,000 shall be for minority university research and education, including $31,300,000 for Historically Black Colleges and Universities; and

(B) for fiscal year 1999, $108,000,000, of which $51,700,000 shall be for minority university research and education, including $33,800,000 for Historically Black Colleges and Universities.

SEC. 103. MISSION SUPPORT.

There are authorized to be appropriated to the National Aeronautics and Space Administration for Mission Support the following amounts:

(1) For Safety, Reliability, and Quality Assurance—

(A) for fiscal year 1998, $37,800,000; and

(B) for fiscal year 1999, $43,000,000.

(2) For Space Communication Services—

(A) for fiscal year 1998, $245,700,000; and

(B) for fiscal year 1999, $204,400,000.

(3)(A) For Construction of Facilities, including land acquisition, for fiscal year 1998, $159,400,000, including the following:

(i) Modernization of Process Cooling System, Numerical Aerodynamic Simulation Facility, Ames Research Center, $2,700,000.

(ii) Rehabilitation and Modification of Hangar and Shop, Dryden Flight Research Center, $2,800,000.

(iii) Restoration of Chilled Water Distribution System, Goddard Space Flight Center, $2,400,000.

(iv) Restoration of Space/Terrestrial Application Facility, Goddard Space Flight Center, $4,600,000.

(v) Construction of Emergency Services Facility, Jet Propulsion Laboratory, $4,800,000.

(vi) Upgrade of Utility Annex Chilled Water Plant, Kennedy Space Center, $5,900,000.

(vii) Rehabilitation of High-Voltage System, Lewis Research Center, $9,400,000.

(viii) Modification of Chilled Water System, Marshall Space Flight Center, $7,000,000.

(ix) Minor Revitalization of Facilities at Various Locations, not in excess of $1,500,000 per project, $65,700,000.

(x) Minor construction of new facilities and additions to existing facilities at various locations, $1,100,000.

(xi) Facility planning and design, not otherwise provided for, $19,000,000.

(xii) Environmental compliance and restoration, $34,000,000.

(B) For Construction of Facilities, including land acquisition, for fiscal year 1999, $188,900,000.

(4) For Research and Program Management, including personnel and related costs, travel, and research operations support—

(A) for fiscal year 1998, $2,070,300,000; and

(B) for fiscal year 1999, $2,022,600,000.

SEC. 104. INSPECTOR GENERAL.

There are authorized to be appropriated to the National Aeronautics and Space Administration for Inspector General—

(1) for fiscal year 1998, $18,300,000; and

(2) for fiscal year 1999, $18,600,000.

SEC. 105. TOTAL AUTHORIZATION.

Notwithstanding any other provision of this title, the total amount authorized to be appropriated to the National Aeronautics and Space Administration under this Act shall not exceed—

(1) for fiscal year 1998, $13,881,800,000; and

(2) for fiscal year 1999, $13,925,800,000.

SEC. 106. OFFICE OF COMMERCIAL SPACE TRANSPORTATION AUTHORIZATION.

There are authorized to be appropriated to the Secretary of Transportation for the activities of the Office of Commercial Space Transportation—

(1) for fiscal year 1998, $6,000,000; and

(2) for fiscal year 1999, $6,000,000.

SEC. 107. OFFICE OF SPACE COMMERCE.

There are authorized to be appropriated to the Secretary of Commerce for the activities of the Office of Space Commerce established by section 303 of this Act—

(1) for fiscal year 1998, $500,000; and

(2) for fiscal year 1999, $500,000.

SEC. 108. UNITED STATES-MEXICO FOUNDATION FOR SCIENCE.

There are authorized to be appropriated to the National Aeronautics and Space Administration for the United States-Mexico Foundation for Science—

(1) $1,000,000 for fiscal year 1998; and

(2) $1,000,000 for fiscal year 1999.

Subtitle B—Restructuring the National Aeronautics and Space Administration

SEC. 111. FINDINGS.

The Congress finds that—

(1) the restructuring of the National Aeronautics and Space Administration is essential to accomplishing the space missions of the United States while simultaneously balancing the Federal budget;

(2) to restructure the National Aeronautics and Space Administration rapidly without reducing mission content and safety requires objective financial judgment; and

(3) a formal economic review of its missions and the Federal assets that support them is required in order to plan and implement needed restructuring of the National Aeronautics and Space Administration.

SEC. 112. RESTRUCTURING REPORTS.

(a) IMPLEMENTATION REPORT.—The Administrator shall transmit to Congress, no later than 90 days after the date of the enactment of this Act, a report—

(1) describing its restructuring activities by fiscal year, including, at a minimum, a description of all actions taken or planned to be taken after July 31, 1995, and before October 1, 2002, including contracts terminated or consolidated; reductions in force; relocations of personnel and facilities; sales, closures, or mothballing of capital assets or facilities; and net savings to be realized from such actions by fiscal year; and

(2) describing the status of the implementation of recommendations resulting from the Zero Base Review, particularly with respect to the designation of lead Centers and any increases and decreases in the roles and responsibilities of all Centers.

(b) PROPOSED LEGISLATION.—The President shall propose to Congress, not later than 180 days after the date of the enactment of this Act, all enabling legislation required to carry out actions described by the Administrator's report under subsection (a).

Subtitle C—Limitations and Special Authority

SEC. 121. USE OF FUNDS FOR CONSTRUCTION.

(a) AUTHORIZED USES.—Funds appropriated under sections 101 (1) through (4), 102, and 103 (1) and (2), and funds appropriated for research operations support under section 103(4), may be used for the construction of new facilities and additions to, repair of, rehabilitation of, or modification of existing facilities at any location in support of the purposes for which such funds are authorized.

(b) LIMITATION.—No funds may be expended pursuant to subsection (a) for a project, the estimated cost of which to the National Aeronautics and Space Administration, including collateral equipment, exceeds $500,000, until 30 days have passed after the Administrator has notified the Committee on Science of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate of the nature, location, and estimated cost to the National Aeronautics and Space Administration of such project.

(c) TITLE TO FACILITIES.—If funds are used pursuant to subsection (a) for grants to 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, 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 the grantee institution or organization. Each such grant shall be made under such conditions as the Administrator shall determine to be required to ensure that the United States will receive therefrom benefits adequate to justify the making of that grant.

SEC. 122. AVAILABILITY OF APPROPRIATED AMOUNTS.

To the extent provided in appropriations Acts, appropriations authorized under subtitle A may remain available without fiscal year limitation.

SEC. 123. REPROGRAMMING FOR CONSTRUCTION OF FACILITIES.

(a) IN GENERAL.—Appropriations authorized for construction of facilities under section 101(3)(A) (i) through (iii), 102 (2)(A)(ii) and (4)(A)(ii)(I), or 103(3)—

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

(2) may be varied upward by 25 percent, to meet unusual cost variations, after the expiration of 15 days following a report on the circumstances of such action by the Administrator to the Committee on Science of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate.

The aggregate amount authorized to be appropriated for construction of facilities under sections 101(3)(A) (i) through (iii), 102 (2)(A)(ii) and (4)(A)(ii)(I), and 103(3) shall not be increased as a result of actions authorized under paragraphs (1) and (2) of this subsection.

(b) SPECIAL RULE.—Where the Administrator determines that new developments in the national program of aeronautical and space activities have occurred; and that such developments require the use of additional funds for the purposes of construction, expansion, or modification of facilities at any location; and that deferral of such action until the enactment of the next National Aeronautics and Space Administration authorization Act would be inconsistent with the interest of the Nation in aeronautical and space activities, the Administrator may use up to $10,000,000 of the amounts authorized under sections 101(3)(A) (i) through (iii), 102 (2)(A)(ii) and (4)(A)(ii)(I), and 103(3) for each fiscal year for such purposes. No such funds may be obligated until a period of 30 days has passed after the Administrator has transmitted to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science of the House of Representatives a written report describing the nature of the construction, its costs, and the reasons therefor.

SEC. 124. CONSIDERATION BY COMMITTEES.

Notwithstanding any other provision of law—

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

(2) no amount appropriated to the National Aeronautics and Space Administration may be used for any program in excess of the amount actually authorized for the particular program under this title; and

(3) no amount appropriated to the National Aeronautics and Space Administration may be used for any program which has not been presented to the Congress in the President's annual budget request or the supporting and ancillary documents thereto,

unless a period of 30 days has passed after the receipt by the Committee on Science of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate of notice given by the Administrator 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. The National Aeronautics and Space Administration shall keep the Committee on Science of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate fully and currently informed with respect to all activities and responsibilities within the jurisdiction of those committees. Except as otherwise provided by law, any Federal department, agency, or independent establishment shall furnish any information requested by either committee relating to any such activity or responsibility.

SEC. 125. LIMITATION ON OBLIGATION OF UNAUTHORIZED APPROPRIATIONS.

(a) REPORTS TO CONGRESS.—

(1) REQUIREMENT.—Not later than—

(A) 30 days after the later of the date of the enactment of an Act making appropriations to the National Aeronautics and Space Administration for fiscal year 1998 and the date of the enactment of this Act; and

(B) 30 days after the date of the enactment of an Act making appropriations to the National Aeronautics and Space Administration for fiscal year 1999,

the Administrator shall submit a report to Congress and to the Comptroller General.

(2) CONTENTS.—The reports required by paragraph (1) shall specify—

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

(B) the portion of such appropriations which are authorized under this Act.

(b) FEDERAL REGISTER NOTICE.—The Administrator shall, coincident with the submission of each report required by subsection (a), publish in the Federal Register a notice of all programs, projects, or activities for which funds are appropriated but which were not authorized under this Act, and solicit public comment thereon regarding the impact of such programs, projects, or activities on the conduct and effectiveness of the national aeronautics and space program.

(c) LIMITATION.—Notwithstanding any other provision of law, no funds may be obligated for any programs, projects, or activities of the National Aeronautics and Space Administration for fiscal year 1998 or 1999 not authorized under this Act until 30 days have passed after the close of the public comment period contained in a notice required by subsection (b).

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

Not more than $30,000 of the funds appropriated under section 102 may be used for scientific consultations or extraordinary expenses, upon the authority of the Administrator.

SEC. 127. MISSION TO PLANET EARTH LIMITATION.

No funds appropriated pursuant to this Act shall be used for Earth System Science Pathfinders for a fiscal year unless the Administrator has certified to the Committee on Science of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate that at least $50,000,000 are available for that fiscal year for obligations by the Commercial Remote Sensing Program at Stennis Space Center for commercial data purchases under section 308(a). No funds appropriated pursuant to section 102(3) shall—

(1) be transferred to any museum; or

(2) be used for the United States Man and the Biosphere Program, or related projects.

SEC. 128. SPACE OPERATIONS.

No funds appropriated pursuant to this Act shall be used for Phase Two of the Consolidated Space Operations Contract until a period of 30 days has passed after the Administrator has transmitted to the Committee on Science of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a written report which—

(1) compares the cost-effectiveness of the single cost-plus contract approach of the Consolidated Space Operations Contract and a multiple fixed-price contracts approach;

(2) analyzes the differences in the competition generated through the bidding process used for the Consolidated Space Operations Contract as opposed to multiple fixed-price contracts; and

(3) describes how the Consolidated Space Operations Contract can be transformed into fixed-price contracts, and whether the National Aeronautics and Space Administration intends to make such a transition.

SEC. 129. INTERNATIONAL SPACE UNIVERSITY LIMITATION.

No funds appropriated pursuant to this Act shall be used to pay the tuition or living expenses of any National Aeronautics and Space Administration employee attending the International Space University.

SEC. 130. SPACE STATION PROGRAM RESPONSIBILITIES TRANSFER LIMITATION.

No funds appropriated pursuant to this Act shall be used to transfer any Space Station program responsibilities in effect at any National Aeronautics and Space Administration Center as of October 1, 1996.

TITLE II—INTERNATIONAL SPACE STATION

SEC. 201. FINDINGS.

The Congress finds that—

(1) the development, assembly, and operation of the International Space Station is in the national interest of the United States;

(2) the significant involvement by commercial providers in marketing and using, competitively servicing, and commercially augmenting the operational capabilities of the International Space Station during its assembly and operational phases will lower costs and increase benefits to the international partners; and

(3) when completed, the International Space Station will be the largest, most capable microgravity research facility ever developed. It will provide a lasting framework for conducting large-scale science programs with international partners and it is the next step in the human exploration of space. The United States should commit to completing this program, thereby reaping the benefits of scientific research and international cooperation.

SEC. 202. COMMERCIALIZATION OF SPACE STATION.

(a) POLICY.—The Congress declares that a priority goal of constructing the International Space Station is the economic development of Earth orbital space. The Congress further declares that free and competitive markets create the most efficient conditions for promoting economic development, and should therefore govern the economic development of Earth orbital space. The Congress further declares that the use of free market principles in operating, servicing, allocating the use of, and adding capabilities to the Space Station, and the resulting fullest possible engagement of commercial providers and participation of commercial users, will reduce Space Station operational costs for all partners and the Federal Government's share of the United States burden to fund operations.

(b) REPORTS.—(1) The Administrator shall deliver to the Committee on Science of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate, within 90 days after the date of the enactment of this Act, a study that identifies and examines—

(A) the opportunities for commercial providers to play a role in International Space Station activities, including operation, use, servicing, and augmentation;

(B) the potential cost savings to be derived from commercial providers playing a role in each of these activities;

(C) which of the opportunities described in subparagraph (A) the Administrator plans to make available to commercial providers in fiscal year 1998 and 1999;

(D) the specific policies and initiatives the Administrator is advancing to encourage and facilitate these commercial opportunities; and

(E) the revenues and cost reimbursements to the Federal Government from commercial users of the Space Station.

(2) The Administrator shall deliver to the Committee on Science of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate, within 180 days after the date of the enactment of this Act, an independently-conducted market study that examines and evaluates potential industry interest in providing commercial goods and services for the operation, servicing, and augmentation of the International Space Station, and in the commercial use of the International Space Station. This study shall also include updates to the cost savings and revenue estimates made in the study described in paragraph (1) based on the external market assessment.

(3) The Administrator shall deliver to the Congress, no later than the submission of the President's annual budget request for fiscal year 1999, a report detailing how many proposals (whether solicited or not) the National Aeronautics and Space Administration received during calendar year 1997 regarding commercial operation, servicing, utilization, or augmentation of the International Space Station, broken down by each of these four categories, and specifying how many agreements the National Aeronautics and Space Administration has entered into in response to these proposals, also broken down by these four categories.

SEC. 203. SPACE STATION ACCOUNTING REPORTS.

(a) INITIAL REPORT.—Not later than 90 days after the date of the enactment of this Act, the Administrator shall transmit to the Congress a report containing a description of all Space Station-related agreements entered into by the United States with a foreign entity after September 30, 1993, along with—

(1) a complete accounting of all costs to the United States incurred during fiscal years 1994 through 1996 pursuant to each such agreement; and

(2) an estimate of future costs to the United States pursuant to each such agreement.

(b) ANNUAL REPORTS.—Not later than 60 days after the end of each fiscal year beginning with fiscal year 1997, the Administrator shall transmit to the Congress a report containing a description of all Space Station-related agreements entered into by the United States with a foreign entity during the preceding fiscal year, along with—

(1) a complete accounting of all costs to the United States incurred during that fiscal year pursuant to each such agreement; and

(2) an estimate of future costs to the United States pursuant to each such agreement.

SEC. 204. REPORT ON INTERNATIONAL HARDWARE AGREEMENTS.

Not later than 90 days after the date of the enactment of this Act, the Administrator shall transmit to the Committee on Science of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on—

(1) agreements that have been reached with foreign entities to transfer to a foreign entity the development and manufacture of International Space Station hardware baselined to be provided by the United States; and

(2) the impact of those agreements on United States operating costs and United States utilization shares of the International Space Station.

At least 90 days before entering into any additional agreements of the type described in paragraph (1), the Administrator shall report to the Committee on Science of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate the nature of the proposed agreement and the anticipated cost, schedule, commercial, and utilization impacts of the proposed agreement.

SEC. 205. INTERNATIONAL SPACE STATION LIMITATIONS.

(a) TRANSFER OF FUNDS TO RUSSIA.—No funds or in-kind payments shall be transferred to any entity of the Russian Government or any Russian contractor to perform work on the International Space Station which the Russian Government pledged, at any time, to provide at its expense. This section shall not apply to the purchase or modification of the Russian built, United States owned Functional Cargo Block, known as the ''FGB''.

(b) CONTINGENCY PLAN FOR RUSSIAN ELEMENTS IN CRITICAL PATH.—The Administrator shall develop and deliver to Congress, within 30 days after the date of the enactment of this Act, a contingency plan for the removal or replacement of each Russian Government element of the International Space Station that lies in the Station's critical path. Such plan shall include—

(1) decision points for removing or replacing those elements if the International Space Station is to be completed by the end of the calendar year 2002;

(2) the cost of implementing each such decision; and

(3) the cost of removing or replacing a Russian Government critical path element after its decision point has passed, if—

(A) the decision at that point was not to remove or replace the Russian Government element; and

(B) the National Aeronautics and Space Administration later determines that the Russian

Government will be unable to provide the critical path element in a manner to allow completion of the International Space Station by the end of calendar year 2002.

(c) MONTHLY CERTIFICATION ON RUSSIAN STATUS.—The Administrator shall certify to the Congress on the first day of each month whether or not the Russians have performed work expected of them and necessary to complete the International Space Station by the end of calendar year 2002. Such certification shall also include a statement of the Administrator's judgment concerning Russia's ability to perform work anticipated and required to complete the International Space Station by the end of 2002 before the next certification under this subsection. Each certification under this subsection shall include a judgment that the first element launch will or will not take place by October 31, 1998.

(d) DECISION ON RUSSIAN CRITICAL PATH ITEMS.—The President shall provide to Congress a decision, by August 1, 1997, on whether or not to proceed with permanent replacement of the Service Module, and each other Russian element in the critical path for completing the International Space Station by the end of calendar year 2002. The President shall certify to Congress the reasons and justification for the decision and the costs associated with the decision. Such decision shall include a judgment that the first element launch will or will not take place by October 31, 1998, and that the stage of assembly complete will or will not take place by December 31, 2002. If the President decides, after August 1, 1997, to proceed with a permanent replacement of the Service Module or any other Russian element in the critical path, the President shall certify to Congress the reasons and justification for the decision to proceed with permanent replacement, and the costs associated with that decision, including the cost difference between making such decision by August 1, 1997, and any later date at which it is made. Such certification shall include a description of the costs of removing or replacing each critical path item, and the schedule for completing the International Space Station by the end of calendar year 2002.

(e) ASTRONAUTS ON MIR.—The National Aeronautics and Space Administration shall not place another United States astronaut on board the Mir Space Station, without the Space Shuttle attached to Mir, until the Administrator certifies to Congress that the Mir Space Station meets or exceeds United States safety standards. Such certification shall be based on an independent review of the safety of the Mir Space Station.

TITLE III—MISCELLANEOUS PROVISIONS

SEC. 301. COMMERCIAL SPACE LAUNCH AMENDMENTS.

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

(1) in the table of sections—

(A) by amending the item relating to section 70104 to read as follows:

''70104. Restrictions on launches, operations, and reentries.'';

(B) by amending the item relating to section 70108 to read as follows:

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

and

(C) by amending the item relating to section 70109 to read as follows:

''70109. Preemption of scheduled launches or reentries.'';

(2) in section 70101—

(A) by inserting ''microgravity research,'' after ''information services,'' in subsection (a)(3);

(B) by inserting '', reentry,'' after ''launching'' both places it appears in subsection (a)(4);

(C) by inserting '', reentry vehicles,'' after ''launch vehicles'' in subsection (a)(5);

(D) by inserting ''and reentry services'' after ''launch services'' in subsection (a)(6);

(E) by inserting '', reentries,'' after ''launches'' both places it appears in subsection (a)(7);

(F) by inserting '', reentry sites,'' after ''launch sites'' in subsection (a)(8);

(G) by inserting ''and reentry services'' after ''launch services'' in subsection (a)(8);

(H) by inserting ''reentry sites,'' after ''launch sites,'' in subsection (a)(9);

(I) by inserting ''and reentry site'' after ''launch site'' in subsection (a)(9);

(J) by inserting '', reentry vehicles,'' after ''launch vehicles'' in subsection (b)(2);

(K) by striking ''launch'' in subsection (b)(2)(A);

(L) by inserting ''and reentry'' after ''commercial launch'' in subsection (b)(3);

(M) by striking ''launch'' after ''and transfer commercial'' in subsection (b)(3); and

(N) by inserting ''and development of reentry sites,'' after ''launch-site support facilities,'' in subsection (b)(4);

(3) in section 70102—

(A) by striking ''and any payload'' and inserting in lieu thereof ''or reentry vehicle and any payload from Earth'' in paragraph (3);

(B) by inserting ''or reentry vehicle'' after ''means of a launch vehicle'' in paragraph (8);

(C) by redesignating paragraphs (10) through (12) as paragraphs (14) through (16), respectively;

(D) by inserting after paragraph (9) the following new paragraphs:

''(10) 'reenter' and 'reentry' mean to return or attempt to return, purposefully, a reentry vehicle and its payload, if any, from Earth orbit or from outer space to Earth.

''(11) 'reentry services' means—

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

''(B) the conduct of a reentry.

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

''(13) 'reentry vehicle' means a vehicle designed to return from Earth orbit or outer space to Earth, or a reusable launch vehicle designed to return from outer space substantially intact.''; and

(E) by inserting ''or reentry services'' after ''launch services'' each place it appears in paragraph (15), as so redesignated by subparagraph (C) of this paragraph;

(4) in section 70103(b)—

(A) by inserting ''AND REENTRIES'' after ''LAUNCHES'' in the subsection heading;

(B) by inserting ''and reentries'' after ''space launches'' in paragraph (1); and

(C) by inserting ''and reentry'' after ''space launch'' in paragraph (2);

(5) in section 70104—

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

''§ 70104. Restrictions on launches, operations, and reentries'';

(B) by inserting ''or reentry site, or to reenter a reentry vehicle,'' after ''operate a launch site'' each place it appears in subsection (a);

(C) by inserting ''or reentry'' after ''launch or operation'' in subsection (a) (3) and (4);

(D) in subsection (b)—

(i) by striking ''launch license'' and inserting in lieu thereof ''license'';

(ii) by inserting ''or reenter'' after ''may launch''; and

(iii) by inserting ''or reentering'' after ''related to launching''; and

(E) in subsection (c)—

(i) by amending the subsection heading to read as follows: ''PREVENTING LAUNCHES AND REENTRIES.—'';

(ii) by inserting ''or reentry'' after ''prevent the launch''; and

(iii) by inserting ''or reentry'' after ''decides the launch'';

(6) in section 70105—

(A) by inserting ''or a reentry site, or the reentry of a reentry vehicle,'' after ''operation of a launch site'' in subsection (b)(1); and

(B) by striking ''or operation'' and inserting in lieu thereof '', operation, or reentry'' in subsection (b)(2)(A);

(7) in section 70106(a)—

(A) by inserting ''or reentry site'' after ''observer at a launch site'';

(B) by inserting ''or reentry vehicle'' after ''assemble a launch vehicle''; and

(C) by inserting ''or reentry vehicle'' after ''with a launch vehicle'';

(8) in section 70108—

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

''§ 70108. Prohibition, suspension, and end of launches, operation of launch sites and reentry sites, and reentries'';

and

(B) in subsection (a)—

(i) by inserting ''or reentry site, or reentry of a reentry vehicle,'' after ''operation of a launch site''; and

(ii) by inserting ''or reentry'' after ''launch or operation'';

(9) in section 70109—

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

''§ 70109. Preemption of scheduled launches or reentries'';

(B) in subsection (a)—

(i) by inserting ''or reentry'' after ''ensure that a launch'';

(ii) by inserting '', reentry site,'' after ''United States Government launch site'';

(iii) by inserting ''or reentry date commitment'' after ''launch date commitment'';

(iv) by inserting ''or reentry'' after ''obtained for a launch'';

(v) by inserting '', reentry site,'' after ''access to a launch site'';

(vi) by inserting '', or services related to a reentry,'' after ''amount for launch services''; and

(vii) by inserting ''or reentry'' after ''the scheduled launch''; and

(C) in subsection (c), by inserting ''or reentry'' after ''prompt launching'';

(10) in section 70110—

(A) by inserting ''or reentry'' after ''prevent the launch'' in subsection (a)(2); and

(B) by inserting ''or reentry site, or reentry of a reentry vehicle,'' after ''operation of a launch site'' in subsection (a)(3)(B);

(11) in section 70111—

(A) by inserting ''or reentry'' after ''launch'' in subsection (a)(1)(A);

(B) by inserting ''and reentry services'' after ''launch services'' in subsection (a)(1)(B);

(C) by inserting ''or reentry services'' after ''or launch services'' in subsection (a)(2);

(D) by inserting ''or reentry'' after ''commercial launch'' both places it appears in subsection (b)(1);

(E) by inserting ''or reentry services'' after ''launch services'' in subsection (b)(2)(C);

(F) by striking ''or its payload for launch'' in subsection (d) and inserting in lieu thereof ''or reentry vehicle, or the payload of either, for launch or reentry''; and

(G) by inserting '', reentry vehicle,'' after ''manufacturer of the launch vehicle'' in subsection (d);

(12) in section 70112—

(A) by inserting ''or reentry'' after ''one launch'' in subsection (a)(3);

(B) by inserting ''or reentry services'' after ''launch services'' in subsection (a)(4);

(C) by inserting ''or reentry services'' after ''launch services'' each place it appears in subsection (b);

(D) by inserting ''applicable'' after ''carried out under the'' in paragraphs (1) and (2) of subsection (b);

(E) by inserting ''OR REENTRIES'' after ''LAUNCHES'' in the heading for subsection (e); and

(F) by inserting ''or reentry site or a reentry'' after ''launch site'' in subsection (e);

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

(14) in section 70115(b)(1)(D)(i)—

(A) by inserting ''reentry site,'' after ''launch site,''; and

(B) by inserting ''or reentry vehicle'' after ''launch vehicle'' both places it appears; and

(15) in section 70117—

(A) by inserting ''or reentry site, or to reenter a reentry vehicle'' after ''operate a launch site'' in subsection (a);

(B) by inserting ''or reentry'' after ''approval of a space launch'' in subsection (d);

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

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

(D) in subsection (g)—

(i) by striking ''operation of a launch vehicle or launch site,'' in paragraph (1) and inserting in lieu thereof ''reentry, operation of a launch vehicle or reentry vehicle, or operation of a launch site or reentry site,''; and

(ii) by inserting ''reentry,'' after ''launch,'' in paragraph (2).

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

(A) by inserting ''(1)'' before ''A person may apply'' in subsection (a);

(B) by striking ''receiving an application'' both places it appears in subsection (a) and inserting in lieu thereof ''accepting an application in accordance with criteria established pursuant to subsection (b)(2)(D)'';

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

''(2) In carrying out paragraph (1), the Secretary may establish procedures for certification of the safety of a launch vehicle, reentry vehicle, or safety system, procedure, service, or personnel that may be used in conducting licensed commercial space launch or reentry activities.'';

(D) by striking ''and'' at the end of subsection (b)(2)(B);

(E) by striking the period at the end of subsection (b)(2)(C) and inserting in lieu thereof ''; and'';

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

''(D) regulations establishing criteria for accepting or rejecting an application for a license under this chapter within 60 days after receipt of such application.''; and

(G) by inserting '', or the requirement to obtain a license,'' after ''waive a requirement'' in subsection (b)(3).

(2) The amendment made by paragraph (1)(B) shall take effect upon the effective date of final regulations issued pursuant to section 70105(b)(2)(D) of title 49, United States Code, as added by paragraph (1)(F) of this subsection.

(3) Section 70102(5) of title 49, United States Code, is amended—

(A) by redesignating subparagraphs (A) and (B) as subparagraphs (B) and (C), respectively; and

(B) by inserting before subparagraph (B), as so redesignated by subparagraph (A) of this paragraph, the following new subparagraph:

''(A) activities directly related to the preparation of a launch site or payload facility for one or more launches;''.

(4) Section 70103(b) of title 49, United States Code, is amended—

(A) in the subsection heading, as amended by subsection (a)(4)(A) of this section, by inserting ''AND STATE SPONSORED SPACEPORTS'' after ''AND REENTRIES''; and

(B) in paragraph (1), by inserting ''and State sponsored spaceports'' after ''private sector''.

(5) Section 70105(a)(1) of title 49, United States Code, as amended by subsection (b)(1) of this section, is amended by inserting at the end the following: ''The Secretary shall submit to the Committee on Science of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a written notice not later than 7 days after any occurrence when a license is not issued within the deadline established by this subsection.''.

(6) Section 70111 of title 49, United States Code, is amended—

(A) in subsection (a)(1), by inserting after subparagraph (B) the following:

''The Secretary shall establish criteria and procedures for determining the priority of competing requests from the private sector and State governments for property and services under this section.'';

(B) by striking ''actual costs'' in subsection (b)(1) and inserting in lieu thereof ''additive costs only''; and

(C) by inserting after subsection (b)(2) the following new paragraph:

''(3) The Secretary shall ensure the establishment of uniform guidelines for, and consistent implementation of, this section by all Federal agencies.''.

(7) Section 70112 of title 49, United States Code, is amended—

(A) in subsection (a)(1), by inserting ''launch, reentry, or site operator'' after ''(1) When a'';

(B) in subsection (b)(1), by inserting ''launch, reentry, or site operator'' after ''(1) A''; and

(C) in subsection (f), by inserting ''launch, reentry, or site operator'' after ''carried out under a''.

(c) REGULATIONS.—(1) Chapter 701 of title 49, United States Code, is amended by adding at the end the following new section:

''§ 70120. Regulations

''The Secretary of Transportation, within 6 months after the date of the enactment of this section, shall issue regulations to carry out this chapter that include—

''(1) guidelines for industry to obtain sufficient insurance coverage for potential damages to third parties;

''(2) procedures for requesting and obtaining licenses to operate a commercial launch vehicle and reentry vehicle;

''(3) procedures for requesting and obtaining operator licenses for launch and reentry; and

''(4) procedures for the application of government indemnification.''.

(2) The table of sections for such chapter 701 is amended by adding after the item relating to section 70119 the following new item:

''70120. Regulations.''.

(d) REPORT TO CONGRESS.—(1) Chapter 701 of title 49, United States Code, is further amended by adding at the end the following new section:

''§ 70121. Report to Congress

''The Secretary of Transportation shall submit to Congress an annual report to accompany the President's budget request that—

''(1) describes all activities undertaken under this chapter, including a description of the process for the application for and approval of licenses under this chapter and recommendations for legislation that may further commercial launches and reentries; and

''(2) reviews the performance of the regulatory activities and the effectiveness of the Office of Commercial Space Transportation.''.

(2) The table of sections for such chapter 701 is further amended by adding after the item relating to section 70120, as added by subsection (c)(2) of this section, the following new item:

''70121. Report to Congress.''.

SEC. 302. REQUIREMENT FOR INDEPENDENT COST ANALYSIS.

Before any funds may be obligated for Phase C of a project that is projected to cost more than $75,000,000 in total project costs, the Chief Financial Officer for the National Aeronautics and Space Administration shall conduct an independent cost analysis of such project and shall report the results to Congress. In developing cost accounting and reporting standards for carrying out this section, the Chief Financial Officer shall, to the extent practicable and consistent with other laws, solicit the advice of expertise outside of the National Aeronautics and Space Administration.

SEC. 303. OFFICE OF SPACE COMMERCE.

(a) ESTABLISHMENT.—There is established within the Department of Commerce an Office of Space Commerce.

(b) FUNCTIONS.—The Office of Space Commerce shall be the principal unit for the coordination of space-related issues, programs, and initiatives within the Department of Commerce. The Office's primary responsibilities shall include—

(1) promoting commercial provider investment in space activities by collecting, analyzing, and disseminating information on space markets, and conducting workshops and seminars to increase awareness of commercial space opportunities;

(2) assisting United States commercial providers in their efforts to do business with the United States Government, and acting as an industry advocate within the executive branch to ensure that the Federal Government meets its space-related requirement, to the fullest extent feasible, with commercially available space goods and services;

(3) ensuring that the United States Government does not compete with United States commercial providers in the provision of space hardware and services otherwise available from United States commercial providers;

(4) promoting the export of space-related goods and services;

(5) representing the Department of Commerce in the development of United States policies and in negotiations with foreign countries to ensure free and fair trade internationally in the area of space commerce; and

(6) seeking the removal of legal, policy, and institutional impediments to space commerce.

SEC. 304. NATIONAL AERONAUTICS AND SPACE ACT OF 1958 AMENDMENTS.

(a) DECLARATION OF POLICY AND PURPOSE.—Section 102 of the National Aeronautics and Space Act of 1958 (42 U.S.C. 2451) is amended—

(1) by striking subsection (f) and redesignating subsections (g) and (h) as subsections (f) and (g), respectively; and

(2) in subsection (g), as so redesignated by paragraph (1) of this subsection, by striking ''(f), and (g)'' and inserting in lieu thereof ''and (f)''.

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

(1) by striking ''January'' and inserting in lieu thereof ''May''; and

(2) by striking ''calendar'' and inserting in lieu thereof ''fiscal''.

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

(1) in subsection (a)(C), by inserting ''or (c)'' after ''subsection (b)''; and

(2) by adding at the end the following new subsection:

''(c)(1) The Administrator may, and at the request of a private sector entity shall, delay for a period of at least one day, but not to exceed 5 years, the unrestricted public disclosure of technical data in the possession of, or under the control of, the Administration that has been generated in the performance of experimental, developmental, or research activities or programs funded jointly by the Administration and such private sector entity.

''(2) Within 1 year after the date of the enactment of the Civilian Space Authorization Act,

Fiscal Years 1998 and 1999, the Administrator shall issue regulations to carry out this subsection. Paragraph (1) shall not take effect until such regulations are issued.

''(3) Regulations issued pursuant to paragraph (2) shall include—

''(A) guidelines for a determination of whether data is technical data within the meaning of this subsection;

''(B) provisions to ensure that technical data is available for dissemination within the United States to United States persons and entities in furtherance of the objective of maintaining leadership or competitiveness in civil and governmental aeronautical and space activities by the United States industrial base; and

''(C) a specification of the period or periods for which the delay in unrestricted public disclosure of technical data is to apply to various categories of such data, and the restrictions on disclosure of such data during such period or periods, including a requirement that the maximum 5-year protection under this subsection shall not be provided unless at least 50 percent of the funding for the activities or programs is provided by the private sector.

''(4) The Administrator shall annually report to the Congress all determinations made under paragraph (1).

''(5) For purposes of this subsection, the term 'technical data' means any recorded information, including computer software, that is or may be directly applicable to the design, engineering, development, production, manufacture, or operation of products or processes that may have significant value in maintaining leadership or competitiveness in civil and governmental aeronautical and space activities by the United States industrial base.''.

SEC. 305. PROCUREMENT.

(a) PROCUREMENT DEMONSTRATION PROGRAM.—

(1) IN GENERAL.—The Administrator shall establish a program of expedited technology procurement for the purpose of demonstrating how innovative technology concepts can rapidly be brought to bear upon space missions of the National Aeronautics and Space Administration.

(2) PROCEDURES AND EVALUATION.—The Administrator shall establish procedures for actively seeking from persons outside the National Aeronautics and Space Administration innovative technology concepts, relating to the provision of space hardware, technology, or service to the National Aeronautics and Space Administration.

(3) SPECIAL AUTHORITY.—In order to carry out this subsection the Administrator shall recruit and hire for limited term appointments persons from outside the National Aeronautics and Space Administration with special expertise and experience related to the innovative technology concepts with respect to which procurements are made under this subsection.

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

(b) TECHNOLOGY PROCUREMENT INITIATIVE.—

(1) IN GENERAL.—The Administrator shall coordinate National Aeronautics and Space Administration resources in the areas of procurement, commercial programs, and advanced technology in order to—

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

(B) achieve a continuous pattern of integrating advanced technology from the commercial sector, and from Federal sources outside the National Aeronautics and Space Administration, into the missions and programs of the National Aeronautics and Space Administration;

(C) incorporate private sector buying and bidding procedures, including fixed price contracts, into procurements; and

(D) provide incentives for cost-plus contractors of the National Aeronautics and Space Administration to integrate commercially available technology in subsystem contracts on a fixed-price basis.

(2) CERTIFICATION.—Upon solicitation of any procurement for space hardware, technology, or services that are not commercially available, the Administrator shall certify, by publication of a notice and opportunity to comment in the Commerce Business Daily, for each such procurement action, that no functional equivalent, commercially, available space hardware, technology, or service exists and that no commercial method of procurement is available.

SEC. 306. ACQUISITION OF SPACE SCIENCE DATA.

(a) ACQUISITION FROM COMMERCIAL PROVIDERS.—The Administrator shall, to the maximum extent possible and while satisfying the scientific requirements of the National Aeronautics and Space Administration, acquire, where cost effective, space science data from a commercial provider.

(b) TREATMENT OF SPACE SCIENCE DATA AS COMMERCIAL ITEM UNDER ACQUISITION LAWS.—Acquisitions of space science data by the Administrator shall be carried out in accordance with applicable acquisition laws and regulations (including chapters 137 and 140 of title 10, United States Code), except that space science data shall be considered to be a commercial item for purposes of such laws and regulations (including section 2306a of title 10, United States Code (relating to cost or pricing data), section 2320 of such title (relating to rights in technical data) and section 2321 of such title (relating to validation of proprietary data restrictions)).

(c) DEFINITION.—For purposes of this section, the term ''space science data'' includes scientific data concerning the elemental and mineralogical resources of the moon and the planets, Earth environmental data obtained through remote sensing observations, and solar storm monitoring.

(d) SAFETY STANDARDS.—Nothing in this section shall be construed to prohibit the Federal Government from requiring compliance with applicable safety standards.

(e) LIMITATION.—This section does not authorize the National Aeronautics and Space Administration to provide financial assistance for the development of commercial systems for the collection of space science data.

SEC. 307. COMMERCIAL SPACE GOODS AND SERVICES.

The National Aeronautics and Space Administration shall purchase commercially available space goods and services to the fullest extent feasible, and shall not conduct activities that preclude or deter commercial space activities except for reasons of national security or public safety. A space good or service shall be deemed commercially available if it is offered by a United States commercial provider, or if it could be supplied by a United States commercial provider in response to a Government procurement request. For purposes of this section, a purchase is feasible if it meets mission requirements in a cost-effective manner.

SEC. 308. ACQUISITION OF EARTH SCIENCE DATA.

(a) ACQUISITION.—For purposes of meeting Government goals for Mission to Planet Earth, the Administrator shall, to the maximum extent possible and while satisfying the scientific requirements of the National Aeronautics and Space Administration, acquire, where cost-effective, space-based and airborne Earth remote sensing data, services, distribution, and applications from a commercial provider.

(b) TREATMENT AS COMMERCIAL ITEM UNDER ACQUISITION LAWS.—Acquisitions by the Administrator of the data, services, distribution, and applications referred to in subsection (a) shall be carried out in accordance with applicable acquisition laws and regulations (including chapters 137 and 140 of title 10, United States Code), except that such data, services, distribution, and applications shall be considered to be a commercial item for purposes of such laws and regulations (including section 2306a of title 10, United States Code (relating to cost or pricing data), section 2320 of such title (relating to rights in technical data) and section 2321 of such title (relating to validation of proprietary data restrictions)).

(c) STUDY.—(1) The Administrator shall conduct a study to determine the extent to which the baseline scientific requirements of Mission to Planet Earth can be met by commercial providers, and how the National Aeronautics and Space Administration will meet such requirements which cannot be met by commercial providers.

(2) The study conducted under this subsection shall—

(A) make recommendations to promote the availability of information from the National Aeronautics and Space Administration to commercial providers to enable commercial providers to better meet the baseline scientific requirements of Mission to Planet Earth;

(B) make recommendations to promote the dissemination to commercial providers of information on advanced technology research and development performed by or for the National Aeronautics and Space Administration; and

(C) identify policy, regulatory, and legislative barriers to the implementation of the recommendations made under this subsection.

(3) The results of the study conducted under this subsection shall be transmitted to the Congress within 6 months after the date of the enactment of this Act.

(d) SAFETY STANDARDS.—Nothing in this section shall be construed to prohibit the Federal Government from requiring compliance with applicable safety standards.

(e) ADMINISTRATION AND EXECUTION.—This section shall be carried out as part of the Commercial Remote Sensing Program at the Stennis Space Center.

SEC. 309. EOSDIS REPORT.

Not later than 90 days after the date of the enactment of this Act, the Administrator shall transmit to the Committee on Science of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report which contains—

(1) an analysis of the scientific capabilities, costs, and schedule of the Earth Observing System Data and Information System (EOSDIS);

(2) an identification and analysis of the threats to the success of the EOSDIS Core System; and

(3) a plan and cost estimates for resolving the threats identified under paragraph (2) to the EOSDIS Core System before the launch of the Earth Observing System satellite known as PM–1.

SEC. 310. SHUTTLE PRIVATIZATION.

(a) POLICY AND PREPARATION.—The Administrator shall prepare for an orderly transition from the Federal operation, or Federal management of contracted operation, of space transportation systems to the Federal purchase of commercial space transportation services for all nonemergency launch requirements, including human, cargo, and mixed payloads. In those preparations, the Administrator shall take into account the need for short-term economies, as well as the goal of restoring the National Aeronautics and Space Administration's research focus and its mandate to promote the fullest possible commercial use of space. As part of those preparations, the Administrator shall plan for the potential privatization of the Space Shuttle program. Such plan shall keep safety and cost effectiveness as high priorities. Nothing in this section shall prohibit the National Aeronautics and Space Administration from studying, designing, developing, or funding upgrades or modifications essential to the safe and economical operation of the Space Shuttle fleet.

(b) FEASIBILITY STUDY.—The Administrator shall conduct a study of the feasibility of implementing the recommendation of the Independent Shuttle Management Review Team that the National Aeronautics and Space Administration

transition toward the privatization of the Space Shuttle. The study shall identify, discuss, and, where possible, present options for resolving, the major policy and legal issues that must be addressed before the Space Shuttle is privatized, including—

(1) whether the Federal Government or the Space Shuttle contractor should own the Space Shuttle orbiters and ground facilities;

(2) whether the Federal Government should indemnify the contractor for any third party liability arising from Space Shuttle operations, and, if so, under what terms and conditions;

(3) whether payloads other than National Aeronautics and Space Administration payloads should be allowed to be launched on the Space Shuttle, how missions will be prioritized, and who will decide which mission flies and when;

(4) whether commercial payloads should be allowed to be launched on the Space Shuttle and whether any classes of payloads should be made ineligible for launch consideration;

(5) whether National Aeronautics and Space Administration and other Federal Government payloads should have priority over non-Federal payloads in the Space Shuttle launch assignments, and what policies should be developed to prioritize among payloads generally;

(6) whether the public interest requires that certain Space Shuttle functions continue to be performed by the Federal Government; and

(7) how much cost savings, if any, will be generated by privatization of the Space Shuttle.

(c) REPORT TO CONGRESS.—Within 60 days after the date of the enactment of this Act, the National Aeronautics and Space Administration shall complete the study required under subsection (b) and shall submit a report on the study to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science of the House of Representatives.

SEC. 311. LAUNCH VOUCHER DEMONSTRATION PROGRAM AMENDMENTS.

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

(1) in subsection (a)—

(A) by striking ''the Office of Commercial Programs within''; and

(B) by striking ''Such program shall not be effective after September 30, 1995.'';

(2) by striking subsection (c); and

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

SEC. 312. USE OF ABANDONED AND UNDERUTILIZED BUILDINGS, GROUNDS, AND FACILITIES.

(a) IN GENERAL.—In meeting the needs of the National Aeronautics and Space Administration for additional facilities, the Administrator, whenever feasible, shall select abandoned and underutilized buildings, grounds, and facilities in depressed communities that can be converted to National Aeronautics and Space Administration facilities at a reasonable cost, as determined by the Administrator.

(b) DEFINITIONS.—For purposes of this section, the term ''depressed communities'' means rural and urban communities that are relatively depressed, in terms of age of housing, extent of poverty, growth of per capita income, extent of unemployment, job lag, or surplus labor.

SEC. 313. COST EFFECTIVENESS CALCULATIONS.

In calculating the cost effectiveness of the cost of the National Aeronautics and Space Administration engaging in an activity as compared to a commercial provider, the Administrator shall compare the cost of the National Aeronautics and Space Administration engaging in the activity using full cost accounting principles with the price the commercial provider will charge for such activity.

SEC. 314. FOREIGN CONTRACT LIMITATION.

The National Aeronautics and Space Administration shall not enter into any agreement or contract with a foreign government that grants the foreign government the right to recover profit in the event that the agreement or contract is terminated.

SEC. 315. AUTHORITY TO REDUCE OR SUSPEND CONTRACT PAYMENTS BASED ON SUBSTANTIAL EVIDENCE OF FRAUD.

Section 2307(h)(8) of title 10, United States Code, is amended by striking ''and (4)'' and inserting in lieu thereof ''(4), and (6)''.

SEC. 316. NEXT GENERATION INTERNET.

None of the funds authorized by this Act, or any other Act enacted before the date of the enactment of this Act, may be used for the Next Generation Internet. Notwithstanding the previous sentence, funds may be used for the continuation of programs and activities that were funded and carried out during fiscal year 1997.

SEC. 317. LIMITATIONS.

(a) PROHIBITION OF LOBBYING ACTIVITIES.—None of the funds authorized by this Act and the amendments made by this Act shall be available for any activity whose purpose is to influence legislation pending before the Congress, except that this subsection shall not prevent officers or employees of the United States or of its departments or agencies from communicating to Members of Congress on the request of any Member or to Congress, through the proper channels, requests for legislation or appropriations which they deem necessary for the efficient conduct of the public business.

(b) LIMITATION ON APPROPRIATIONS.—No sums are authorized to be appropriated to the Administrator for fiscal years 1998 and 1999 for the activities for which sums are authorized by this Act and the amendments made by this Act, unless such sums are specifically authorized to be appropriated by this Act or the amendments made by this Act.

(c) ELIGIBILITY FOR AWARDS.—

(1) IN GENERAL.—The Administrator shall exclude from consideration for grant agreements made by the National Aeronautics and Space Administration after fiscal year 1997 any person who received funds, other than those described in paragraph (2), appropriated for a fiscal year after fiscal year 1997, under a grant agreement from any Federal funding source for a project that was not subjected to a competitive, merit-based award process. Any exclusion from consideration pursuant to this subsection shall be effective for a period of 5 years after the person receives such Federal funds.

(2) EXCEPTION.—Paragraph (1) shall not apply to the receipt of Federal funds by a person due to the membership of that person in a class specified by law for which assistance is awarded to members of the class according to a formula provided by law.

(3) DEFINITION.—For purposes of this subsection, the term ''grant agreement'' means a legal instrument whose principal purpose is to transfer a thing of value to the recipient to carry out a public purpose of support or stimulation authorized by a law of the United States, and does not include the acquisition (by purchase, lease, or barter) of property or services for the direct benefit or use of the United States Government. Such term does not include a cooperative agreement (as such term is used in section 6305 of title 31, United States Code) or a cooperative research and development agreement (as such term is defined in section 12(d)(1) of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3710a(d)(1))).

SEC. 318. NOTICE.

(a) NOTICE OF REPROGRAMMING.—If any funds authorized by this Act or the amendments made by this Act are subject to a reprogramming action that requires notice to be provided to the Appropriations Committees of the House of Representatives and the Senate, notice of such action shall concurrently be provided to the Committee on Science of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate.

(b) NOTICE OF REORGANIZATION.—The Administrator shall provide notice to the Committees on Science and Appropriations of the House of Representatives, and the Committees on Commerce, Science, and Transportation and Appropriations of the Senate, not later than 15 days before any major reorganization of any program, project, or activity of the National Aeronautics and Space Administration.

SEC. 319. SENSE OF CONGRESS ON THE YEAR 2000 PROBLEM.

With the year 2000 fast approaching, it is the sense of Congress that the National Aeronautics and Space Administration should—

(1) give high priority to correcting all 2-digit date-related problems in its computer systems to ensure that those systems continue to operate effectively in the year 2000 and beyond;

(2) assess immediately the extent of the risk to the operations of the National Aeronautics and Space Administration posed by the problems referred to in paragraph (1), and plan and budget for achieving Year 2000 compliance for all of its mission-critical systems; and

(3) develop contingency plans for those systems that the National Aeronautics and Space Administration is unable to correct in time.

SEC. 320. NATIONAL OCEANOGRAPHIC PARTNERSHIP PROGRAM.

The National Aeronautics and Space Administration is authorized to participate in the National Oceanic Partnership Program established by the National Oceanic Partnership Act (Public Law 104–201).

SEC. 321. NATIONAL SCIENCE FOUNDATION ANTARCTIC PROGRAM.

If the Administrator determines that excess capacity is available on the Tracking Data Relay Satellite System (TDRSS), the Administrator shall give strong consideration to meeting the needs of the National Science Foundation Antarctic Program.

SEC. 322. BUY AMERICAN.

(a) COMPLIANCE WITH BUY AMERICAN ACT.—No funds appropriated pursuant to this Act or the amendments made by this Act may be expended by an entity unless the entity agrees that in expending the assistance the entity will comply with sections 2 through 4 of the Act of March 3, 1933 (41 U.S.C. 10a–10c, popularly known as the ''Buy American Act'').

(b) SENSE OF CONGRESS.—In the case of any equipment or products that may be authorized to be purchased with financial assistance provided under this Act or the amendments made by this Act, it is the sense of Congress that entities receiving such assistance should, in expending the assistance, purchase only American-made equipment and products.

(c) NOTICE TO RECIPIENTS OF ASSISTANCE.—In providing financial assistance under this Act or the amendments made by this Act, the Administrator shall provide to each recipient of the assistance a notice describing the statement made in subsection (a) by the Congress.

The CHAIRMAN pro tempore. Are there any amendments?

AMENDMENT NO. 6 OFFERED BY MR. ROHRABACHER

Mr. ROHRABACHER. Mr. Chairman, I offer an amendment.

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 6 offered by Mr. ROHRABACHER:

Page 31, lines 13 through 18, strike section 130.

Page 2, in the table of contents, strike the item relating to section 130.

Page 62, lines 11 and 12, strike ''moon and the planets'' and insert ''moon, asteroids, planets and their moons, and comets''.

Page 75, after line 12, insert the following new section:

SEC. 323. UNITARY WIND TUNNEL PLAN ACT OF 1949 AMENDMENTS.

The Unitary Wind Tunnel Plan Act of 1949 is amended—

(1) in section 101 (50 U.S.C. 511) by striking ''transsonic and supersonic'' and inserting in lieu thereof ''transsonic, supersonic, and hypersonic''; and

(2) in section 103 (50 U.S.C. 513)—

(A) by striking ''laboratories'' in subsection (a) and inserting in lieu thereof ''laboratories and centers'';

(B) by striking ''supersonic'' in subsection (a) and inserting in lieu thereof ''transsonic, supersonic, and hypersonic'', and

(C) by striking ''laboratory'' in subsection (c) and inserting in lieu thereof ''facility''.

Page 3, in the table of contents, after the item relating to section 322, insert the following:

''Sec. 323. Unitary Wind Tunnel Plan Act of 1949 amendments.''.

Mr. ROHRABACHER. Mr. Chairman, this bipartisan manager's amendment was crafted from 3 distinct minor amendments which have no impact on the funding level of this bill and simply fine-tune or add policy provisions.

The first part authored by the distinguished ranking member of the Subcommittee on Space and Aeronautics strikes a policy provision relating to freezing Space Station management responsibilities we had included in the bill at the time of the markup, and I support the language of the gentleman from Alabama [Mr. CRAMER]. The second part is a clarification of the range of scientific data we are recommending that NASA purchase from the commercial data providers.

□ 1330

There has been a lot of interest in comets and asteroids as of late. We did not want to leave them out.

Now the third part is an amendment by the gentleman from Tennessee [Mr. HILLEARY] which was offered successfully in the last Congress to perfect the language of the Unitary Wind Tunnel Plan Act of 1949 based on technological progress that has been made since 1949, and I support Mr. HILLEARY'S language.

As further evidence of how bipartisan our work in this bill has been, each of these parts were agreed to by the minority side, and so I combined them into a single amendment to save our time here on the floor.

Mr. Chairman, I yield to the gentleman from Alabama [Mr. CRAMER].

Mr. CRAMER. Mr. Chairman, I rise in support of the en bloc amendment. I will have an amendment to the amendment, but I do support the manager's amendment.

Mr. ROHRABACHER. Mr. Chairman, I yield back the balance of my time.

AMENDMENT OFFERED BY MR. CRAMER TO THE AMENDMENT OFFERED BY MR. ROHRABACHER

Mr. CRAMER. Mr. Chairman, I offer an amendment to the amendment.

The Clerk read as follows:

Amendment offered by Mr. CRAMER to the amendment offered by Mr. ROHRABACHER: At the end of the amendment add the following:

Page 14, line 14, strike ''$915,100,000'' and insert ''$920,100,000''.

Page 16, strike lines 4 through 14 and insert the following:

(iii) 152,800,000 shall be for Commercial Technology, of which $5,000,000 shall be for business facilitators, selected by the National Aeronautics and Space Administration from among candidates who receive at least 25 percent of their resources from non-Federal sources; and

Page 16, line 17, strike ''$832,400,000'' and insert ''$837,400,000''.

Page 17, strike lines 8 through 17 and insert the following:

(iii) $160,400,000 shall be for Commercial Technology, of which $5,000,000 shall be for business facilitators, selected by the National Aeronautics and Space Administration from among candidates who receive at least 25 percent of their resources from non-Federal sources.

Mr. CRAMER (during the reading). Mr. Chairman, I ask unanimous consent that the amendment to the amendment be considered as read and printed in the RECORD.

The CHAIRMAN pro tempore. (Mr. QUINN). Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. CRAMER. Mr. Chairman, the intent of my amendment is to insure the provisions in the bill dealing with the business incubators. Business incubators create a level playing field for the future establishment of additional incubators. I commend my colleague from Florida [Mr. WELDON], who was here earlier on his interest and support for the future establishment of these incubators and his willingness to work with me on this issue.

Mr. Chairman, my amendment enjoys bipartisan support, and I urge its adoption.

Mr. WELDON of Florida. Mr. Chairman, I rise in support of the change in language offered by the gentleman from Alabama. I have no intention to oppose this amendment, but accept this amendment. I am happy to craft the language in such a way that business incubators would be available at other NASA centers that currently are not taking advantage of this, I think an excellent tool to make sure that the technology that is developed within NASA is better transmitted out into the economy where it can accrue to the benefit of all the people of the United States.

Mr. SENSENBRENNER. Mr. Chairman, will the gentleman yield?

Mr. WELDON of Florida. I yield to the gentleman from Wisconsin.

Mr. SENSENBRENNER. Mr. Chairman, the majority accepts this amendment, and I would like to point out that it does have an offset so there is no increase to the authorization of the bill. There is an offset from another section of the bill. I think that is the way we ought to be considering these amendments, and I would encourage the committee to adopt the amendment to the amendment.

Mr. ROHRABACHER. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I also accept the amendment, and I commend both the gentleman from Alabama [Mr. CRAMER] and the gentleman from Florida [Mr. WELDON] for the work they have put in to insuring as we did work in this committee that we did not overlook the very positive program that both of them believe in, and because of their hard work and diligence we have managed to fund this and make sure that it will continue through the years.

Mr. KUCINICH. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in support of the NASA space, the civilian space authorization bill, and I commend my colleagues on the Committee on Science and on the Subcommittee on Space and Aeronautics for reporting out a well balanced and reasonable authorization bill that will maintain our Nation's leadership in using space science to enhance research and development efforts. The bill continues our commitment to the space station while improving congressional oversight of international cooperation in the construction of the space station. It moves forward in the orderly process of promoting the commercial use of both the space station and the space shuttle. The Office of Space Commerce will provide a secure location to advance this sort of activity.

I am particularly impressed by the progress being made in the mission to Planet Earth. This project will pay major dividends for the understanding of our global environment. Through the Earth observing system that is part of this project, NASA will be able to collect very important data on the level of ozone in the atmosphere, the impact of climate changes on long-term weather patterns and the relationship between gases in the atmosphere and productive land use management. This project is providing the scientific foundation for sustainable development on our planet. I look forward to continued progress on experiments with microgravity, one of the areas of concentration of the NASA Lewis Research Center outside of the city of Cleveland in my district.

Mr. Chairman, the international space station will provide an ongoing environment for advanced microgravity experiments. Those experiments will help our country conduct the basic research needed to treat diseases, develop new generations of plastics and better understand the growth of plants.

Mr. Chairman, it is with pride that I urge my colleagues to support the civilian space authorization bill.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Alabama [Mr. CRAMER] to the amendment offered by the gentleman from California [Mr. ROHRABACHER].

The amendment to the amendment was agreed to.

The CHAIRMAN pro tempore. The question is on the amendment offered by the gentleman from California [Mr. ROHRABACHER], as amended.

The amendment, as amended, was agreed to.

Mr. PASCRELL. Mr. Chairman, I move to strike the last word.

Mr. Speaker, I rise today in support of H.R. 1275. As we debate the authorization of the civilian space program I wish to remind my colleagues of the importance of investing in NASA. Throughout the years there have been calls to abandon our commitment to technological advancement by shifting funding from these important programs. Having the foresight to resist these efforts and invest in our future has yielded critical advancements in areas such as medicine, public safety, consumer products and transportation. These spinoffs include safety improvements for our school buses, water purification systems for our homes, emergency rescue cutters to free accident victims and enhanced alarm systems for our prison guards, the elderly and the disabled.

Particularly in health care, the advancements due to NASA have been remarkable. We have developed a digital imaging breast biopsy system which greatly improves the treatment and cost of surgical biopsies. As we work together in this body to help women with breast cancer, this nonsurgical tool has been and will continue to be an essential part of safer, less traumatic treatment. And instead of having to use the less accurate, more painful thermometer, Mr. Chairman, I hold in my hand, thanks to NASA technology, we now have this ear thermometer which would not have been developed if it had not been for NASA. It has helped physicians improve the treatment of our own children.

I bring this device to the floor today to highlight the importance of this vote. This thermometer is an excellent example of the advancement that has developed directly from our investing in NASA.

This is an important vote today. It is easy to say we are for improving people's day-to-day lives, but it is another actually to vote in a manner that achieves that goal. While we all are conscious of reining in our spending practices by cutting programs that have failed to meet the objective, I rise today to say that NASA is not one of these programs, and I urge my colleagues to support the space program and the space station and to allow us to continue developing critical technology that improves our lives.

The CHAIRMAN pro tempore. Are there any other amendments?

AMENDMENT OFFERED BY MR. ROEMER

Mr. ROEMER. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. ROEMER: Page 9, line 12, through page 10, line 6, amend paragraph (1) to read as follows:

(1) For the Space Station, for expenses necessary to terminate the program, for fiscal year 1998, $500,000,000.

Page 13, line 9, strike ''308(a)'' and insert in lieu thereof ''208(a)''.

Page 14, line 3, strike ''308(a)'' and insert in lieu thereof ''208(a)''.

Page 21, line 6, strike ''$13,881,800,000'' and insert in lieu thereof ''$12,260,500,000''.

Page 21, line 7, strike ''$13,925,800,000'' and insert in lieu thereof ''$11,816,600,000''.

Page 21, line 18, strike ''303'' and insert in lieu thereof ''203''.

Page 23, line 21, strike ''(1) through (4)'' and insert in lieu thereof ''(2) through (4)''.

Page 30, line 6, strike ''308(a)'' and insert in lieu thereof ''208(a)''.

Page 31, line 13 through 18, strike section 130.

Page 31, line 19, through page 40, line 3, strike title II.

Page 40, line 4, redesignate title II as title II.

Page 40, line 6, through page 74, line 17, redesignate sections 301 through 322 as sections 201 through 222, respectively.

Page 2, in the table of contents, strike the item relating to section 130.

Page 2, in the table of contents, strike the item relating to title II.

Page 3, in the table of contents, redesignate title III and sections 301 through 322, as title II and sections 201 through 222, respectively.

Mr. ROEMER. Mr. Chairman, I ask unanimous consent that all debate on this amendment be limited to 1 hour, with time equally controlled by myself and the chairman of the committee, Mr. SENSENBRENNER.

The CHAIRMAN pro tempore. Is the gentleman talking about this amendment and all other amendments?

Mr. ROEMER. I am talking about this particular amendment, No. 5.

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from Indiana?

Mr. SENSENBRENNER. Mr. Chairman, reserving the right to object, and I do not intend to object, let me clarify that of the time allocated to the proponents of the amendment, does the gentleman from Indiana intend to yield 15 minutes of that time to Republican supporters of the amendment, and then I would yield 15 minutes of my time to Democratic opponents of the amendment?

Mr. ROEMER. Mr. Chairman, will the gentleman yield?

Mr. SENSENBRENNER. I yield to the gentleman from Indiana.

Mr. ROEMER. I would be happy, Mr. Chairman, to try to divide that equally. The sponsor of my amendment is a Republican, and it is a bipartisan amendment. However, I would just ask my colleague to be flexible with that 15 minutes, depending upon people's schedule, how many Republicans and Democrats we have at any given time to speak on the floor.

So I will try my best to have it equally divided to answer the gentleman's question.

Mr. SENSENBRENNER. Mr. Chairman, further reserving the right to object, the gentleman from Indiana [Mr. ROEMER] is saying yes and no, and I guess I will accept it for getting on with it.

Mr. Chairman, I withdraw my reservation of objection.

The CHAIRMAN. The gentleman from Indiana is talking about amendment No. 5 and all amendments thereto; is that correct?

Mr. ROEMER. That is correct, on amendment No. 5.

The CHAIRMAN. Is there objection to the request of the gentleman from Indiana?

There was no objection.

The CHAIRMAN. The gentleman from Indiana [Mr. ROEMER] and the gentleman from Wisconsin [Mr. SENSENBRENNER] will each control 30 minutes.

The Chair recognizes the gentleman from Indiana [Mr. ROEMER].

Mr. ROEMER. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, this is an important amendment for many reasons. We have all had the opportunity in a recent election to tell our constituents how devoted we are to balancing the budget, and we have all sat back home in our individual districts in Indiana and Iowa and California and in Maine, across this great country, that we would come here and work in a bipartisan way and make the tough but fair decisions to balance the budget. This, Mr. Chairman, is a tough decision, and it is fair based upon how poorly this program has performed over the last decade.

Now let me give my colleagues the example, Mr. Chairman. Back in 1984 this program started out with an $8 billion price tag. Now in 1997 it will cost our American taxpayer about $100 billion to finish this space station, $8 billion to $100 billion. That is according to the General Accounting Office which is a nonpartisan group of scholars and thinkers here that gets us research, $8 billion to $100 billion.

That would be like an example that maybe I can relate better to, and some of our constituents, but because we are talking about real big bucks there, what about if someone as a constituent went to buy a car in 1984 and that car dealer said, ''Mr. ROEMER, we're going to sell you a car for $8,000, and it's going to have power windows, it's going to have air-conditioning, it's going to have a tape player, it's going to have all these marvelous things; $8,000, sir,'' and I bought it. Now in 1997 he comes back and says, ''Hey, I'm sorry. That car is going to cost you $100,000, and I am going to take the tape player away, you are going to have to suffer through the summertime, no air-conditioning and no power windows.''

That is kind of what the space station has become. It has gone from 8 scientific missions to 1 or 1½. It has gone from $8 billion to $100 billion, and now the United States taxpayer has sent almost a billion dollars to Russia because now they are 11 months late in their participation in the space station, which is jacking up the cost for the American taxpayer.

This is not a good deal for us. This is a terrible deal for the taxpayer. There is $100 billion, and more and more of it going over to Russia.

Now you are going to hear, Mr. Chairman, you are going to hear this

argument on the floor: Well, we have already spent $18 billion, let us finish the job.

How do we justify 18 billion bad dollars down a rat hole and then another $70 billion later on? That is what this is going to cost; $18 billion down a rat hole and then $70 billion into a black hole in space. That is not a good expenditure of taxpayer dollars.

We are also going to hear about science. We are going to hear that this thing is going to discover the cure to AIDS and cancer and help school buses. There is not anything that that space station cannot do.

Let me read for my colleagues a couple quotes from some scientists, not politicians. Let me read some quotes from some scientists. This is a quote from a Dr. Robert Park, who is a professor of physics at the University of Maryland. He says:

> The greatest single obstacle to continued exploration of space is the international space station. Cost overruns and construction have been accommodated by postponing what little science is planned for the station.

□ 1345

There is one scientist. Another scientist, Dr. Bloomfield, professor of physics at the University of Virginia, he says:

> The space station is an insatiable sponge for resources, drawing the life and vitality from many exciting and sorely needed NASA programs.

So that the space station is cannibalizing other very, very good programs that are returning good science to us.

He also states:

> We are in danger of building a fantastically expensive scientific laboratory in which no important scientific work will be accomplished.

Another scientist. There seems to be some consensus of opinion from some of these scientists. This is Dr. Ursula Goodenough, professor of biological sciences. She says:

> I am an avid fan of space science and would be very happy to see the international space stations appropriations go instead to aerospace contracts and NASA jobs geared to the further exploration of the universe, planets and earth.

Mr. Chairman, we all talk about balancing this budget. We all talk about doing things in a bipartisan way. I offer this in a bipartisan way with the gentleman from Iowa [Mr. GANSKE], a Republican.

We all talk about not having cost overruns in our programs. This is a $92 billion cost overrun, and the scientists are saying, we do not want it. Fund NIH where we are trying to do things on breast cancer and Parkinson's and AIDS, and where two out of four of those grants are not adequately funded.

Let us solve some of these problems right here, right now, but not cut off space. I am very supportive of the shuttle and the Hubble and the great observatories and the faster and cheaper and better programs, and Galileo.

All of these things can give us a presence until we find out what exactly our manned presence should be in the next century. Should it continue to be commercial rockets and the shuttle and some other kind of a space station that works, or should we ultimately and finally say, enough is enough to the American taxpayer.

We are not getting good science out of this project, we are not getting a return on the dollar. Let us have the courage to take on the special interests, to kill this program, and move forward and give the men and the women of NASA who are doing tremendously good work with 85 percent of this NASA program and budget, let us give them the opportunity to continue to do that good work in these other areas I have outlined.

Mr. Chairman, I reserve the balance of my time.

Mr. SENSENBRENNER. Mr. Chairman, I ask unanimous consent that 15 minutes of my time be yielded to the gentleman from Alabama [Mr. CRAMER], and that he have the right to yield portions of that time as he sees fit.

The CHAIRMAN pro tempore (Mr. QUINN). Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. SENSENBRENNER. Mr. Chairman, I yield myself such time as I may consume and I rise in opposition to the amendment.

Mr. Chairman, the gentleman from Indiana [Mr. ROEMER] gets high marks for persistence. This is his annual amendment to kill the space station. However, he gets equally low marks for his logic, because he wants the American taxpayer to back away from the $18 billion that we have already spent on the space station, leaving this house half built, breaking the international commitments that we have made to our closest allies in Western Europe, Canada, and Japan, and stiffing them the $6 billion that they have spent out of their own funds because he says, ''the space station has no useful purpose.''

The space station does have a useful purpose, and it also means that if we build the space station, we will continue to have the United States of America be the leadership in manned space flight for the next generation.

If the gentleman from Indiana [Mr. ROEMER] has his way, not only will America be out of manned space flight, but so will the rest of the world, because these programs are so expensive they have to be internationalized, and no other country will be able to pick that up. I think that would be a shame. I think it would be shocking. I think it would demonstrate that the United States of America is an unreliable partner because of the commitments that we have asked other countries to undertake in building the space station, and which all but Russia have done so and have spent their own taxpayers' money.

If the gentleman from Indiana has his way, it is going to be a long time before other countries rely on the United States of America in any international undertaking, whether it be in space or in science or anything else, because if we back away from the space station now, we will have burned them so significantly with funds on their own.

The gentleman from Indiana says that if we kill the space station, we can save a great big bunch of money. I have heard the figure $75 billion touted about. I do not know whether that is accurate or not. But that includes the cost of maintaining and operating the shuttles that will be used for assembling the space station. That cost is going to be there.

If the space station is not set up, we are going to be using the shuttles for other things and expending the taxpayers' money for it, so very little of that $75 billion is going to be saved, because we will be utilizing the equipment that the taxpayers have already bought and paid for, as well as paying for other types of microgravity research.

The fact is that the cost of completing and operating the space station between now and the year 2012 will be about $23 billion for the United States, about $10 billion to finish the station by the year 2002, and about $13 billion to operate it for the next 10 years. That includes the cost of the shuttle flights and the research in this total.

We hear the argument all along that it is no-good science. Now, I have heard a lot of testimony of scientists in my time on the Committee on Science, and many of the scientists approach the Committee on Science saying the science that I am doing is good science and we should give more money to it.

The science that other scientists are doing I think should be a much lower priority, and I really do not care if you defund it. So we can trot out scientists on each side of the argument. But let me quote what some of the scientists told the subcommittee of the gentleman from California [Mr. ROHRABACHER] a couple of weeks ago.

Dr. Larry DeLucas of the University of Alabama at Birmingham testified that shuttle-based microgravity research has led to ongoing clinical tests in drugs for the flu, stroke, and open heart surgery. The shuttle's maximum duration mission is 16 days. The station is permanent, and we can do much more research on that.

Dr. Jane Milburn Jessup of Harvard Medical School is researching colon cancer through space research. Dr. Lelund Chung of the University of Virginia is studying prostate cancer through space research. Dr. Reggie Edgerton of the Division of Life Sciences at UCLA testified that microgravity research is already aiding studies of neurocell regeneration, which can help us cure or ameliorate spinal cord and other nerve injuries.

I am married to a person who has a spinal cord injury, who is paralyzed

from the waist down. It is a terrible disability for anybody to have that kind of an injury. If we can figure out some way, any way, to help regenerate those neurocells following a spinal cord injury, the grief, the trauma, the pain that someone like my wife has to endure can be solved for future people who might have those kinds of injuries.

Now, we can accelerate this research by having a permanent space station rather than having 16-day shuttle missions. We are building a space station that allows this research to be done 365 days a year. Mr. Chairman, I hope the Members do not back out on their previous commitments to the space station. I hope the Members, once again, reject the Roemer amendment.

Mr. Chairman, I reserve the balance of my time.

Mr. CRAMER. Mr. Chairman, I yield myself such time as I may consume and I rise in opposition to the amendment.

Mr. Chairman, I rise in strong opposition to the annual Roemer amendment. It is springtime and he is persistent, and here we are again. Since I came to the Congress in 1991, we have had more than 25 votes on this issue in the committee and on the floor, so needless to say, most Members of this House, except for our new Members of the 105th have had an opportunity to hear these arguments that we make every year.

I want to echo some of the comments that the gentleman from Wisconsin [Mr. SENSENBRENNER], the chairman of the Committee on Science, has made already. It is just too late for us to turn our back on this program. It would not be the responsible thing to do. I do want to make a few additional points for the freshman Members that may not have heard this debate for the first time.

The international space station is not a new program. Even as we debate today, there are thousands of engineers and scientists that are hard at work in the United States, Canada, Japan, Europe, and Russia, building and testing the space station systems and components. More than 160,000 pounds of hardware have already been built in the United States alone. The program is scheduled to start launching the first segments of the space station next year.

This amendment, this annual Roemer amendment, would waste all of that hard work and the taxpayer dollars that have been spent today on the station program. That is not the fiscally responsible thing to do.

The space station makes good sense. I wish that other Members had the opportunity to hear the testimony of the world class scientists that appeared before the committee this year and other years, as well regarding the advances that they believe will be responsible or will be possible from the research conducted in the weightless environment of space, research that cannot be conducted here on earth.

These potential advances span the spectrum from increased understanding, development of exotic new materials that could revolutionize any terrestrial processes, and the design of new pharmaceutical processes as well.

The space station, as has been pointed out, is an international cooperative venture including cost-sharing by more than a dozen nations. If we turn our back now, our lawyers will inherit a possible nightmare that we will have to sort through.

Now, there is one issue that my colleague, Mr. ROEMER, will bring up over and over, and that is the concern in the delays over the Russian involvement, the Russian funding of its space station contributions. I believe, under the leadership of the chairman and ranking member of the full committee, that this bill contains tough provisions to make it clear to Russia that we expect them to honor their commitments to this program.

Mr. Chairman, this is a bad amendment. I urge Members to defeat it.

Mr. Chairman, I reserve the balance of my time.

Mr. ROEMER. Mr. Chairman, I yield 4 minutes to the distinguished gentleman from Iowa [Mr. GANSKE], a cosponsor of the amendment and a Republican.

Mr. GANSKE. Mr. Chairman, I rise in support of the Roemer-Ganske amendment. On Tuesday, the gentleman from Indiana [Mr. ROEMER] and I were successful in our efforts to save the taxpayers $6 million when NASA decided to end the Bion Program. This was a small down payment on the $75 billion we could save by cutting the space station.

Space station supporters say that since we have already spent $18 billion, well, we cannot stop now. I disagree. Now is the time to stop throwing money into this black hole. It would be doing our allies a favor if we killed this jobs program now.

Despite repeated promises, the Russians still have not paid for critical space station components. As a result, the first space station launch will be delayed at least 11 months. The space station is already $300 million over budget for the next 2 years. Congress imposed a spending cap which lost its teeth before we even launched the first piece of hardware.

The sad truth is that if we do not cancel the space station, it will continue to be the Pac-Man that eats up everything else at the expense of important other NASA programs.

I believe the Federal Government does have a role in space research, but in this case, the space station will ultimately, in my opinion, impede our knowledge of outer space because it will eat up those funds for unmanned space exploration.

□ 1400

Let me explain briefly why I think the Space Station will not fulfill the scientific goals first envisioned.

First, if we look at the physical sciences, years of research on the shuttle and on Mir have produced no evidence that microgravity offers any advantage for processing or manufacturing. The few experiments in areas such as turbulence and fluid phase transitions that might benefit from a microgravity environment could be conducted on unmanned platforms or the shuttle.

Turning to life sciences, experiments on the shuttle and Mir have established that diverse organisms can go through their full life cycle in a microgravity environment. This fundamental question of whether important biological processes can occur in microgravity has already been answered. The answer is yes.

It is also no surprise that vestibular organs, bones, muscles of larger mammals, are affected by microgravity. We have known that as physicians for years. If we have a bedridden patient, they lose bone mass. There is no evidence, however, that studies of these effects have contributed to an understanding of how organisms function on Earth.

The possibility of growing better protein crystals is often cited as a benefit of the space station. Such crystals are important in determining the molecular structure of proteins. However, years of growing protein crystals on the shuttle and on Mir have made no discernible contribution to determining any new structure.

Mr. Chairman, we came to Washington to make some tough choices. I hope my colleagues will agree with me that it is necessary to ground this orbiting erector set. One of my heroes when I was an undergraduate at the University of Iowa was Dr. James van Allen, discoverer of the van Allen radiation belt.

I talked to him yesterday about the space station. He pointed out that the principal scientific achievements of NASA have been accomplished by unmanned exploration: Galileo, Viking, Pioneer, Voyager, the Mariner missions. The exceptions have been Hubble, which has needed some maintenance, and Apollo. But he also pointed out that the Russians brought back rock samples from the Moon with unmanned missions.

Dr. van Allen told me, ''The Space Station purposes are grossly incommensurate with the cost.'' I think that says it all.

Mr. SENSENBRENNER. Mr. Chairman, I yield 2 minutes to the gentleman from Texas [Mr. BRADY].

Mr. BRADY. Mr. Chairman, like other fiscal conservatives, I find this amendment attractive on its surface. But a closer look reveals and has repeatedly shown that the scientific criticism is not valid and the cost savings are exaggerated. Killing the space station at this point in its life would ultimately prove to be penny wise yet pound foolish.

We all know that major leaps in mankind's progress require a major commitment over a long time and an ability to look beyond the immediate horizon. The international space station is no different. This is a fiscally responsible investment which will produce real benefits for American families.

While the space station is long-term in nature, the return on our investment is significant and very well worth making: in new drugs to battle our most stubborn diseases; in knowledge to protect and preserve our earth's environment; and in the potential for a vast number of new jobs for the 21st century resulting from the commercial opportunities in space.

We cannot afford not to continue this investment, this critical investment in America's future. I respectfully urge my colleagues to defeat this amendment and continue our historic support for the space station.

Mr. ROEMER. Mr. Chairman, I yield 2 minutes to the gentleman from Wisconsin, Mr. TOM BARRETT.

Mr. BARRETT of Wisconsin. Mr. Chairman, I want to applaud my colleagues, the gentleman from Iowa [Mr. GANSKE] and particularly the gentleman from Indiana [Mr. ROEMER] for consistently fighting this very lonely fight.

This fight reminds me a lot of that childhood story of the emperor has no clothes, because the gentleman from Indiana in particular has stood by the side of this parade now for many, many years.

When this parade first started, this emperor space station was walking down the street and we were told that this is cloaked in fiscal responsibility, that this is a responsible project, it costs $8 billion. Of course, we saw that it was not a real cloak. The emperor's space station was wearing no clothes at that time.

So what happened several years later? We were told this is the greatest thing since the polio vaccine, that we are going to solve all the problems in the world with this. Again, the emperor space station has no clothes.

Then they had a close call 2 years ago, 215, 214. Now we had all sorts of new bells and whistles and balloons that went in this parade, and we were told this is going to help us reach world peace because we are going to work with the Russians, and by working with the Russians we are going to really move forward.

What have we seen in the last month? The emperor space station has no clothes. Those opponents of the space station have a tough fight. There are powerful forces that create jobs in parts of the country for people because of the space station.

I have no problem with the jobs program. But if all this is a jobs program, let us call it that and let us spread the money out evenly throughout the United States. But the time has come for Congress to say that the emperor space station has no clothes, and to end this economic folly.

Mr. CRAMER. Mr. Chairman, I yield 3 minutes to the gentleman from California [Mr. BROWN], the ranking member of the full committee.

Mr. BROWN of California. Mr. Chairman, I thank the gentleman for yielding time to me.

Mr. Chairman, sometimes I have difficulty determining what the value of these perennial debates are, but being an eternal optimist, I am going to assume that they will result in some enlightenment on those who have not been sufficiently informed.

Mr. Chairman, the history is subject to a lot of debate. It is true that, as with every project I have been associated with over the last 30-odd years, there are misrepresentations made, not intentionally but necessarily, as to what the final cost and parameters of any project like this will be, and the space station is one of those.

We are finding out some interesting things. It represents some breakthroughs which we did not anticipate. for example, the inclusion of the Russians was never planned, it was serendipitous, and it may have some beneficial effects. There were over-promises made about what the research would do, but nobody questions the fact that there will be valuable results from the research.

The most important thing is that if Members really believe that there is any potential for human activity in space, it has to have a space station. There is no other way that you can gain the experience both of creating the infrastructure to house these humans, and for humans to get the experience which will allow them to function in a near-Earth orbit, far-Earth orbit, on the surface of the Moon, on Mars, anywhere else. We have to start. Killing the space station kills the start. We would say, in effect, we abdicate any future for humans in space.

The opponents have made some statements about costs, that it is going to cost I think the figure is $75 million more to complete the space station. The life of the space station is anticipated to be between 10 to 15 years, so what we are saying is that it is going to cost more than twice as much per year after the space station is built as it is costing for the space station to be built. That is ridiculous on its surface.

Mr. Chairman, the fact of the matter is that we are going to build this space station for something fairly close to the original cost, and then we are going to maintain it for 10 to 15 years. We are going to fly the shuttle to it several times a year. We are going to put new supplies, new experiments, new other things up there.

All of this costs money, it is not going to cost $75 billion. But even if it does cost a fraction of that, half that, say, this is not building the space station, this is operating the space station for the purpose of which it was built: namely, to expand human abilities to live and work and produce new knowledge for the whole of human culture in the environment of space, which will be a landmark in the history of the human culture, and it is worth the effort we are making today.

Mr. ROEMER. Mr. Chairman, I gladly yield 2 minutes to the distinguished gentleman from Michigan [Mr. CAMP], a Republican.

Mr. CAMP. Mr. Chairman, I thank the gentleman for yielding time to me, and I thank him for his efforts in this matter.

Mr. Chairman, I rise in support of the Roemer-Ganske amendment. This November NASA will begin to launch $94 billion into orbit. This is a project plagued with delays, cost overruns, and unfulfilled promises. Russian assurances have fallen short, and the American taxpayer has been left holding the bag. We cannot afford this big budget action adventure in space.

The space station, originally budgeted at $8 billion, has become the black hole of the taxes of hardworking Americans. It threatens our ability to balance the budget. Space is infinite, but our resources are not.

It is time for Congress to get its spending priorities in order, and admit that we cannot afford a $94 billion playground in space. We need to get serious about what the core functions of the Federal Government are while we continue to run budget deficits year after year, and have a national debt of almost $5.3 trillion.

We are all amazed by the promises of space exploration and the excitement the space station generates. We should be amazed at the $200,000 every child in this country owes in interest on the national debt during their lifetime. Congress should invest this $94 billion in our children's future.

Mr. CRAMER. Mr. Chairman, I yield 5 minutes to the gentleman from Texas [Mr. HALL], my very dedicated colleague.

(Mr. HALL of Texas asked and was given permission to revise and extend his remarks.)

Mr. HALL of Texas. Mr. Chairman, once again we have a bad amendment offered by some good guys.

Mr. Chairman, opponents of the space station say the station is going to cost the American taxpayers $94 billion by 2012, as Chairman BROWN has pointed out and Chairman SENSENBRENNER has pointed out, rather than the $8 billion for construction in 1994. What are the facts?

I think we need to go back over the facts one more time. The redesign over the past couple of years has lowered the expected cost. That is a hard, cold fact. The project is two-thirds completed. It is a matter of math. The $94 billion figure is an overstatement because it adds projected operating expenses to the cost of construction.

As the chairman has noted in a Dear Colleague that we received some time ago, American taxpayers have invested about $18 billion in the international space station, and we are more than halfway through building the hardware

we need. We will spend another $10 billion to complete the space station in 2002, and $13 billion to operate it until the year 2012, Mr. Chairman, for a total of $23 billion.

This year's funding, like last year's funding, cost each American an average of 2.2 cents a day. If Members want to hear a real outcry from young America, cancel this space station. The cost of terminating the project would be far greater, thousands of jobs would be lost, and the potential for creating new high-technology industry would absolutely be lost. We also would lose the hope of curing diseases and making other scientific discoveries that could save or enhance the lives of everyone in our planet. We lose far more by terminating the space station than we do by keeping it.

Opponents of that have stated that reliance on unstable partners like Russia could jeopardize the project. Of course, I have concern over their instability. But the truth is that Russian participation is still needed. It is very important, because of the expertise they bring to the project.

The Committee on Science unanimously adopted an amendment offered by the chairman and the ranking member, the gentleman from California, [GEORGE BROWN], that addresses the Russian problem. Their amendment prohibits U.S. funding of work pledged to be done by Russia. It requires NASA to develop a contingency plan should the Russians default, and requires the President to make a decision by August 1, 1997, on whether to proceed with permanent replacements for the Russian items. I think they have covered the waterfront. It also directs NASA to certify that Mir meets U.S. safety standards.

We also have to consider that we have other partners who have committed billions of dollars toward the space station: Japan, Canada, and the European community. This is an international station. Russia is only one of the many worthy participants.

The opponents also argue that the project has questionable scientific merit. What are the facts? Biomedical and materials research in space has very impressive results. The ability to provide a permanent manned platform for conducting research has the potential for far greater rewards.

We need to remember that we must pursue our dream. We must pursue this dream. Out of splitting the atom we got the MRI and the CAT scan. We have to keep going forward. We have to keep our heads up. We have to keep following the star that might really be a deliverance to all of the people, to young and old, future and present.

The space station began as a dream, but through hard work, careful planning and the financial commitment of many nations, it became a reality. The space station represents an investment in our future.

As we prepare for the many challenges of the 21st century and continue to battle many of the problems of the 20th century, the space station represents the combined hopes of many nations that we will find some of the answers beyond the Earth's atmosphere.

□ 1415

I urge my colleagues to oppose the Roemer-Ganske amendment and support the international space station.

Mr. ROEMER. Mr. Chairman, I yield 2 minutes to the gentleman from Nebraska [Mr. CHRISTENSEN], a pretty good basketball player, a Republican.

Mr. CHRISTENSEN. Mr. Chairman, I thank the gentleman from Indiana for yielding me the time.

This has been a lonely fight for my friend, and it has gradually caught support. I am looking forward to helping him on this fight.

I am hearing a lot of the arguments that remind me of the arguments that I watched on TV a few years ago about the superconducting super collider, the great atom smasher down in Texas. If that was the boondoggle of the 1980's, this program must be the boondoggle of the 1990's. Because by every cost estimate that I have seen, it is way over budget. It is not getting the promised results that we had hoped for.

We can disagree on whether it is $94 billion or $74 billion or $84 billion, but it has run over cost. It is a year behind. The Russians have not lived up to their part of the deal, but we keep funding it because it is two-thirds done.

I am not sure that is the best philosophy and the best argument to be selling here. Maybe there is some other issue we could be talking about. The facts are, it is overdone; it is overrun. They have not lived up to the bargain.

We need to take a look at the fiscal responsibility of this Congress. We are $5.4 trillion in debt. Do we keep funding a program because it is already there, just because it is there, mainly because it is set in Florida and Texas and California? Or do we really look at some of the scientific aspects and can we accomplish those in a much more economic manner?

I really applaud the gentleman from Indiana [Mr. ROEMER] and the gentleman from Iowa [Mr. GANSKE] for putting effort into this. Maybe this year, with the help of other Members on both sides of the aisle, we can pass this bill and pass this amendment. But I do look forward to a good argument and I respect both sides.

Mr. CRAMER. Mr. Chairman, I yield 2 minutes to the gentleman from Texas [Mr. BENTSEN], a strong advocate for NASA and the space station.

(Mr. BENTSEN asked and was given permission to revise and extend his remarks.)

Mr. BENTSEN. Mr. Chairman, I want to echo the comments made by my senior Member, the gentleman from Texas [Mr. HALL].

I hate to have to oppose an amendment by my good friend, the gentleman from Indiana [Mr. ROEMER], but the fact is that we have invested about $18 billion in a program which from my viewpoint appears to work. It would be one thing if we were investing funds year in and year out and showing no results to walk away from the program, but that is not what is going on here.

We are looking at a program where we are building up, where it is going to work, and it would be a grave mistake and really a bad business decision for us to walk away at this point, to break the contracts, to say that we are not going to go forward.

The gentleman from California [Mr. BROWN], the ranking Democrat, is also correct that if we are going to continue as a nation to lead the world in space exploration, we are the only ones that are going to do it, as the gentleman from Wisconsin [Mr. SENSENBRENNER] said. And if we do not do it with this, as the gentleman from California [Mr. BROWN] says, if we do not build the station, we will stop at this point and we will lose ground.

I think it would be a very serious mistake. Yes, we have spent the vast majority of the money, and we made progress. Yes, two-thirds of the hardware has been developed. Yes, there are problems with the Russians. I think having the Russians involved in this as well as all the other nations involved in this program is good foreign policy for America.

If the Russians fall out, we have contingency plans in place, but I do not think we should focus the argument solely on the Russian problem. We can take care of that if they fall out of it, but it is still incumbent upon the United States to lead.

I would encourage my colleagues to once again defeat this amendment. It is not going to balance the budget. We are fooling ourselves if we think that it is. We have to prioritize the budget and find where we can make cuts, but we have to keep the country moving forward at the same time.

I would also urge my colleagues on the subsequent amendment offered by my friend, the gentleman from Indiana [Mr. ROEMER], with regard to the agreements with the Russians, that we defeat that and pass the authorization.

Mr. ROEMER. Mr. Chairman, I yield 1 minute to the gentleman from Tennessee [Mr. DUNCAN].

Mr. DUNCAN. Mr. Chairman, I rise in support of this amendment. Like so many Federal programs, Congress was given a low-ball figure at the first and was told in 1984 that this program would cost only $8 billion. Now the General Accounting Office, not our figures but the figures from the General Accounting Office tell us that the cost will be at least $94 billion. Some estimates of the ultimate cost when all expenses are figured in are much, much higher. James J. Kilpatrick, nationally syndicated columnist, said: This is ''pure folly and that the cost itself has now gone into orbit.'' This project will ultimately be the most expensive single project ever funded by the Federal

Government, and that is really saying something.

An editorial in the Washington Post in 1991, when the cost estimates were much lower than now, said this ''The diversion of $30 billion would be a sad thing even if the Federal Government had money to burn. Money for the space station will have to be squeezed out of other research of value to society and to science, including space science.''

Mr. Chairman, we do not have money to burn. We need to support this amendment.

Mr. SENSENBRENNER. Mr. Chairman, I yield 2 minutes to the gentleman from Florida [Mr. WELDON].

Mr. WELDON of Florida. Mr. Chairman, I rise in strong opposition to the Roemer amendment.

We have heard a number of points made repeatedly today that I would like to address, one of them being that this project somehow costs $100 or $90 billion. To say that this project costs that much money would be similar to saying that the Louisiana Purchase did not cost $14 million. It cost billions of dollars for all of those settlers to move into the West and build all those cities. Included in that figure is the cost of all the shuttle missions and all of the research that is going to be done on the space station. It is very, very unfair to make those kinds of comparisons.

We heard firsthand in our committee the tremendous amount of good quality scientific research that will be possible on the space station. We research into areas like the treatment of existing diseases, development of new technologies that can help deal with problems like spinal cord injuries and bone disease and heart disease.

I would also like to point out that there have been a number of Members who have mentioned about all these cost overruns that have occurred in the program already. The vast majority of those cost overruns were caused by this body redesigning the space station over and over and over again. Once we, the House of Representatives, stopped monkeying with it, lo and behold, NASA has been able to stay on budget and on schedule. They have done a darn good job on it.

Finally I would like to say one additional thing. I believe when Queen Isabella was approached about funding Columbus, there were those who said, no, no, no, do not do it. Each time he wanted to go back, there were people who said do not give him any more money. Likewise, during the Mercury, Gemini and Apollo Programs, I know that there were Members in this body, probably motivated by the fact that the program had absolutely no funding coming into their district, chose to oppose it and vote against it. I am sure none of those Members today would stand up and speak proudly of the fact that they were opposed to one of the greatest accomplishments in the history of American exploration.

I encourage Members to vote against Roemer.

Mr. ROEMER. Mr. Chairman, I yield 2 minutes to the gentleman from Michigan [Mr. UPTON], my good friend and a Cubs fan.

Mr. UPTON. Mr. Chairman, I prefer to talk about the Wolverines instead of the Cubs, I would have to say, this year.

Mr. Chairman, I rise in strong support of the Roemer-Ganske amendment. Before I was in the Congress, this Congress made the decision to go ahead with the space station; but when they made the decision to go ahead with it, I in fact worked at the Office of Management and Budget. And I remember well the argument that took place within the Office of Management and Budget in terms of what the cost was going to be. The suggested cost was about $8 billion. Then it was $12, then it was $15, now I understand we have spent $18 billion already. Three years ago I took to this floor and argued in support of this amendment, they were saying then that the cost was going to be $45 billion. I come today and it is $94 billion. No, that is not million, that is billion dollars.

I listened to the comments of the gentleman from Iowa [Mr. GANSKE] today about one of the great NASA supporters of all time, Dr. van Allen, what he had to say. It is not worth the bang for the buck. I can remember talking to some of my colleagues in the past years about how this amendment or how this space station is so important for the advancement of science. They said: FRED, go back to your districts and talk to your pharmaceutical folks, talk to some of the people there and find out what this science will do.

I did. And they came back and they said, it is not worth the bang for the buck. It is not worth it; $94 billion.

Mr. Chairman, we have heard from a lot of newspapers, and some of them have suggested that we just simply vote for the continuation of this program to keep the dream alive. Well, I have to say something, that when we see a budget increase grow from $8 billion to $94 billion, it sounds more like a nightmare, it does not sound like a dream. The Taxpayers for Common Sense, the Citizens Against Government Waste all say support the Roemer amendment. As we think about our children and their future, the $5.5 trillion national debt, the almost $300 billion that we are going to spend on interest. We have to start making some tough choices. One of those is supporting this amendment.

Mr. SENSENBRENNER. Mr. Chairman, I reserve the balance of my time.

The CHAIRMAN pro tempore (Mr. QUINN). The gentleman from Indiana [Mr. ROEMER] has 11½ minutes remaining, the gentleman from Alabama [Mr. CRAMER] has 3½ minutes remaining, and the gentleman from Wisconsin [Mr. SENSENBRENNER] has 6 minutes remaining.

Mr. ROEMER. Mr. Chairman, I yield 2 minutes to the gentlewoman from New Jersey [Mrs. ROUKEMA].

(Mrs. ROUKEMA asked and was given permission to revise and extend her remarks.)

Mrs. ROUKEMA. Mr. Chairman, I rise in strong support of the Roemer-Ganske amendment. At an estimated cost of $94 billion, this space station has become Congress's latest sacred cow. And this at a time when we are trying to balance the budget, we are cutting very important social programs and we are substantially cutting other research projects.

I rise in strong support of the Roemer-Ganske amendment to terminate space station funding. Simple put, the Space Station Program is a luxury item the United States cannot afford when the national debt exceeds $4.5 trillion.

At an estimated cost of $94 billion, the space station has become Congress' new sacred cow, at a time when we are trying to balance the budget and important social programs and other research projects are being deeply cut, it is unconscionable that once again this bill includes full funding of the space station which is already vast billions over the original estimates.

It is absolutely unconscionable that we are again including full funding for this which is already vast billions over the original estimates.

The Space Station Program is so fundamentally flawed that when President Clinton selected a new scaled-back design for the space station in 1994, the chosen design satisfied only one of the eight original design objectives. Despite the substantial redesign, scientists across the spectrum remain critical of the station because of its costs and irrelevance to real science. Many contend that the research proposed for the station could be conducted for far less money on the space shuttle, on smaller spacecraft, or through the use of satellites, with the money saved being used for projects having more scientific merit or for environmental protection, housing needs, emergency food and shelter programs, veterans programs, and deficit reduction.

This is despite the fact that continuous redefinition of the goals and designs have inflated the cost of this project more than $86 billion. The originally cost being $8 billion, with construction scheduled for 1994. Now, the Government Accounting Office estimates that it will cost the American taxpayers $94 billion to build the space station by 2012.

Taxpayers have already spent $18 billion on the space station since 1984, with few tangible results. Furthermore, with NASA's poor track record on cost-overruns, it is doubtful that NASA has any idea how much it will cost American taxpayers to maintain and operate the space station.

With reference to Mr. SENSENBRENNER's remarks which characterizes the space station as the primary source of research for medical procedures. Please, if we were to put a fraction of these billions on medical research here at home. Instead we are cutting medical research in our pressing need to balance the budget.

We need the space station $4.2 billion here on Earth. I urge my colleagues support of this important amendment.

Come back to Earth—we can't keep chattering about balancing the budget.

Threatening to take food out of the mouths of little babies—the WIC Program cutbacks,

while still funding this enormous pork barrel—lets use some common sense and set our priorities so that the people will again respect this elected body and trust us to keep our word.

Now, both the gentleman from Indiana [Mr. ROEMER] and the gentleman from Iowa [Mr. GANSKE] have fully and rationally explained the alternative programs that are conducting research. They have explained the deficiencies in the space station project. They have adequately outlined the fact that the authoritative scientific community is deeply split on this project. But I would like to refer in my limited time to the gentleman from Wisconsin [Mr. SENSENBRENNER] comments and others who have referred specifically to medical research projects leaving the impression here with our colleagues that this is the only source of research funding for new medical procedures. That is not anywhere near accurate.

The gentleman from Iowa [Mr. GANSKE] spoke eloquently to that subject. But, let me put it this way. If we were to put only a fraction of those billions of dollars into the medical research here at home, we would be doing vast good for the American people. Instead, we are cutting medical research in our very pressing need to balance the budget.

That brings me to the point. Come on back down to Earth. We cannot keep chattering about balancing the budget and threatening to take food out of the mouths of little babies and cutting enormous amounts from other medical research projects when we are funding this enormous pork barrel. Let us call it what it is, pork barrel. Let us use some common sense and set our priorities so that the people will again respect this elected body and trust us to keep our promises.

Mr. ROEMER. Mr. Chairman, I yield 2 minutes to the gentleman from New Jersey [Mr. LOBIONDO].

(Mr. LOBIONDO asked and was given permission to revise and extend his remarks.)

Mr. LOBIONDO. Mr. Chairman, I rise today in strong support of the Roemer amendment to terminate funding for the international space station. In my view the space station is not a responsible use of taxpayer dollars. It was originally projected to cost $8 billion. Recent estimates put the price tag at $94 billion. The $18 billion that has been spent thus far in construction only began in 1995.

□ 1430

It is time for the taxpayers to cut their losses. Eliminating the program now will save $78 billion, four times what has been spent this far, dollars that are desperately needed for programs here at home. NASA is projecting the space station budget to be an average of 75 percent over budget from what they originally planned.

As somebody who spent over 25 years in a small business, I find that spending dollars wisely and cost efficiently is not only critical, it is essential. While I think our space program can provide significant scientific contributions to society, I do not think the space station is worth the price.

Of the eight original scientific objectives for the program, only two remain, just two out of the eight. Many of the proposed experiments can be done on unmanned satellites or aboard the space shuttle for just a fraction of the cost.

NASA now says that the primary reason to build the space station is for the sake of learning how to build a Space Station. In the wake of our $5 trillion national debt, I do not think we can afford to pursue a multibillion dollar endeavor of questionable scientific merit.

I hope my colleagues will make their stands for the taxpayers today and vote for the Roemer amendment, because once again, my colleagues, as we struggle with how to find sufficient dollars for education, for seniors, for our environment, this spending is critical.

Mr. SENSENBRENNER. Mr. Chairman, I yield 2 minutes to the gentleman from Florida, [Mr. STEARNS].

(Mr. STEARNS asked and was given permission to revise and extend his remarks.)

Mr. STEARNS. Mr. Chairman, I have heard some of these arguments. The problem is that this project is two-thirds complete in operation. We are not talking about something like the super collider here where we are just starting it and then we killed it. Even then there were large termination fees. Here is a project that is two-thirds complete into the operation.

Now, these folks keep talking about a $92 billion overrun. That is over 15 years. That is about $6 billion a year. This is a project that we are almost already about to see the light at the end of the tunnel, so I think we are too far along to consider terminating it. It may be $92 billion in overruns, however it turns out to be a very small number over the 15-year period.

This amendment lost by 65 percent last year in the 104th Congress. I will bet that the gentleman from Indiana [Mr. ROEMER] and everybody else in the House would love to win an election by 65 percent. The majority of people here in Congress believe this space program is a good project, yet time and time again the gentleman, Mr. ROEMER brings this up. I will bet on the last day of the project the gentleman will bring up the fact that we have to shut this program down. Another thing is that we will not be able to shut this project down because of our agreements with many, many countries.

I would point out to those that keep coming to the House floor and saying this is fiscally irresponsible to push this space station, I went back to the vote on the National Endowment for the Arts on June 22, 1994, and almost without an exception these people could not even reduce and do away with a program that was $160 million. We are not talking billions, we are talking about millions.

In fact, my good friend from Indiana did not agree to substantially reduce or shut down the National Endowment for the Arts.

Another point I want to make is that we are talking about a program that only is $23 billion to completion. So we are not talking about billions and billions of dollars, but $10 billion for completing it and $13 billion for the operation for the next 10 years.

My friends, there is no parallel between this and the super collider. We have promises we have made to other countries. We must keep them.

Author J.G. Holland said, ''Heaven is not reached by a single bound. But we build the ladder by which we rise.'' We are currently building that ladder, in a series of bounds. What we find at the top of this ladder will inspire future generations to imagine, explore, and actually see, first hand, the unprecedented advances that the space station will provide. We must retain funding for the space station. I urge a ''no'' vote on the Roemer-Ganske amendment.

Mr. CRAMER. Mr. Chairman, I yield 1 minute to the gentleman from California [Mr. SHERMAN] who is a new Member and new to this debate.

(Mr. SHERMAN asked and was given permission to revise and extend his remarks.)

Mr. SHERMAN. Mr. Chairman, my colleagues, when Columbus set sail, about two-thirds of the way into the journey a group of his sailors rose up and urged that the project be defunded. America would not be here today if that amendment had not been defeated.

There are many reasons to support the International Space Station. It is a way for us to build bridges with other countries, including former adversaries. It is a way to build our own aerospace industry, which is already our leading source of exports.

I wish my colleagues had been able to join me at Rocketdyne, where I saw how they are developing batteries for a space station that could well lead to breakthroughs in an electric automobile.

We will find cures for diseases, perhaps AIDS, cancer, influenza, or diabetes. Most important of all, humankind belongs in space. The space station is our stepping stone to where we belong in the next millennia.

Mr. ROEMER. Mr. Chairman, I would inquire how much time is left.

The CHAIRMAN pro tempore (Mr. QUINN). The gentleman from Indiana [Mr. ROEMER] has 7½ minutes remaining; the gentleman from Wisconsin [Mr. SENSENBRENNER] has 4 minutes remaining; and the gentleman from Alabama [Mr. CRAMER] has 2½ minutes remaining.

Mr. ROEMER. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, let me just say, first of all, that I am delighted that we have been able to, for the most part, conduct

this debate in a very civil and bipartisan way. A number of Republicans and Democrats have stood up on both sides of this great Chamber and disagreed on whether or not to support this particular amendment. I would urge my colleagues to support this amendment to cancel the space station.

A number of groups that are devoted day in and day out to deficit reduction support this legislation, and let me read a few of them. This amendment is endorsed by the Taxpayers for Common Sense, the National Taxpayers Union, the Citizens Against Government Waste, the Concord Coalition, and the Citizens for a Sound Economy.

Now, Mr. Chairman, those groups do not go around, I do not think, saying we need to spend more money here and protect these jobs, and we need to do a little more money here, and would you please vote for this increase across the board here. Their mission, which is a difficult one in America today, is to try to get to a balanced budget.

We all come here, Democrats and Republicans alike, and we all talk about balancing that budget, but then we delay some of the tough votes. I think this is an appropriate vote to signal to our Democratic leadership at the White House and here in the House and over in the other body and to the Republican leadership in this body and over in the other body that we want these talks to balance the budget to continue; that we are willing to make tough choices over here; and that we can anticipate even tougher choices coming at us in the next few weeks.

There are going to be proposals to cut different defense projects. There have already been proposals in the Committee on Appropriations to cut the WIC Program for women, infants and children. We will see proposals to cut back on different discretionary spending programs for education.

This is the choice, ladies and gentlemen. We can vote to cut a program like this that is $75 to $80 billion over budget; that has gone from eight scientific missions to 1 or 1½; that is not performing the way that the taxpayers deserve; and that is going to send off almost $1 billion to Russia of our taxpayers money under the guise of the NASA budget.

Now, I think that is not such a tough choice. I think we should send a signal to the American people and the respective Democratic and Republican leadership that we are serious about deficit reduction; that we will make tough choices; and that we are going to make fair choices, and they are not going to be choices that hurt children and hurt families and hurt those that need a safety net.

In conclusion, Mr. Chairman, yes, it is my annual fight; yes, when the springtime comes and the cherry blossoms are out, I offer this amendment, and I do it because I believe it is the right thing to do. I believe that for the taxpayer, for the United States of America, and for good science we should kill this project. I would encourage my colleagues to take a good look at this, to read their DSG, which really outlines the arguments on both sides, and vote a tough vote that will upset some special interest groups. It might take away some support, but it will resonate with the American people that we need to balance the budget.

Mr. Chairman, I yield back the balance of my time.

Mr. CRAMER. Mr. Chairman, I yield 1 minute to the gentleman from Ohio [Mr. KUCINICH], also a new voice in this debate.

(Mr. KUCINICH asked for and was given permission to revise and extend his remarks.)

Mr. KUCINICH. Mr. Chairman, skepticism is a healthy expression in a democracy, but skepticism should never permit us to stop reaching upward in establishing new frontiers. In the words of the poet, ''A man's reach should exceed his grasp or what is a heaven for?''

We should not let skepticism blind the American willingness and ability to envision a better future. In the words of the prophet Isaiah, ''Without vision, a people perish.'' We, in this Congress, are called upon to see the health care benefits, to see the medical technology benefits, to see the industrial technology benefits which comes from the space program.

We are called to join with those visionaries who have given this country the ability to adapt to an undreamed of future. America's destiny is to keep reaching onward and upward.

Mr. CRAMER. Mr. Chairman, I yield 1 minute to the gentlewoman from Texas [Ms. JACKSON-LEE], a very dedicated member of the committee.

(Ms. JACKSON-LEE) of Texas asked and was given permission to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Chairman, I say to the gentleman from Indiana [Mr. ROEMER] he is a good friend, and I recognize that this is an annual rite of passage. But let me join with my colleague by saying that the American people do have vision and we will not perish.

NASA and the space station represents success, success in efficiency, success in downsizing effectively, success in outsourcing and giving opportunity to commercial enterprises, success in microgravity research, where finite results help in our pharmaceutical industry, success in health research that helps diabetes, AIDS, health disease, and cancer.

Finally, might I say, what will we do with $500 million to destroy the program? That is down a hole and we will never find it. Let us save the space station, for it is for our children, it is for our future, it is for our health, it is the right thing to do. The space station deserves our further consideration. It is a vision for tomorrow. It is a vision of America.

The CHAIRMAN pro tempore (Mr. QUINN). The gentleman from Alabama [Mr. CRAMER] has 30 seconds remaining.

Mr. CRAMER. Mr. Chairman, I yield the final 30 seconds to the gentlewoman from Texas, [Ms. EDDIE BERNICE JOHNSON].

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Chairman, let me simply say that my colleague here is right when he wants to stop a lot of the spending. I fully agree, but I do not want to stop it where there is a penny-wise and a pound-foolish.

We have gone into the unknown in research, all of our existence as a nation. This research has brought us many answers. If we do not explore the unknown, we cannot remain on the cutting edge, we cannot continue to battle diseases that plague us and the viruses and all.

We also know that we can commercialize many of the products and offer jobs and give good income for our country. I fully support the space station.

The CHAIRMAN pro tempore. The time of the gentlewoman from Texas, Ms. EDDIE BERNICE JOHNSON, has expired. All time that was yielded to the gentleman from Alabama [Mr. CRAMER] has expired.

Mr. SENSENBRENNER. Mr. Chairman, I yield the final 4 minutes to the gentleman from California [Mr. ROHRABACHER], the subcommittee chairman.

Mr. ROHRABACHER. Mr. Chairman, I thank the gentleman from Wisconsin [Mr. SENSENBRENNER] for yielding the time.

Mr. Chairman, first of all, I would like to congratulate the gentleman from Indiana [Mr. ROEMER], who again has drawn our attention to the fact that we should not rubberstamp any major programs or even minor programs that go through the House of Representatives. His diligence over the years has prevented us from becoming complacent. His diligence has ensured that we have tried to make this program, to the very best of our ability, to be as cost effective and as efficiently run as possible, if nothing else, to detour the criticism of the gentleman from Indiana [Mr. ROEMER] that comes up on the floor every year.

To that regard, he is serving a useful function, and this is a very fine example of bipartisan democracy at work in the sense there are people on both sides of the issues and we have people who are very sincere in what they are trying to say.

I may have agreed with the gentleman from Indiana [Mr. ROEMER] had we been making this decision 10 years ago or 12 years ago. I may have agreed with him perhaps even 8 years ago, perhaps. But today we have gone down the road, and to turn back now after this long journey has only begun but as we are halfway down the road to the destination would be irresponsible on our part and would actually cause more waste than what the gentleman from Indiana [Mr. ROEMER] would save by cutting the program.

The gentleman from Indiana suggests that he supports the shuttle program, but many of the savings that he talks about that would be saved as part of slicing off the Space Station Program were achieved only by the fact that the space shuttle would not be used to put the space station up; the shuttle would be used for other things, as well.

□ 1445

We will not make savings in that area until we develop a new and less costly way of putting people and payloads into space, which is something we are trying to do in our budget.

The international space station will be a magnificent technological achievement of historic proportions. It will be of significance, historical significance. People will remember that it was this generation that stepped forward and placed our first frontier post, manned frontier post into the next frontier. It is from that post, it is from this penetration of that great barrier, that great frontier that now is beyond us and confronts us, that will be the moment that people will say, this is where the conquest of space began for this generation.

Whatever great leap forward mankind has ever taken has always had a situation where there were people who, No. 1, said that we should not go, or, No. 2, this is not the right method, or as the program proceeded, they were doubters about the program and doubters about the specific goal that the people had in mind.

Six years ago, I sat on this floor and we came very close to canceling the C–17 project. The C–17, which is a magnificent aircraft, an aircraft that now ensures that the United States is the No. 1 aerospace power in the world, that we can project our forces anywhere in the world now, and people all over the world look to us in awe of this great achievement.

The C–17 almost went down for the same arguments that the gentleman from Indiana [Mr. ROEMER] is now making against the space station. After that vote, my father called me. My father was a pioneer in air transport aviation. He flew DC–3's all over the Pacific in World War II. He reminded me that every time they had come up with a new aircraft, there had been cost overruns, there had been kinks in the program, and there had been problems that were unforeseen and they had to overcome those problems and overcome the naysayers in order to make those achievements.

We must overcome our doubters to make this next great achievement for mankind, the great achievement that will be in the history books, a manned space station. This is our job.

The CHAIRMAN pro tempore (Mr. QUINN). All time having expired, the question is on the amendment offered by the gentleman from Indiana [Mr. ROEMER].

The question was taken; and the Chairman pro tempore announced that the noes appeared to have it.

RECORDED VOTE

Mr. ROEMER. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 112, noes 305, not voting 16, as follows:

[Roll No. 90]

AYES—112

Barrett (WI)
Bass
Bereuter
Berry
Bilbray
Blagojevich
Blumenauer
Brown (OH)
Camp
Carson
Chabot
Christensen
Coble
Coburn
Conyers
Costello
Coyne
Cunningham
Danner
DeFazio
Delahunt
Dellums
Dingell
Doyle
Duncan
Ensign
Evans
Fattah
Foglietta
Frank (MA)
Franks (NJ)
Ganske
Goode
Goodlatte
Gutierrez
Hamilton
Herger
Hilleary
Hinojosa
Holden
Inglis
Kanjorski
Kaptur
Kennedy (MA)
Kind (WI)
Kingston
Kleczka
Klug
LaFalce
Largent
Latham
Lazio
Leach
Levin
Lipinski
LoBiondo
Lowey
Luther
Maloney (NY)
Markey
McCarthy (MO)
McHugh
McInnis
McNulty
Meehan
Miller (CA)
Minge
Mink
Moakley
Molinari
Moran (VA)
Myrick
Nadler
Neumann
Nussle
Oberstar
Obey
Olver
Owens
Pallone
Paul
Paxon
Pelosi
Peterson (MN)
Pomeroy
Portman
Poshard
Ramstad
Rivers
Roemer
Roukema
Sanders
Sanford
Schaffer, Bob
Schumer
Shays
Shuster
Slaughter
Smith (MI)
Solomon
Stark
Strickland
Stupak
Tierney
Upton
Vento
Visclosky
Wamp
Watkins
Watts (OK)
Waxman
Woolsey

NOES—305

Abercrombie
Ackerman
Aderholt
Allen
Archer
Armey
Bachus
Baesler
Baker
Baldacci
Ballenger
Barcia
Barr
Barrett (NE)
Bartlett
Barton
Bateman
Becerra
Bentsen
Berman
Bilirakis
Bliley
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady
Brown (CA)
Brown (FL)
Bryant
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Campbell
Canady
Cannon
Capps
Cardin
Castle
Chambliss
Chenoweth
Clay
Clayton
Clyburn
Collins
Combest
Condit
Cook
Cooksey
Cox
Cramer
Crane
Crapo
Cummings
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeGette
DeLauro
DeLay
Deutsch
Diaz-Balart
Dickey
Dicks
Dixon
Doggett
Dooley
Doolittle
Dreier
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Everett
Ewing
Farr
Fawell
Fazio
Filner
Flake
Foley
Forbes
Ford
Fowler
Fox
Frelinghuysen
Frost
Gallegly
Gejdenson
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goodling
Gordon
Goss
Graham
Granger
Green
Greenwood
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Harman
Hastert
Hastings (FL)
Hastings (WA)
Hayworth
Hefley
Hill
Hilliard
Hinchey
Hobson
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (WI)
Johnson, E. B.
Johnson, Sam
Jones
Kasich
Kelly
Kennedy (RI)
Kennelly
Kildee
Kilpatrick
Kim
King (NY)
Klink
Knollenberg
Kolbe
Kucinich
LaHood
Lampson
Lantos
LaTourette
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Livingston
Lofgren
Lucas
Maloney (CT)
Manton
Martinez
Mascara
Matsui
McCarthy (NY)
McCollum
McCrery
McDade
McDermott
McGovern
McHale
McIntosh
McIntyre
McKeon
McKinney
Meek
Menendez
Metcalf
Mica
Millender-McDonald
Miller (FL)
Mollohan
Moran (KS)
Morella
Murtha
Neal
Nethercutt
Ney
Northup
Norwood
Ortiz
Oxley
Packard
Pappas
Parker
Pascrell
Pastor
Payne
Pease
Peterson (PA)
Petri
Pickering
Pickett
Pitts
Pombo
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Rangel
Regula
Reyes
Riggs
Riley
Rodriguez
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roybal-Allard
Royce
Rush
Ryun
Sabo
Salmon
Sanchez
Sandlin
Sawyer
Saxton
Scarborough
Schaefer, Dan
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Sherman
Shimkus
Sisisky
Skaggs
Skeen
Skelton
Smith (NJ)
Smith (TX)
Smith, Adam
Smith, Linda
Snowbarger
Snyder
Souder
Spence
Spratt
Stabenow
Stearns
Stenholm
Stokes
Stump
Sununu
Talent
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thompson
Thornberry
Thune
Thurman
Tiahrt
Torres
Traficant
Turner
Walsh
Waters
Watt (NC)
Weldon (FL)
Weller
Wexler
Weygand
White
Whitfield
Wicker
Wise
Wolf
Wynn
Young (AK)
Young (FL)

NOT VOTING—16

Andrews
Bishop
Clement
Cubin
Furse
Hefner
Hoekstra
Manzullo
Porter
Schiff
Smith (OR)
Tanner
Towns
Velazquez
Weldon (PA)
Yates

□ 1509

The Clerk announced the following pair:

On this vote:

Ms. Velázquez for, with Mr. Towns against.

Mr. SKAGGS and Mr. SALMON changed their vote from ''aye'' to ''no.''

Messrs. OWENS, SHUSTER, SCHUMER, and DELLUMS changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. HINOJOSA. Mr. Chairman, today on rollcall vote No. 90 I was recorded as voting ''yes.'' I meant to cast a ''no'' vote. I oppose eliminating funding for the space station. This is a project which has my wholehearted support.

AMENDMENT OFFERED BY MR. ROEMER

Mr. ROEMER. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. ROEMER:

Page 40, after line 3, insert the following new section:

SEC. 206. CANCELLATION OF RUSSIAN PARTNERSHIP.

Not later than 90 days after the date of the enactment of this Act, the Administrator shall terminate all contracts and other agreements with the Russian Government necessary to remove the Russian Government as a partner in the International Space Station program. The National Aeronautics and Space Administration shall not enter into a new partnership with the Russian Government relating to the International Space Station. Nothing in this section shall prevent the National Aeronautics and Space Administration from accepting participation by the Russian Government or Russian entities on a commercial basis as provided in section 202. Nothing in this section shall prevent the National Aeronautics and Space Administration from purchasing elements of the International Space Station directly from Russian contractors.

Page 2, in the table of contents, after the item relating to section 205, insert the following:

''Sec. 206. Cancellation of Russian partnership.''.

Mr. ROEMER. Mr. Chairman, this amendment is very, very simple. All it does is to cancel out the Russian participation in the international space station.

Mr. Chairman, this amendment is simple and concise. It simply says that the Russians have not fulfilled their obligation under the contract of an international space station and, therefore, we should cancel the Russians out of this participation.

□ 1515

Simply put, in the amendment it says: However, nothing in this section shall prevent NASA from accepting participation from the Russian Government or Russian entities on a commercial basis as provided in section 202. That means they could be a tenant. They could add on something to the international space station.

Mr. Chairman, they are 11 months behind in fulfilling their fiduciary responsibility to the American taxpayer and to NASA to build the service module. The service module would keep the rest of the space station up, yet they have not built it, so the American taxpayer is going to assume the costs.

Now, there is a great line in the movie ''Jerry McGuire,'' and it is exchanged between the Academy Award winner, Cuba Gooding, and Tom Cruise. And he yells at the top of his lungs to Tom Cruise: Show me the money. He is yelling over and over, show me the money.

This relationship that we have between NASA and the United States could best be termed, throw me some money. Throw me money, American taxpayer, to the Russian space agency.

Let me go through some of the expenditures that the NASA budget is now throwing toward Russia. Let me remind the Members of the body that this is not the foreign aid bill that we are dealing with today, this is the NASA bill. Yet, in this bill and through the last several years with the Russians being our partner, we have paid them $463 million to rent Mir, and our distinguished chairman said earlier that that is not a very safe space station at this point, with a leak.

We have spent $215 million of U.S. taxpayer money on the service module, which is now 11 months late. We are taking $200 million out of the shuttle program and creating a new line item called the Russian cooperation program. We will probably send a couple hundred million more. That is close to $1 billion, Mr. Chairman, $1 billion of NASA money going to the Russians.

Now, if they were on time and on schedule and helping us in an international way, in a scientific manner complete the space station on time, I would say, let us go, let us have the participation.

The gentleman from Wisconsin [Mr. SENSENBRENNER] has tried to tighten up the accounting practices and put a better accountability into the bill, but if we cannot pay, and as Reuters, the news center says, the Russians are probably not going to have the money to pay; those accounting practices and principles do not do any good.

So I would really urge this body to even go further than the gentleman from Wisconsin [Mr. SENSENBRENNER] has gone in this bill with his language and really try to get the Russians to live up to their responsibility.

I will not call for a rollcall vote on this amendment, Mr. Chairman. I think this body has determined that they want to proceed with the space station with the last vote. But I would hope that this body would go beyond what the gentleman from Wisconsin [Mr. SENSENBRENNER] has done in this bill and at some point say to the Russians if they are not reliable partners, if they are not living up to their fiduciary responsibility of the contract, then we eliminate them.

It cannot just be foreign policy or goodwill. This is $1 billion in American taxpayer money being taken out of good projects in NASA to go to the Russian space agency. That is not wise, prudent science; that is not fair to our taxpayers. I would offer this amendment if I thought it had a good chance to pass. Based on the last vote, I am smart enough to know that it would not pass.

I will continue to fight the space station and try to get accountability in this account. I think the distinguished chairman from Wisconsin should go farther than he has done in this bill language, which I supported in committee. And I hope that the Russians, if they continue to be as unreliable as they have been, that the White House and the legislative body would come together and ask them to be removed from this partnership.

This is not an anti-Russian measure, Mr. Chairman. I think we should have a good, close engagement with the Russians, but we should not have foreign aid in the NASA bill.

Mr. Chairman, I will ask unanimous consent to withdraw the amendment, but first the distinguished gentleman from Wisconsin [Mr. SENSENBRENNER] may like to comment on this.

Mr. SENSENBRENNER. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I think this amendment can be appropriately dubbed the dumb like a fox amendment, because if it is passed and the Russians are kicked out now, that will result in a huge unanticipated cost that will bust the $2.1 billion cap that we have had, and then the gentleman from Indiana will come back and say, I told you so, there is a cost overrun, and we ought to pass my amendment to kill the space station to begin with.

So I do not think that we should pass this amendment, even though I have probably been the most severe critic of the Russian participation in this program in the entire Congress.

The problem, Mr. Chairman, is not the Russian technicians or the Russian manufacturers, it is the Russian Government and not making the payments to their contractors and subcontractors to do the work on those elements of the space station that the Russians agreed to build.

I certainly hope that Russia will clean up its act and live up to its international obligations, because this is the first test of whether the new Russia will do so; and so far, the Russians have flopped. They have broken promise after promise after promise made to me, made to the gentleman from California [Mr. LEWIS], who is the subcommittee chairman; made to the Vice President of the United States, made to the NASA administrator, and made to the President of the United States.

The problem, as I see it, is the fact that when this problem started to fester, the Clinton administration trusted the Russians to live up to their promises; and after they broke one promise after the other, the Clinton administration was not willing to admit that it made a mistake.

The provisions that we have in this bill are designed to make the Clinton administration reach timely decisions so that we do not have to spend an undue amount of extra money to replace what the Russians do not appear with, should that happen.

There is a provision in this bill that specifically prohibits NASA from paying the Russians to construct replacements for what the Russians promise to pay for in the original agreement. There are reporting requirements monthly so that NASA has to say in public whether Russia is completing its agreement or not. There is a deadline of August 1 for the President of the United States to make a certification of whether we go ahead with Russia included in this project.

To sum up, the decision to include the Russians and the details on the inclusion of the Russians were made not by the Congress but by the Clinton administration. If it does not work out

the way they advertised, then they are the ones that ought to admit that they made a mistake. This bill forces them to make a decision on that question one way or the other. If the decision is to disengage the Russians, the President of the United States will have to tell us that and the President of the United States will then have to tell us how much it will cost to make up for what the Russians were supposed to have done, and the Clinton administration relied on them, and their reliance was in error.

Mr. CRAMER. Mr. Chairman, I move to strike the last word.

Mr. Chairman, very quickly, since my colleague from Indiana [Mr. ROEMER], says that he will withdraw this amendment, I want to take this time to once again congratulate the chairman of the committee, the gentleman from Wisconsin [Mr. SENSENBRENNER] and the gentleman from California [Mr. BROWN] for making sure that this Russian issue was settled within the committee and facing off with the administration, because H.R. 1275 does contain a number of tough provisions regarding the Russian participation in the Space Station Program.

Cooperation with the Russian Government does offer many benefits to this country in terms of the space program. However, that cooperation has to be based on each party living up to its commitments. The space station provisions in this bill send a strong signal to Russia that we expect them to deliver on their promises. The provisions also direct NASA and the administration to prepare credible contingency plans in case the Russian contributions are further delayed.

So I think we have accomplished what my colleague would set out to accomplish by this amendment. I am opposed to the amendment.

Mr. ROEMER. Mr. Chairman, how much time do I have remaining?

The CHAIRMAN. Under the 5-minute rule, the gentleman's time expired.

Mr. LEWIS of California. Mr. Chairman, I move to strike the requisite number of words, and I yield to the gentleman from Indiana.

Mr. ROEMER. Mr. Chairman, I appreciate the kindness of the gentleman from California [Mr. LEWIS]. I would only say that I did vote for the Sensenbrenner and Brown language in committee, which does establish some accounting and some different monitoring mechanisms and does try to establish a structure to make the Russians more accountable for the rest of their participation.

I would hasten to add that I hope that, if the administration certifies in August that they still think that the Russians should be a participant, then we might visit this as a Congress again if the Russians are still not performing up to the tasks that are outlined under the agreements to pay for certain things on time, which if they do not, delays the rest of the schedule and increases the cost of the space station, that Congress would have a discussion with the administration and potentially revisit this issue again.

Mr. LEWIS of California. Mr. Chairman, reclaiming my time, I first would like to indicate that I very much appreciate on the one hand the gentleman suggesting that the amendment is going to be withdrawn; but on the other hand, I think it is very valuable that the gentleman brought this matter up in this fashion, for it is important that the House be aware of these problems and it is important that the committee be responsive to these concerns.

There is little doubt in my mind's eye that having this international cooperative effort go forward positively is extremely valuable to everybody involved. Indeed, the foreign policy implications are obvious to anybody who would look. But in turn, as these difficulties have arisen relative to Russia's commitment, it is vital that the committee be responsive and make sure that we have mechanisms for judging the progress in the months ahead. So I am very appreciative of the work that the committee has done.

I would be happy to yield further to the gentleman from Indiana.

Mr. ROEMER. Mr. Chairman, I appreciate the kind words of the gentleman. I just hope that we are not doing too little too late. That the Russians, if they are going to be genuine partners, that they pay their bills on time, that they genuinely perform the services that they are contracted under, and I would hope, and I have confidence in the gentleman from California [Mr. LEWIS], and the Committee on Appropriations and the gentleman from Wisconsin on the authorizing committee, that if it continues to slip like it has been slipping, that we really hold them to task and revisit this entire issue.

I would ask unanimous consent to withdraw the amendment at the appropriate time, given the fine assurances that I have from the gentleman from California and the concern expressed from the gentleman from Wisconsin.

Mr. LEWIS of California. Mr. Chairman, just by way of closing comment, let me say that I have long appreciated the gentleman's involvement in this issue. Who knows, with the progress we are making here, my colleague may one day support space station, and I would appreciate that as well.

Mr. ROEMER. Mr. Chairman, I ask unanimous consent to withdraw the amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Are there further amendments?

□ 1530

AMENDMENT OFFERED BY MS. JACKSON-LEE OF TEXAS

Ms. JACKSON-LEE of Texas. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment Offered by Ms. JACKSON-LEE of Texas:

Page 31, strike lines 8 through 12 and insert the following:

SEC. 129. INTERNATIONAL SPACE UNIVERSITY.

Funds appropriated pursuant to this Act may be used by the National Aeronautics and Space Administration to pay the tuition expenses of any National Aeronautics and Space Administration employee attending programs of the International Space University held in the United States. Funds appropriated pursuant to this Act may not be used to pay tuition costs of the National Aeronautics and Space Administration employees attending programs of the International Space University outside of the United States.

Mr. SENSENBRENNER (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD

The CHAIRMAN. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Ms. JACKSON-LEE of Texas. Mr. Chairman, first let me thank the chairman of the Committee on Science for his cooperation and his staff's cooperation, along with the ranking member, the gentleman from California [Mr. BROWN], and the staff that worked with my office on an issue that has been consistently an important part of my commitment to science. That is the issue of education.

Mr. Chairman, this amendment involves the support of the International Space University, but as well, it recognizes the value that it has to our own NASA employees.

We have already acknowledged that the NASA employees are both dutiful, certainly, and dedicated to the idea of science and research. The International Space University was founded in 1987 in Cambridge, MA, as an international institution of higher learning dedicated to the development of outer space for peaceful purposes through multicultural and multidisciplinary education and research programs. Frankly, it is a diplomatic way to say that space belongs to all of us, but we must do it in a cooperative way.

Mr. SENSENBRENNER. Mr. Chairman, will the gentlewoman yield?

Ms. JACKSON-LEE of Texas. I yield to the gentleman from Wisconsin.

Mr. SENSENBRENNER. Mr. Chairman, it is my understanding that the gentlewoman's amendment prohibits NASA from paying tuition for employees' courses at the International Space University for programs outside the United States, but allows for NASA to pay tuition and fees for programs within the United States.

I ask the gentlewoman, is my impression correct?

Ms. JACKSON-LEE of Texas. Mr. Chairman, the gentleman is in fact correct on that.

Mr. SENSENBRENNER. With that explanation, Mr. Chairman, let me say that I support the amendment and I do hope it is adopted.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I appreciate that clarification of the gentleman. I think with

that clarification, it will still be of great assistance to the training of our NASA employees.

Might I say in closing two points: NASA has been involved with ISU since 1988 with the signing of a memorandum of understanding. In fact, we will have the International Space University housed in Houston, TX, this summer. It travels throughout the United States and the world. I look forward to it going to many of our jurisdictions and being of value.

Mr. Chairman, I quote for the RECORD from a letter from J. Wayne Littles, director of the NASA's Marshall Space Flight Center, who indicates that NASA is very supportive of the International Space University. It is part of the agency's training.

. . . ISU provides a unique opportunity for NASA employees to interact with others in an international setting. In an expanding global economy and at a time when space and aeronautics activities are increasingly international in scope, this training is extremely valuable for NASA employees.

Mr. Chairman, I include for the RECORD the letter from J. Wayne Littles.

The letter referred to is as follows:

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION,
Washington, DC, April 24, 1997.

Hon. SHEILA JACKSON-LEE,
U.S. House of Representatives,
Washington, DC.

DEAR MS. JACKSON-LEE: It is my understanding that you plan to introduce an amendment to H.R. 1275, the Civilian Space Authorization Act, Fiscal Years 1998 and 1999, concerning Sec. 129, International Space University Limitation.

NASA is very supportive of International Space University (ISU). As part of the agency's training program, ISU provides a unique opportunity for NASA employees to interact with others in an international setting. In an expanding global economy and at a time when space and aeronautics activities are increasingly international in scope, this training is extremely valuable for NASA employees.

Past participants have rated ISU as a very high quality training experience. In addition to an excellent curriculum, ISU has afforded participants an opportunity to learn from other space agencies and multinational organizations, especially in areas such as strategic business practices, technical strengths and weaknesses, and cultural traditions in the workplace.

The realities of limited Government funding for space activities worldwide require NASA to be a skilled international player. We believe that participation in ISU helps NASA maintain its leadership position in the world space community. Current and future NASA personnel must be able to participate effectively in this community, and ISU provides an excellent venue for developmental opportunities for the NASA workforce. The international perspective gained by NASA staff who participate in ISU programs will contribute strongly to the success of NASA's mission.

We appreciate your work on behalf of this unique institution.

Sincerely,

J. WAYNE LITTLES,
Director, NASA Marshall Space Flight Center.

Mr. Chairman, I ask my colleagues to support this amendment.

Mr. CRAMER. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I would like to rise in support of this amendment. I admire my colleague, the gentlewoman from Texas. She is certainly a tireless advocate for NASA, for space station, for all of NASA's issues. I congratulate the chairman for supporting this amendment. I, too, believe that ISU is a useful, innovative approach. It is educating the young people who will lead the international space ventures of the future.

I also, in endorsing the International Space University, want to endorse, as the gentlewoman read, the letter from my director of Marshall Space Flight Center, Dr. Wayne Littles.

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from Texas [Ms. JACKSON-LEE].

The amendment was agreed to.

AMENDMENT OFFERED BY MS. JACKSON-LEE OF TEXAS

Ms. JACKSON-LEE of Texas. Mr. Chairman, I offer an amendment dealing with essential NASA employees.

The Clerk read as follows:

Amendment offered by Ms. Jackson-Lee of Texas:

Page 75, after line 12, insert the following new section:

''SEC. 323. TREATMENT OF EMPLOYEES IN CASE OF LAPSE OF APPROPRIATIONS.

In any case in which the Congress fails to make appropriations for the National Aeronautics and Space Administration for a fiscal year in advance of the fiscal year, every employee of the National Aeronautics and Space Administration shall be considered as essential.''

Page 3, in the table of contents, after the item relating to section 322, insert the following:

''Sec. 323. Treatment of employees in case of lapse of appropriations.''

Ms. JACKSON-LEE of Texas. Mr. Chairman, I rise to support and offer this amendment in order, frankly, to save money.

We have determined in the last Government furlough, which none of us certainly would have welcomed, and certainly do not welcome that in the future, that in actuality we lost money. There were millions and millions of dollars spent by way of employees being furloughed for the backlog that had to be recouped upon their return.

NASA has essential duties, if you will. For if, for example, during a future Government shutdown that none of us would argue for, a shuttle flight is in progress, this amendment would ensure against unintended results because of budget negotiations. In fact, this would protect lives and provide a measure of safety for the utilization of the right employees and using them in the proper manner.

This amendment would designate NASA employees as essential personnel, causing important duties to be carried on, and furthermore, causing NASA to value and save necessary dollars.

This amendment, as well, Mr. Chairman, does give the opportunity for the director of NASA to make selections, but it does say that in order to ensure the safe, ongoing responsibilities of NASA that these employees be declared as essential, saving us money, and again, protecting the responsibilities and duties of NASA.

Mr. SENSENBRENNER. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, this amendment is micromanagement in its worst way. The NASA administrator has got the power to declare all employees in his agency essential, should there be a Government shutdown. He has the discretion to make a determination on which employees are vital for the health and safety of continued operations of NASA.

So to say that mission control walks off the job if there should be a Government shutdown while a space shuttle mission is up is ridiculous, because that is not going to happen. The NASA administrator has the power to make sure that those people who are responsible for the safe operation of the shuttle mission report to work and do their jobs as usual. That is what happened during the unfortunate Government shutdowns that we had in the last 2 years.

Mr. Chairman, this amendment is also unfair because it singles out NASA employees. Why should all NASA employees be declared essential but not all employees of the FBI, not all employees of the Treasury Department, not all employees of the Department of Health and Human Services, or any other department?

Mr. Chairman, I know that having a broader amendment would be ruled out of order as nongermane, but I think that it shows the terrible precedent this sets if we legislatively decree that employees of one department are all essential but not decree that employees of other departments are all essential.

Having said that, Mr. Chairman, let me say that it is my hope that we never have another Government shutdown. There are Members that are working on legislation that provide for a continuation of appropriations if a budget deal is not reached by September 30. We have had a similar law on the books in the State of Wisconsin, where I served in the State legislature for 10 years before I was elected to Congress.

When the budget was not passed on time, which was more often than when the budget was passed on time, the agencies simply continued at the existing level of appropriations, or at some other level that was determined by State law, and nobody was furloughed. Mr. Chairman, I hope that before September 30 we are able to get a similar law like that on the books. I can pledge my support to it.

That is the right way to go about this problem. The amendment offered by the gentlewoman from Texas is the wrong way. I would urge its defeat.

Mr. CRAMER. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I support the intent of this amendment. I think we talk too little about NASA employees. I am proud of their dedicated work. Unfortunately, they are held hostage every year as we face these relentless amendments that are offered on the floor, particularly by the gentleman from Indiana [Mr. ROEMER].

The NASA employees are not faceless bureaucrats, they are people who have been downsized and streamlined, and year after year they are asked to do more with less, but they have delivered. I think the gentlewoman from Texas [Ms. JACKSON-LEE] is doing them a valuable service by offering this amendment here today. They deserve our support. Let us keep them on the job.

Ms. JACKSON-LEE of Texas. Mr. Chairman, will the gentleman yield?

Mr. CRAMER. I yield to the gentlewoman from Texas.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I thank the gentleman for yielding. Let me respond to the chairman and his comments. He is right, for us to do anything else today for the Department of Health and Human Services, Department of Justice, the FBI, would certainly be far-reaching.

The question of NASA's essentiality has to do a lot with NASA's agenda. That is, NASA is not on the ground, it is in space. On many occasions the need to be able to respond to the urgencies of space and a space shuttle being in need of the whole team being in place is the real issue behind making these employees essential.

Let us not in any way think about shutting down the Government again. I agree with the chairman, I do not want to shut down the Government. I agree with the ranking member, we never want to see that happen. But I do believe that because of the unique nature of NASA's business, it would be appropriate to declare these particular employees essential.

Mr. Chairman, might I say, however, I would inquire of the chairman, the gentleman from Wisconsin [Mr. SENSENBRENNER] on the basis the uniqueness of NASA's responsibilities, do we have any reason to believe that we would be able to find compromise on this language?

Mr. SENSENBRENNER. Mr. Chairman, will the gentlewoman yield?

Ms. JACKSON-LEE of Texas. I yield to the gentleman from Wisconsin.

Mr. SENSENBRENNER. The answer is no, Mr. Chairman, because I think the principle of the amendment is bad. We should not be micromanaging the agency. If there is an emergency like a Government shutdown, I have every confidence in the NASA administrator to do the right thing.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I thank the chairman for that. I vigorously disagree, however, Mr. Chairman. I am going to pursue this language further, and work to be able to define further the language that will appropriately separate out NASA employees for what I think is a very important responsibility.

Mr. Chairman, I ask unanimous consent to withdraw this amendment.

The CHAIRMAN. Is there objection to the request of the gentlewoman from Texas?

There was no objection.

AMENDMENT OFFERED BY MS. JACKSON-LEE OF TEXAS

Ms. JACKSON-LEE of Texas. Mr. Chairman, I offer an amendment on minority university research and education programs.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 3 offered by Ms. JACKSON-LEE of Texas:

Page 17, line 22, strike ''$102,200,000'' and insert ''$110,300,000''.

Page 18, line 4, strike ''$46,700,000'' and insert ''$54,800,000''.

Page 18, line 8, strike ''$108,000,000'' and insert ''$116,100,000''.

Page 18, line 9, strike ''$51,700,000'' and insert ''$59,800,000''.

Ms. JACKSON-LEE of Texas. Mr. Chairman, this follows a line of consistency as it relates to education and science. This restores the dollars of this present level of authorization to the minority university research and education programs. It acknowledges the wealth of diversity in this country. It respects the excitement and, of course, the wealth of experience and diversity brought to us by the different communities in our Nation.

The minority university research and education programs are beneficial to developing national research that uses all of our Nation's strength in the sciences. This in particular covers Hispanics and all other minorities other than African-Americans. It restores the minority university funding to the fiscal year 1997 funding.

HBCU's and other minority universities are considered minority categories within the budget of NASA. Therefore, we are very much interested in being consistent in ensuring that Hispanic universities, those who are serving Hispanic constituencies and other minority groups have the same fair access to research dollars. This is not taking away to give to others, this is restoring dollars that were allotted in fiscal year 1997 funding.

Mr. Chairman, it is a known fact that this country is becoming increasingly diverse. It is a known fact that the Hispanic population is increasing. Therefore, I would argue that it is only fair to keep at the same level the funding to enhance research in the area of science in these universities that serve Hispanic populations.

Mr. Chairman, I would ask my colleagues to join me in equalizing science research by supporting this amendment that helps Hispanic universities or those universities serving Hispanic populations to be an equal player in the area of research and education as it relates to science.

In closing, Mr. Chairman, I would simply say that we can do this certainly in a manner that answers the question that I have always raised: Is science going to be the work of the 21st century? I believe it is. If it is going to be the science of the 21st century, we need to prepare Americans for that.

Americans are diverse. They live in diverse areas. This assures that universities that serve Indian populations, Hispanic populations, Asian populations, and other populations predominantly, other than African-Americans, will be able to play in the arena of science research.

□ 1545

Mr. SENSENBRENNER. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I respectfully disagree with the gentlewoman from Texas saying this amendment is necessary to equalize money that is spent between minority and nonminority students at universities that get NASA education funds. The figures are exactly the opposite and if we were to equalize the amount of money that was spent, we would be cutting the minority account even further than what is proposed in the bill.

Let me give you those figures. For the nonminority students and faculty, approximately 700,000 to 750,000 faculty and students benefit by the education programs of NASA every year. In the bill's figures in fiscal 1998, that amounts to approximately $76.55 spent per faculty or student from the education and program account in the nonminority institutions.

Using the bill's figures in the minority institutions in fiscal 1998, there will be 50,000 faculty and students benefited, and of those 50,000 students, approximately $934 will be spent per faculty and student in the minority research and education programs. So the minority research and education programs are getting 11 to 12 times the amount of money per student than the nonminority research and education programs, and the amendment of the gentlewoman from Texas wants to make that disparity still bigger. I think that is unfair.

Second, the amendment of the gentlewoman from Texas does not increase the total authorization for NASA. So while she pluses up the education account for NASA, that means that the other accounts will end up having their programs and their people reduced as a result of what is effectively an earmark. That means less money for science, less money for Mission to Planet Earth, less money for human space flight, less money for the Johnson Space Center in Houston, less money for the Kennedy Space Center in Florida, simply because of the direction that she is putting the capped amount of money in the authorization bill into this particular program.

So for this reason and the fact that we already are spending 11 to 12 times as much per faculty and student in the minority programs and should not increase that still further, contrasted to the nonminority programs, I would hope that this amendment would be defeated.

Mr. CRAMER. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I would like to rise in support of the intent of this amendment. There is no question that we need to do all we can to ensure that all of our young people have an equal opportunity to an education. Our Nation will need the skilled scientific and engineering personnel that we can educate if we are to remain competitive in the 21st century.

However, I would hope that we could conduct hearings to examine how these academic programs are working as well as what additional resources might be needed.

Mr. Chairman, I yield to the gentlewoman from Texas [Ms. JACKSON-LEE].

Ms. JACKSON-LEE of Texas. Mr. Chairman, I thank the gentleman for his kind inquiries.

I do agree that we can in the long run look at this as a global issue, how do we train our young people for the 21st century.

I would simply say, in response to the gentleman from Wisconsin [Mr. SENSENBRENNER] that this is a restoration of funds that were allotted in fiscal year 1997 when Mission to Planet Earth was funded, when the manned space shuttle was funded, when research was funded. So, therefore, we are not in a situation where we would be denying the funding to those particular items in fiscal year 1998.

This is a mere restoration of funds that will help in large part Hispanic universities, those that are traditionally serving Hispanic populations, those that are serving other minorities. As I indicated, this is an increasingly diverse country, and what we want most of all is to prepare professionals that would be able to take on the requirements of space and science in those careers.

Therefore, it is important that we support institutions that serve these minorities in the area of science and research. This does that. It gives them the latitude to draw down on funds that will allow them to have professors, to do research, to provide dollars in those particular areas.

Often we find out that in those areas that serve Hispanics and other minorities, there is a shortage of funds. They have to make choices. In many instances, they make the choices contrary to science and math and research.

This is to emphasize that we believe that they should be brought into the 21st century as well and to give them the opportunity to use these funds so that in the future that we see a rainbow array of astronauts, a rainbow array of scientists and engineers and those that work on planning the space station because they have been trained in these disciplines.

I think that this is a worthwhile investment, not only in these institutions but, frankly, in America. It is a worthwhile investment in what we purport to be as we move toward the 21st century. I think that we should have the whole net included, Hispanics, other minorities, African-Americans and all others, excited about space, researching in space, being taught, learning and, of course, having institutions with the quality of expertise so that we can produce these kinds of professionals.

I ask my colleagues to consider this amendment and consider broadening the net and allowing us to invest in our future.

Mr. BROWN of California. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, as I understand the amendment of the gentlewoman from Texas, it proposes to increase the education funding back to the same level as the current year, which requires about an $8.1 million increase, which is offset in her amendment. I would be unfaithful to my district if I did not support this, because I have a district which is predominantly Hispanic. And we have a number of institutions in southern California which meet the criteria of institutions that would be benefited by this.

I am also aware of the fact that we have in some of our own territories institutions of higher education which would benefit from the additional funds that this amendment would produce and particularly need and would appreciate the additional assistance, even if for only a few hundred thousand dollars, to the improvement of math, science, and engineering education.

I think this is a worthy educational initiative. It goes to a category of students who we are seeking most assiduously to bring into these areas, and we are not going to bring them into these areas if we do not provide the additional assistance, as well as provide the hope of career opportunities in these fields which I think that we are beginning to do at the present time but still in insufficient numbers.

So for all of these reasons, I would like to support this amendment and hope that the Members will vote for it.

The CHAIRMAN pro tempore [Mr. NEY]. The question is on the amendment offered by the gentlewoman from Texas [Ms. JACKSON-LEE].

The question was taken; and the Chairman pro tempore announced that the noes appeared to have it.

RECORDED VOTE

Ms. JACKSON-LEE of Texas. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 186, noes 226, not voting 21, as follows:

[Roll No. 91]

AYES—186

Abercrombie
Ackerman
Allen
Baldacci
Barrett (WI)
Barton
Becerra
Bentsen
Berman
Berry
Bishop
Blagojevich
Blumenauer
Bonior
Borski
Boswell
Brown (CA)
Brown (FL)
Brown (OH)
Capps
Carson
Clayton
Clyburn
Conyers
Costello
Coyne
Cummings
Davis (FL)
Davis (IL)
DeGette
Delahunt
DeLauro
Dellums
Deutsch
Diaz-Balart
Dicks
Dixon
Doggett
Dooley
Edwards
Engel
Ensign
Eshoo
Etheridge
Evans
Farr
Fattah
Fazio
Filner
Flake
Foglietta
Foley
Forbes
Ford
Fox
Frank (MA)
Frost
Gejdenson
Gephardt
Gilman
Gonzalez
Goode
Gordon
Green
Gutierrez
Hall (TX)
Hamilton
Harman
Hastings (FL)
Hilliard
Hinchey
Hinojosa
Hooley
Houghton
Hoyer
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson (WI)
Johnson, E. B.
Kaptur
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kilpatrick
Kind (WI)
Kleczka
Klink
Kucinich
LaFalce
Lampson
Lantos
Lazio
Levin
Lewis (GA)
Lofgren
Lowey
Luther
Maloney (CT)
Maloney (NY)
Manton
Markey
Martinez
Mascara
Matsui
McCarthy (NY)
McDade
McDermott
McGovern
McIntyre
McKinney
McNulty
Meehan
Meek
Menendez
Millender-McDonald
Miller (CA)
Minge
Mink
Moakley
Mollohan
Nadler
Neal
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Pitts
Poshard
Price (NC)
Quinn
Rahall
Rangel
Reyes
Rivers
Rodriguez
Roemer
Ros-Lehtinen
Rothman
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Schumer
Scott
Serrano
Shays
Skaggs
Skelton
Slaughter
Smith, Adam
Snyder
Spratt
Stabenow
Stark
Stenholm
Stokes
Tauscher
Thompson
Thurman
Tierney
Torres
Traficant
Turner
Vento
Visclosky
Wamp
Waters
Watt (NC)
Watts (OK)
Waxman
Weygand
Wise
Woolsey
Wynn

NOES—226

Aderholt
Archer
Armey
Bachus
Baesler
Baker
Ballenger
Barcia
Barr
Barrett (NE)
Bartlett
Bass
Bateman
Bereuter
Bilbray
Bilirakis
Bliley
Blunt
Boehlert
Boehner
Bonilla
Bono
Boucher
Boyd
Brady
Bryant
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Cardin
Castle
Chabot
Chambliss
Chenoweth
Christensen
Coble
Coburn
Collins
Combest
Cook
Cooksey
Cox
Cramer
Crane
Crapo
Cunningham
Danner
Davis (VA)
Deal
DeLay
Dickey
Dingell
Doolittle
Doyle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Everett
Ewing
Fawell
Fowler
Franks (NJ)
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Goodlatte
Goodling
Goss
Graham
Granger
Greenwood
Gutknecht
Hansen
Hastert
Hastings (WA)
Hayworth
Hefley
Herger

Hill	Mica	Sensenbrenner
Hilleary	Miller (FL)	Sessions
Hobson	Molinari	Shadegg
Holden	Moran (KS)	Shaw
Horn	Moran (VA)	Sherman
Hostettler	Morella	Shimkus
Hulshof	Murtha	Shuster
Hunter	Nethercutt	Sisisky
Hutchinson	Neumann	Skeen
Hyde	Ney	Smith (MI)
Inglis	Northup	Smith (NJ)
Istook	Norwood	Smith (TX)
Jenkins	Oxley	Smith, Linda
Johnson (CT)	Packard	Snowbarger
Johnson, Sam	Pappas	Solomon
Jones	Parker	Souder
Kanjorski	Paul	Spence
Kasich	Paxon	Stearns
Kelly	Pease	Strickland
Kim	Peterson (MN)	Stump
King (NY)	Peterson (PA)	Stupak
Kingston	Petri	Sununu
Klug	Pickering	Talent
Knollenberg	Pickett	Tauzin
Kolbe	Pombo	Taylor (MS)
LaHood	Pomeroy	Taylor (NC)
Largent	Portman	Thomas
Latham	Pryce (OH)	Thornberry
LaTourette	Radanovich	Thune
Leach	Ramstad	Tiahrt
Lewis (CA)	Regula	Upton
Lewis (KY)	Riggs	Walsh
Linder	Riley	Watkins
Lipinski	Rogan	Weldon (FL)
Livingston	Rogers	Weldon (PA)
LoBiondo	Rohrabacher	Weller
Lucas	Roukema	Wexler
McCarthy (MO)	Royce	White
McCollum	Ryun	Whitfield
McHale	Salmon	Wicker
McHugh	Sanford	Wolf
McInnis	Saxton	Young (AK)
McIntosh	Scarborough	Young (FL)
McKeon	Schaefer, Dan	
Metcalf	Schaffer, Bob	

NOT VOTING—21

Andrews	Hall (OH)	Porter
Clay	Hefner	Schiff
Clement	Hoekstra	Smith (OR)
Condit	Manzullo	Tanner
Cubin	McCrery	Towns
DeFazio	Myrick	Velazquez
Furse	Nussle	Yates

□ 1614

The Clerk announced the following pairs:

On this vote:

Mr. Towns for, with Mr. Manzullo against.
Ms. Velázquez for, with Mrs. Cubin against.

Messrs. GEJDENSON, DOOLEY of California, WAMP, and QUINN changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. MANZULLO. Mr. Chairman, due to an illness in my family, I was unable to be present for two House recorded floor votes on Thursday, April 24. Had I been present, I would have voted as follows:

On rollcall vote No. 90: ''Yes'' (Roemer amendment).

On rollcall vote No. 91: ''No'' (Jackson-Lee amendment).

□ 1615

The CHAIRMAN pro tempore [Mr. NEY]. Are there further amendments?

If not, the question is on the committee amendment in the nature of a substitute, as amended.

The committee amendment in the nature of a substitute, as amended, was agreed to.

The CHAIRMAN pro tempore. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker pro tempore [Mr. BARRETT of Nebraska] having assumed the chair, Mr. NEY, Chairman pro tempore of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 1275) to authorize appropriations for the National Aeronautics and Space Administration for fiscal years 1998 and 1999, and for other purposes, pursuant to House Resolution 128, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment to the committee amendment in the nature of a substitute adopted by the Committee of the Whole? If not, the question is on the amendment.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. SENSENBRENNER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 1273, 1274 and 1275, the bills passed today.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

REREFERRAL OF H.R. 892, AARON HENRY UNITED STATES POST OFFICE

Mr. KIM. Mr. Speaker, I ask unanimous consent that the Committee on Government Reform and Oversight be discharged from further consideration of the bill, H.R. 892, and that the bill be rereferred to the Committee on Transportation and Infrastructure.

This bill would redesignate the Federal building located at 223 Sharkey Street in Clarksdale, MS, as the Aaron Henry United States Post Office.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

PROVIDING FOR LUMP SUM ALLOWANCE FOR CORRECTIONS CALENDAR OFFICE

Mr. GUTKNECHT. Mr. Speaker, I offer a resolution (H. Res. 130) and I ask unanimous consent for its immediate consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

The Clerk read the resolution, as follows:

H. RES. 130

Resolved,

SECTION 1. LUMP SUM ALLOWANCE FOR CORRECTIONS CALENDAR OFFICE.

There shall be a lump sum allowance of $300,000 per fiscal year for the salaries and expenses of the Corrections Calendar Office, established by House Resolution 7, One Hundred Fifth Congress, agreed to January 7, 1997. Such amount shall be allocated between the majority party and the minority party as determined by the Speaker, in consultation with the minority leader.

SEC. 2. EFFECTIVE DATE.

The allowance under section 1—

(1) shall be available beginning with the month of May 1997;

(2) through the end of September 1997, shall be paid from the applicable accounts of the House of Representatives on a pro rata basis; and

(3) beginning with fiscal year 1998, shall be paid as provided in appropriations Acts.

Mr. GUTKNECHT (during the reading). Mr. Speaker, I ask unanimous consent that the resolution be considered as read and printed in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

The SPEAKER pro tempore. The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

ADJOURNMENT TO MONDAY, APRIL 28, 1997

Mr. GUTKNECHT. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 2 p.m. on Monday next.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

HOUR OF MEETING ON TUESDAY, APRIL 29, 1997

Mr. GUTKNECHT. Mr. Speaker, I ask unanimous consent that when the House adjourns on Monday, April 28, 1997, it adjourn to meet at 12:30 p.m. on Tuesday, April 29, 1997, for morning hour debates.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY NEXT

Mr. GUTKNECHT. Mr. Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday rule be dispensed with on Wednesday next.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Minnesota?

There was no objection.