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APPROVED

JUN 19 1975

THE WHITE HOUSE

WASHINGTON

June 17, 1975

ACTION

Last Day: June 21

Posted 6/21

To ARCHIVES
6/23

MEMORANDUM FOR THE PRESIDENT

FROM: JIM CANNON *Jmc*

SUBJECT: Enrolled Bill H.R. 4700 - NASA
Appropriations Authorization

Attached for your consideration is H.R. 4700, sponsored by Representatives Teague and Mosher, which authorizes appropriations of \$3,562,310,000 for the activities of NASA for FY 76 and \$925,150,000 for the transition period July 1 to September 30, 1976.

The enrolled bill's authorization is \$23,310,000 above the Administration 1976 budget request and the transition period authorization is \$33,750,000 less than requested.

A discussion of the differences between the Administration's request and H.R. 4700 is provided in OMB's enrolled bill report at Tab A.

OMB, Max Friedersdorf, Phil Buchen (Lazarus), NSC and I recommend approval of the enrolled bill.

RECOMMENDATION

That you sign H.R. 4700 at Tab B.



APPROVED
JUN 19 1975

EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

JUN 16 1975

MEMORANDUM FOR THE PRESIDENT

Subject: Enrolled Bill H.R. 4700 - NASA Appropriations
Authorization
Sponsor - Rep. Teague (D) Texas and Rep. Mosher (R) Ohio

Last Day for Action

June 21, 1975 - Saturday

Purpose

Authorizes appropriations of \$3,562,310,000 for the activities of the National Aeronautics and Space Administration (NASA) for fiscal year 1976 and \$925,150,000 for the transition period, July 1 to September 30, 1976.

Agency Recommendations

Office of Management and Budget	Approval
National Aeronautics and Space Administration	Approval
National Science Foundation	Approval
Department of State	No comment (Informally)

Discussion

The enrolled bill's authorization of \$3,562,310,000 for 1976 is \$23,310,000 above the Administration's budget request. The transition quarter authorization of \$925,150,000 is \$33,750,000 less than requested. The bill does not include a requested appropriations authorization for 1977.

The differences between the Administration's request and H.R. 4700 for 1976 are as follows:

<u>Research and Development</u>	<u>(Millions of \$)</u>
- testing the effect of pollutants in the upper atmosphere	+ 7.0

- practical application of space technology + 6.5
- dissemination of space technology to the public + 1.0
- manned space flight and satellite tracking - 5.7

Construction of Facilities

- initial funding for modifications of the wind tunnel at Ames Research Center, Calif. +12.5
 - planning and design of wind tunnels + 4.5
 - upgrading of lunar sample facility at Johnson Space Center, Texas - 2.5
- net increase +23.3

The \$33,750,000 reduction in the requested authorization for the transition period is predominantly in research and development.

A more detailed analysis of the differences between the Administration's proposals and the amounts provided in this bill is included in NASA's views letter, attached. Those differences, from a programmatic viewpoint are not of major significance. Moreover, in recent years, Congress has reduced only slightly the total appropriations requested in the Budget. If that pattern is followed this year, the changes contained in the enrolled authorization bill are unlikely to have a significant budgetary impact.

In addition to changes in the amounts authorized, H.R. 4700 adds in section 8 a new Title IV to the National Aeronautics and Space Act of 1958 to authorize and direct NASA to develop and carry out a comprehensive program of research, technology, and monitoring of the phenomena of the upper atmosphere. To the degree that this new title, added by the Senate Committee, purports to give NASA a lead role in this area, it sets an undesirable legislative precedent in expanding NASA's activities beyond its basic mission. However, as NASA points out in its views letter, the authority in Title IV is essentially redundant and such a program is being initiated by

NASA and other agencies under the coordination of an inter-agency task force created by the Federal Council for Science and Technology and the Council on Environmental Quality. The new Title IV will not restrict executive flexibility in assigning responsibilities for research and other activities concerning the upper atmosphere.

James M. Frey
Assistant Director for
Legislative Reference

Enclosures



Records -- to

add to your file.

Received in Records office, after the
bill was passed, at 3:30 PM 6/21/75

No statement was put out that I know of

The attached statement was initiated too late to issue signing statement. Glenn Schleede advised Pat O'Donnell of this fact.

Judy Johnston, 6/21/75

THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.:

Date: June 20, 1975

Time: 6:45pm

FOR ACTION: Jim Lynn
Max Friedersdorf
KenL Lazarus
Paul Theis
Glenn Schleede

cc (for information): Jim Cavanaugh
Jack Marsh

FROM THE STAFF SECRETARY

DUE: Date: June 21

Time: 11:00am

SUBJECT:

Signing Statement for National Aeronautics and Space
Administration Authorization Act of 1976

ACTION REQUESTED:

- | | |
|---|--|
| <input type="checkbox"/> For Necessary Action | <input checked="" type="checkbox"/> For Your Recommendations |
| <input type="checkbox"/> Prepare Agenda and Brief | <input type="checkbox"/> Draft Reply |
| <input checked="" type="checkbox"/> For Your Comments | <input type="checkbox"/> Draft Remarks |

REMARKS:

Please return to Judy Johnston- Ground Floor West Wing

PLEASE ATTACH THIS COPY TO MATERIAL SUBMITTED.

If you have any questions or if you anticipate a delay in submitting the required material, please telephone the Staff Secretary immediately.

K. R. COLE, JR.
For the President

DRAFT

July

456-2219

OK/10/77

THE NATIONAL AERONAUTICS AND SPACE ADMINISTRATION
AUTHORIZATION ACT OF 1976

Statement by the President upon signing the bill, H. R. 4700 into law.

It is with a great deal of satisfaction that I approve and sign into law H. R. 4700, the National Aeronautics and Space Administration Authorization Act, 1976, to continue the NASA programs which have provided so many benefits to the people of this country and to others around the world. This bill authorizes appropriations for the National Aeronautics and Space Administration of \$4,487,460,000 for fiscal year 1976 and the transition period to fiscal year 1977. In passing this bill, the Congress approved with small modifications the program requested by the Administration but added an important amendment.

This amendment is directed to the serious concern that has arisen during the past year ^{over} ~~because~~ certain chemical compounds, such as nitrous oxides and chlorofluorocarbons, ^{which are} released into the atmosphere ^{and these} ~~are~~ suspected of causing a reduction in stratospheric ozone. Without this ozone life could not exist on earth and any modification of it will affect life ^{on} ~~on~~ earth. So it is a concern that demands immediate attention.

A few days ago, an Executive Branch Task Force on the Inadvertent Modification of the Stratosphere (IMOS) issued a summary report calling attention to this concern and made some suggestions as to a course of action.



However, before the issuance of the IMOS report, the Congress completed action on H. R. 4700 and sent it to the President for his signature. *Amended by the President, the amendment is as much timely.* ~~The bill~~ *added to the bill by the Congress,* Section 8, requires that a program of research, technology and monitoring directed to understanding the physical and chemical processes of the upper atmosphere be carried out by ~~the Federal Government~~ under the direction of the National Aeronautics and Space Administration. The bill also provides \$14 million for this program for 1976.

For some time I have been urging the Congress to move faster in a number of areas important ~~to our people~~. *Although* I had not ~~acted~~ *acted in* quick action by the Congress on this matter, ~~as the Task Force had not completed its work, and its full report will not be published until next month.~~ *since the Task Force had not completed its work, and its full report will not be published until next month.*

I was pleased with the However, under an initiative taken by the Senator from Utah, Mr. Frank E. Moss, ~~the Congress has enacted timely legislation in response to this serious concern of our people.~~ *to address this one deal with the problem in the way of*

Not only did the Congress move quickly, but it wrote good legislation. The amendment is wisely directed not only to the immediate concern with the stratosphere but recognizes the need to tackle the broader problem in a cooperative effort with our centers of learning, our industry and with other people around the world. The legislation clearly states that the purpose is "to provide for an understanding of and to maintain the physical and chemical integrity of the Earth's upper atmosphere". I understand that the IMOS Task Force agrees that a research and

DRAFT

-3-

monitoring program is needed to obtain the facts with respect to this important problem. *The full IMOS report will be published next month.*

I commend the Congress for its quick action on this matter *problem.*
~~under the leadership of Utah's Senator Moss.~~ I will see that the program is carried out as directed by this law.

J

THE WHITE HOUSE
WASHINGTON

Date June 20, 1975

TO: JUDY JOHNSTON

FROM: JIM CAVANAUGH

 FYI

 X For appropriate action

COMMENTS

Please staff.

THE WHITE HOUSE
WASHINGTON

Date 6/20

TO: Jim Cannon

FROM: PATRICK E.O'DONNELL

Attached is a proposed draft signing statement for the NASA authorization.

What think?

DRAFT

THE NATIONAL AERONAUTICS AND SPACE ADMINISTRATION
AUTHORIZATION ACT OF 1976

Statement by the President upon signing the bill, H. R. 4700 into law.

It is with a great deal of satisfaction that I approve and sign into law H. R. 4700, the National Aeronautics and Space Administration Authorization Act, 1976, to continue the NASA programs which have provided so many benefits to the people of this country and to others around the world. This bill authorizes appropriations for the National Aeronautics and Space Administration of \$4,487,460,000 for fiscal year 1976 and the transition period to fiscal year 1977. In passing this bill the Congress approved with small modifications the program requested by the Administration but added an important amendment.

This amendment is directed to the serious concern that has arisen during the past year because certain chemical compounds, such as nitrous oxides and chlorofluorocarbons, released into the atmosphere are suspected of causing a reduction in stratospheric ozone. Without this ozone life could not exist on earth and any modification of it will affect life on earth. So it is a concern that demands immediate attention.

A few days ago an Executive Branch Task Force on the Inadvertent Modification of the Stratosphere (IMOS) issued a summary report calling attention to this concern and made some suggestions as to a course of action.

However, before the issuance of the IMOS report, the Congress completed action on H. R. 4700 and sent it to the President for his signature. The section added to the bill by the Congress, Section 8, requires that a program of research, technology and monitoring directed to understanding the physical and chemical processes of the upper atmosphere be carried out by the Federal Government under the direction of the National Aeronautics and Space Administration. The bill also provides \$14 million for this program for 1976.

For some time I have been urging the Congress to move faster in a number of areas important to our people. I had not urged quick action by the Congress on this matter, as the Task Force had not completed its work; and, its full report will not be published until next month. However, under an initiative taken by the Senator from Utah, Mr. Frank E. Moss, the Congress has enacted timely legislation in response to this serious concern of our people.

Not only did the Congress move quickly, but it wrote good legislation. The amendment is wisely directed not only to the immediate concern with the stratosphere but recognizes the need to tackle the broader problem in a cooperative effort with our centers of learning, our industry and with other people around the world. The legislation clearly states that the purpose is "to provide for an understanding of and to maintain the physical and chemical integrity of the Earth's upper atmosphere". I understand that the IMOS Task Force agrees that a research and

monitoring program is needed to obtain the facts with respect to this important problem.

I commend the Congress for its quick action on this matter under the leadership of Utah's Senator Moss. I will see that the program is carried out as directed by this law.

DRAFT

THE NATIONAL AERONAUTICS AND SPACE ADMINISTRATION
AUTHORIZATION ACT OF 1976

Statement by the President upon signing the bill, H. R. 4700 into law.

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This amendment is directed to the serious concern that has arisen during the past year ^{over} ~~because~~ certain chemical compounds, such as nitrous oxides and chlorofluorocarbons ^(which have been) released into the atmosphere ^{and} are suspected of causing a reduction in stratospheric ozone. Without this ozone life could not exist on earth and any modification of it will affect life on earth. ^{This} ~~So it is a concern that~~ demands immediate attention.

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~~Not only did the Congress move quickly, but it wrote good legislation.~~ The amendment is wisely directed not only to the immediate concern with the stratosphere but recognizes the need to tackle the broader problem in a cooperative effort with ~~our~~ centers of learning, our industry and ~~with other~~ people around the world. The legislation clearly states that the purpose is "to provide for an understanding of and to maintain the physical and chemical integrity of the Earth's upper atmosphere". Y
~~understand that~~ the IMOS Task Force agrees that a research and

DRAFT

-3-

monitoring program is needed to obtain the facts with respect to this important problem.

I commend the Congress for its quick action on this matter ~~under the leadership of Utah's Senator Moss. I will see that the program is carried out as directed by this law.~~





NATIONAL AERONAUTICS AND SPACE ADMINISTRATION
WASHINGTON, D.C. 20546

OFFICE OF THE ADMINISTRATOR

JUN 18 1975

Director
Office of Management and Budget
Executive Office of the President
Washington, DC 20503

Attention: Acting Assistant Director
for Legislative Reference

Subject: Enrolled Enactment report on H.R. 4700, 94th Congress

This is an Enrolled Enactment report on H.R. 4700, "To authorize appropriations to the National Aeronautics and Space Administration for research and development, construction of facilities, and research and program management, and for other purposes." It is submitted in accordance with OMB Circular A-19 and Mr. J. F. C. Hyde, Jr.'s request of June 11, 1975. The National Aeronautics and Space Administration is the agency in the Executive Branch of the Government with the principal interest in enactment of the legislation.

Fiscal Year 1976

The Authorization bill submitted to Congress by NASA supported the President's Budget for fiscal year 1976 which recommended appropriations for NASA totaling \$3,539,000,000, of which \$2,678,380,000 was to be for "Research and development," \$84,620,000 for the "Construction of facilities," and \$776,000,000 for "Research and program management." In addition, the Authorization bill submitted by NASA would authorize appropriations totaling \$958,900,000 to be available July 1, 1976.

The Enrolled Enactment would authorize appropriations for fiscal year 1976 in the total amount of \$3,562,310,000. The authorization for "Research and development" would be \$8,800,000 more than recommended by the President, and total authorizations for "Construction of facilities" would be \$14,510,000 more than recommended by the President. The amount requested by the President for "Research and program management" would remain unchanged.

The net increase of \$8,800,000 in the "Research and development" funds that would be authorized for fiscal year 1976 compared to the amounts included in the President's Budget reflects the following changes:

1. The Space Flight Operations request is reduced from \$207,100,000 to \$203,100,000.
2. The Advanced Missions request is increased from \$1,500,000 to \$2,000,000.
3. The Physics and Astronomy request is increased from \$155,800,000 to \$162,800,000. The Conference report indicates that this increase is to support an enhanced and aggressive upper atmospheric research program.
4. The Space Applications request is increased from \$175,030,000 to \$181,530,000. The Conference report indicates that this increase is to augment and strengthen research and development programs in the areas of severe storm research, earth resources development, and Space Shuttle payload studies.
5. The Tracking and Data Acquisition request is reduced from \$243,000,000 to \$240,800,000.
6. The Technology Utilization request is increased from \$7,000,000 to \$8,000,000.

The net increase of \$14,510,000 in the "Construction of facilities" funds that would be authorized over the Presidential recommendation consists of the following changes:

1. Deletion of the request for \$2,490,000 for an addition to the lunar sample curatorial facility at the Lyndon B. Johnson Space Center.
2. Addition of a \$12,500,000 authorization for initiating modifications of the 40' x 80' subsonic wind tunnel at the Ames Research Center.
3. An increase of \$4,500,000 in the \$9,275,000 requested for Facility Planning and Design activities for initiating design work on certain aeronautical facilities.

Transition Period

The Authorization bill submitted by NASA would have authorized appropriations totaling \$958,900,000 for the transition period (July 1, 1976 through September 30, 1976), of which a lump sum amount of \$730,600,000 was to be for "Research and development," a lump sum amount of \$14,500,000 for the "Construction of facilities," and \$213,800,000 for "Research and program management."

The Enrolled Enactment would authorize appropriations for the transition period in the total amount of \$925,150,000. The authorizations for "Research and development" would be \$30,000,000 less than recommended by the President, and the authorizations for "Construction of facilities" would be \$3,750,000 less than recommended by the President. The amount requested by the President for "Research and program management" would remain unchanged.

The Enrolled Enactment provides ceiling amounts for each of the 12 programs constituting the "Research and development" transition period authorizations, and would allow NASA the flexibility to apply the funds appropriated pursuant to the authorization to the various programs provided that the stipulated ceiling for any program is not exceeded. For "Construction of facilities" the Enrolled Enactment would establish ceiling amounts for each of three line items for the transition period; rehabilitation and modification of facilities, minor construction, and facility planning and design.

Fiscal Year 1977

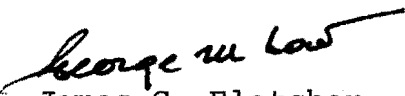
The proposed Authorization bill as submitted to Congress by NASA includes authorizations totaling \$3,625,000,000 for FY 1977, in compliance with OMB Bulletin No. 75-8. This proposal was not addressed in the Congressional actions leading to the Enrolled Enactment. The Enrolled Enactment makes no reference to Fiscal Year 1977.

Legislative Provisions

The Enrolled Enactment contains a new Section 8, which would amend the National Aeronautics and Space Act of 1958, as amended, to authorize and direct NASA to develop and carry out a comprehensive program of research, technology, and monitoring of the

phenomena of the upper atmosphere so as to provide for an understanding of and to maintain the chemical and physical integrity of the earth's upper atmosphere. The new Section 8 is similar in many respects to two bills previously introduced, S. 851 and H.R. 4652. As pointed out in our reports and testimony on those bills, additional legislation is not required to provide authority for the programs necessary to develop an understanding of the chemical and physical properties and related problems of the earth's upper atmosphere; in fact, such a program is currently being initiated by NASA and other agencies under the coordination of the Interagency Task Force on Inadvertent Modification of the Stratosphere (IMOS) established by the Federal Council for Science and Technology and the Council on Environmental Quality. Although in some respects Section 8 in the Enrolled Enactment is, therefore, redundant from a legal standpoint, it would not unduly constrict the flexibility of the Executive Branch to assign responsibilities for dealing with various aspects of the problems of the upper atmosphere to the various agencies in the most appropriate manner.

With the relatively minor differences discussed above, the Enrolled Enactment provides legislative authority for the NASA fiscal year 1976 program and for the transition period (July 1, 1976 through September 30, 1976) as recommended by the President in the FY 1976 Budget. The National Aeronautics and Space Administration recommends its approval.


James C. Fletcher
for Administrator

To -
J. Cunningham
6-16-75
6:00 p.m.

EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

JUN 16 1975

MEMORANDUM FOR THE PRESIDENT

Subject: Enrolled Bill H.R. 4700 - NASA Appropriations
Authorization
Sponsor - Rep. Teague (D) Texas and Rep. Mosher (R) Ohio

Last Day for Action

June 21, 1975 - Saturday

Purpose

Authorizes appropriations of \$3,562,310,000 for the activities of the National Aeronautics and Space Administration (NASA) for fiscal year 1976 and \$925,150,000 for the transition period, July 1 to September 30, 1976.

Agency Recommendations

Office of Management and Budget	Approval
National Aeronautics and Space Administration	Approval
National Science Foundation	Approval
Department of State	No comment (Informally)

Discussion

The enrolled bill's authorization of \$3,562,310,000 for 1976 is \$23,310,000 above the Administration's budget request. The transition quarter authorization of \$925,150,000 is \$33,750,000 less than requested. The bill does not include a requested appropriations authorization for 1977.

The differences between the Administration's request and H.R. 4700 for 1976 are as follows:

<u>Research and Development</u>	<u>(Millions of \$)</u>
- testing the effect of pollutants in the upper atmosphere	+7.0

THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.:

Date: June 16, 1975

Time: 607pm

FOR ACTION: Glenn Schleede
NSC/S Davis
Max Friedersdorf
Ken Lazarus

cc (for information): Jim Cavanaugh
Jack Marsh

FROM THE STAFF SECRETARY

DUE: Date: June 17

Time: 4:30pm

SUBJECT:

Enrolled Bill H.R. 4700 - NASA Appopriations Authorization

ACTION REQUESTED:

- For Necessary Action
- For Your Recommendations
- Prepare Agenda and Brief
- Draft Reply
- For Your Comments
- Draft Remarks

REMARKS:

Please return to Judy Johnston, Ground Floor West Wing

PLEASE ATTACH THIS COPY TO MATERIAL SUBMITTED.

If you have any questions or if you anticipate a delay in submitting the required material, please telephone the Staff Secretary immediately.

K. R. COLE, JR.
For the President

THE WHITE HOUSE
WASHINGTON

June 17, 1975

MEMORANDUM FOR: JIM CAVANAUGH
FROM: MAX L. FRIEDERSDORF *M.L.*
SUBJECT: Enrolled Bill H.R. 4700 - NASA Appropriations
Authorization

The Office of Legislative Affairs concurs with the agencies
that the subject bill be signed.

Attachments



NATIONAL SCIENCE FOUNDATION
WASHINGTON, D.C. 20550



OFFICE OF THE
DIRECTOR

June 13, 1975

Mr. James M. Frey
Assistant Director for
Legislative Reference
Office of Management and Budget
Washington, D. C. 20503

Dear Mr. Frey:

This is in reply to your communication of June 11, 1975,
requesting the comments of the National Science Foundation
on Enrolled Bill H. R. 4700, the "National Aeronautics and
Space Administration Authorization Act, 1976."

The Foundation recommends that the President approve the
Enrolled Bill.

Sincerely yours,

A handwritten signature in cursive script, appearing to read "H. Guyford Stever".

H. Guyford Stever
Director

THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.:

Date: June 16, 1975

Time: 6:07pm

FOR ACTION: Glenn Schleede
NSC/S
Max Friedersdorf
Ken Lazarus

*cc (for information): Jim Cavanaugh
Jack Marsh

FROM THE STAFF SECRETARY

DUE: Date: June 17

Time: 4:30pm

SUBJECT:

Enrolled Bill H.R. 4700 - NASA Appropriations Authorization

ACTION REQUESTED:

- For Necessary Action
- For Your Recommendations
- Prepare Agenda and Brief
- Draft Reply
- For Your Comments
- Draft Remarks

REMARKS:

Please return to Judy Johnston, Ground Floor West Wing

No objection -- Ken Lazarus 6/17/75

PLEASE ATTACH THIS COPY TO MATERIAL SUBMITTED.

If you have any questions or if you anticipate a delay in submitting the required material, please telephone the Staff Secretary immediately.

James H. Cavanaugh
For the President

THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.:

Date: June 16, 1975

Time: 6:07pm

FOR ACTION: Glenn Schleede
NSC/S
Max Friedersdorf
Ken Lazarus

*cc (for information): Jim Cavanaugh
Jack Marsh

FROM THE STAFF SECRETARY

DUE: Date: June 17

Time: 4:30pm

SUBJECT:

Enrolled Bill H.R. 4700 - NASA Appropriations Authorization

ACTION REQUESTED:

For Necessary Action

For Your Recommendations

Prepare Agenda and Brief

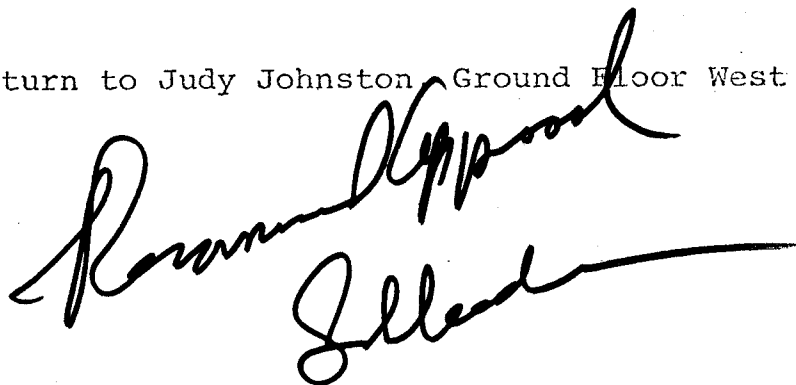
Draft Reply

For Your Comments

Draft Remarks

REMARKS:

Please return to Judy Johnston, Ground Floor West Wing



PLEASE ATTACH THIS COPY TO MATERIAL SUBMITTED.

If you have any questions or if you anticipate a delay in submitting the required material, please telephone the Staff Secretary immediately.

James H. Cavanaugh
For the President

NATIONAL SECURITY COUNCIL

June 17, 1975

MEMORANDUM FOR: JIM CAVANAUGH

FROM: Jeanne W. Davis 

SUBJECT: Enrolled Bill H. R. 4700
NASA Appropriations Authorization

The NSC Staff concurs in the proposed Enrolled Bill H. R. 4700 -
NASA Appropriations Authorization



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET

DATE: 6-17-75

TO: Bob Linder

FROM: Jim Frey

Attached is the Commerce views letter on H.R. 4700 and the Conference Report on the same bill. Please have included in the enrolled bill file which was forwarded to you yesterday. Thanks.

OMB FORM 38
REV AUG 73



**GENERAL COUNSEL OF THE
DEPARTMENT OF COMMERCE**
Washington, D.C. 20230

JUN 16 1975

Honorable James T. Lynn
Director, Office of Management
and Budget
Washington, D. C. 20503

Attention: Assistant Director for Legislative Reference

Dear Mr. Lynn:

This is in reply to your request for the views of this Department concerning H. R. 4700, an enrolled enactment

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

to be cited as the "National Aeronautics and Space Administration Authorization Act, 1976."

H. R. 4700 authorizes appropriations to the National Aeronautics and Space Administration (NASA) for fiscal year 1976, and for the transition period, July 1, 1976 through September 30, 1976. It would also amend the National Aeronautics and Space Act of 1958 by adding a new title IV entitled, Upper Atmospheric Research. The new title would authorize and direct NASA to develop and carry out a comprehensive program of research, technology, and monitoring of the phenomena of the upper atmosphere so as to provide for an understanding of and to maintain the chemical and physical integrity of the earth's upper atmosphere. NASA is to carry out this program in cooperation with other Federal agencies and with the participation of the scientific and engineering community.

This Department would have no objection to approval by the President of H. R. 4700.

Enactment of this legislation will not involve any increase in the budgetary requirements of this Department.

Sincerely,

Karl E. Bakke

General Counsel





DEPARTMENT OF STATE

Washington, D.C. 20520

JUN 16 1975

Honorable James T. Lynn,
Director,
Office of Management and Budget,
Washington, D. C.

Dear Mr. Lynn:

This is in answer to the communication from Mr. Hyde requesting State Department views and recommendations on H. R. 4700. The Department has no comments on this bill and defers to NASA on recommendations for signature.

Sincerely,

A handwritten signature in black ink that reads "Robert J. McCloskey". The signature is written in a cursive style with a large, stylized initial "R".

Robert J. McCloskey
Assistant Secretary
for Congressional Relations

Ninety-fourth Congress of the United States of America

AT THE FIRST SESSION

*Begun and held at the City of Washington on Tuesday, the fourteenth day of January,
one thousand nine hundred and seventy-five*

An Act

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

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

- (a) For "Research and development," for the following programs:
- (1) Space Shuttle, \$1,206,000,000;
 - (2) Space flight operations, \$203,100,000;
 - (3) Advanced missions, \$2,000,000;
 - (4) Physics and astronomy, \$162,800,000;
 - (5) Lunar and planetary exploration, \$259,900,000;
 - (6) Launch vehicle procurement, \$166,900,000;
 - (7) Space applications, \$181,530,000;
 - (8) Aeronautical research and technology, \$175,350,000;
 - (9) Space and nuclear research and technology, \$74,900,000;
 - (10) Energy technology applications, \$5,900,000;
 - (11) Tracking and data acquisition, \$240,800,000;
 - (12) Technology utilization, \$8,000,000;
- (b) For "Construction of facilities," including land acquisition, as follows:
- (1) Modification of 11- by 11-foot transonic wind tunnel, Ames Research Center, \$2,695,000.
 - (2) Addition for composite model and metal finishing shops, Langley Research Center, \$1,940,000;
 - (3) Space shuttle facilities at various locations as follows:
 - (A) Modifications to launch complex 39, John F. Kennedy Space Center, \$13,110,000;
 - (B) Construction of Orbiter processing facility, John F. Kennedy Space Center, \$8,160,000;
 - (C) Modifications for solid rocket booster processing facilities, John F. Kennedy Space Center, \$5,240,000;
 - (D) Modifications for hypergolic checkout and refurbishment facilities, John F. Kennedy Space Center, \$6,940,000;
 - (E) Modifications for launch equipment test facilities, John F. Kennedy Space Center, \$1,960,000;
 - (F) Construction of Orbiter approach and landing test facilities, Flight Research Center, and Air Force Plant #42, Palmdale, California, \$1,680,000;
 - (G) Construction of Shuttle/Carrier aircraft mating facilities, Flight Research Center, and Air Force Plant #42, Palmdale, California, \$3,890,000;
 - (H) Modifications for crew training facilities, Lyndon B. Johnson Space Center, \$830,000;
 - (I) Modification of the vibration and acoustic test facility, Lyndon B. Johnson Space Center, \$2,410,000;
 - (J) Modifications for solid rocket booster component manufacturing and assembly facilities (location to be designated), \$3,000,000;

(4) Modification of 40-by-80 foot subsonic wind tunnel, Ames Research Center, \$12,500,000;

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

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

(7) Facility planning and design not otherwise provided for, \$13,775,000.

(c) For "Research and program management," \$776,000,000, and such additional or supplemental amounts as may be necessary for increases in salary, pay, retirement, or other employee benefits authorized by law.

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

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

(f) Appropriations made pursuant to subsection 1(c) may be used, but not to exceed \$35,000, for scientific consultations of extraordinary expenses upon the approval or authority of the Administrator and his determination shall be final and conclusive upon the accounting officers of the Government.

(g) Of the funds appropriated pursuant to subsections 1(a) and 1(c), not in excess of \$25,000 for each project, including collateral equipment, may be used for construction of new facilities and additions to existing facilities, and not in excess of \$50,000 for each project, including collateral equipment, may be used for rehabilitation or modification of facilities: *Provided*, That of the funds appropriated pursuant to subsection 1(a), not in excess of \$250,000 for each project, including collateral equipment, may be used for any of the foregoing for unforeseen programmatic needs.

SEC. 2. Authorization is hereby granted whereby any of the amounts prescribed in paragraphs (1) through (6), inclusive, of subsection 1(b)—

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

(2) following a report by the Administrator or his designee to the Committee on Science and Technology of the House of Representatives and the Committee on Aeronautical and Space Sciences of the Senate on the circumstances of such action, may be varied upward 25 per centum,

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

SEC. 3. Not to exceed one-half of 1 per centum of the funds appropriated pursuant to subsection 1(a) hereof may be transferred to the "Construction of facilities" appropriation, and, when so transferred, together with \$10,000,000 of the funds appropriated pursuant to subsection 1(b) hereof (other than funds appropriated pursuant to paragraph (7) of such subsection) shall be available for expenditure to construct, expand, or modify laboratories and other installations at any location (including locations specified in subsection 1(b)), if (1) the Administrator determines such action to be necessary because of changes in the national program of aeronautical and space activities or new scientific or engineering developments, and (2) he determines that deferral of such action until the enactment of the next Authorization Act would be inconsistent with the interest of the Nation in aeronautical and space activities. The funds so made available may be expended to acquire, construct, convert, rehabilitate, or install permanent or temporary public works, including land acquisition, site preparation, appurtenances, utilities, and equipment. No portion of such sums may be obligated for expenditure or expended to construct, expand, or modify laboratories and other installations unless (A) a period of thirty days has passed after the Administrator or his designee has transmitted to the Speaker of the House of Representatives and to the President of the Senate and to the Committee on Science and Technology of the House of Representatives and to the Committee on Aeronautical and Space Sciences of the Senate a written report containing a full and complete statement concerning (1) the nature of such construction, expansion, or modification, (2) the cost thereof including the cost of any real estate action pertaining thereto, and (3) the reason why such construction, expansion, or modification is necessary in the national interest, or (B) each such committee before the expiration of such period has transmitted to the Administrator written notice to the effect that such committee has no objection to the proposed action.

SEC. 4. Notwithstanding any other provision of this Act—

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

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

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

H. R. 4700—4

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

SEC. 5. It is the sense of the Congress that it is in the national interest that consideration be given to geographical distribution of Federal research funds whenever feasible, and that the National Aeronautics and Space Administration should explore ways and means of distributing its research and development funds whenever feasible.

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

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

SEC. 7. In addition to the amounts authorized to be appropriated under section 1 of this Act, there is hereby authorized to be appropriated to the National Aeronautics and Space Administration, to be available no earlier than July 1, 1976:

(a) For "Research and development," for the programs specified in the following paragraphs, \$700,600,000, of which no more shall be available for any such program than the amount stipulated (for that program) in the applicable paragraph:

- (1) Space Shuttle, \$321,000,000;
- (2) Space flight operations, \$55,100,000;
- (3) Advanced missions, \$500,000;
- (4) Physics and astronomy, \$46,600,000;
- (5) Lunar and planetary exploration, \$73,300,000;
- (6) Launch vehicle procurement, \$40,400,000;
- (7) Space applications, \$54,700,000;
- (8) Aeronautical research and technology, \$46,800,000;
- (9) Space and nuclear research and technology, \$22,300,000;

- (10) Energy technology applications, \$1,500,000;
- (11) Tracking and data acquisition, \$66,400,000;
- (12) Technology utilization, \$2,000,000.

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

- (1) Rehabilitation and modification of facilities at various locations, not in excess of \$500,000 per project, \$7,000,000;
- (2) Minor construction of new facilities and additions to existing facilities at various locations, not in excess of \$250,000 per project, \$1,250,000;
- (3) Facility planning and design not otherwise provided for, \$2,500,000.

(c) For "Research and program management," \$213,800,000, and such additional or supplemental amounts as may be necessary for increases in salary, pay, retirement, or other employee benefits authorized by law.

All of the limitations and other provisions of this Act which are applicable to amounts appropriated pursuant to subsections (a), (b), and (c) of section 1 of this Act shall apply in the same manner to amounts appropriated pursuant to subsections (a), (b), and (c), respectively, of this section.

SEC. 8. The National Aeronautics and Space Act of 1958, as amended, is amended by adding at the end thereof the following new title:

"TITLE IV—UPPER ATMOSPHERIC RESEARCH

"PURPOSE AND POLICY

"SEC. 401. (a) The purpose of this title is to authorize and direct the Administration to develop and carry out a comprehensive program of research, technology, and monitoring of the phenomena of the upper atmosphere so as to provide for an understanding of and to maintain the chemical and physical integrity of the Earth's upper atmosphere.

"(b) The Congress declares that it is the policy of the United States to undertake an immediate and appropriate research, technology, and monitoring program that will provide for understanding the physics and chemistry of the Earth's upper atmosphere.

"DEFINITIONS

"SEC. 402. For the purpose of this title the term 'upper atmosphere' means that portion of the Earth's sensible atmosphere above the troposphere.

"PROGRAM AUTHORIZED

"SEC. 403. (a) In order to carry out the purposes of this title the Administration in cooperation with other Federal agencies, shall initiate and carry out a program of research, technology, monitoring, and other appropriate activities directed to understand the physics and chemistry of the upper atmosphere.

"(b) In carrying out the provisions of this title the Administration shall—

- "(1) arrange for participation by the scientific and engineering community, of both the Nation's industrial organizations and

institutions of higher education, in planning and carrying out appropriate research, in developing necessary technology and in making necessary observations and measurements;

“(2) provide, by way of grant, contract, scholarships or other arrangements, to the maximum extent practicable and consistent with other laws, for the widest practicable and appropriate participation of the scientific and engineering community in the program authorized by this title; and

“(3) make all results of the program authorized by this title available to the appropriate regulatory agencies and provide for the widest practicable dissemination of such results.

“INTERNATIONAL COOPERATION

“SEC. 404. In carrying out the provisions of this title, the Administration, subject to the direction of the President and after consultation with the Secretary of State, shall make every effort to enlist the support and cooperation of appropriate scientists and engineers of other countries and international organizations.”

SEC. 9. This Act may be cited as the “National Aeronautics and Space Administration Authorization Act, 1976”.

Speaker of the House of Representatives.

*Vice President of the United States and
President of the Senate.*

AUTHORIZING APPROPRIATIONS TO THE NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

MARCH 19, 1975.—Committed to the Committee of the Whole House of the State
of the Union and ordered to be printed

Mr. TEAGUE, from the Committee on Science and Technology,
submitted the following

SUPPLEMENTAL REPORT

[To accompany H.R. 4700]

In compliance with clause 2(1)(3) of rule XI of the Rules of the House of Representatives, the following supplemental information is provided concerning budget and oversight requirements.

OVERSIGHT FINDINGS AND RECOMMENDATIONS

No oversight findings and recommendations pursuant to clause 2(1)(3)(A), rule XI, by the Committee on Science and Technology under the authority of rule X, clause 2(b)(1) and clause (3)(f), of the Rules of the House of Representatives have been prepared since the convening of the 94th Congress.

CONGRESSIONAL BUDGET ACT INFORMATION

No information pursuant to section 308(a) of the Congressional Budget Act of 1974 has been provided to the committee by the Congressional Budget Office. Under a separate section of this report, a five-year current programs cost estimate is provided in response to the requirement of section 308(a). No funds for State or local financial assistance are included in H.R. 4700.

ESTIMATE AND COMPARISON, CONGRESSIONAL BUDGET OFFICE

No report has been submitted to the committee from the Congressional Budget Office pursuant to clause 2(1)(3)(C) of rule XI of the Rules of the House of Representatives.

OVERSIGHT FINDINGS AND RECOMMENDATIONS, COMMITTEE ON
GOVERNMENT OPERATIONS

No findings or recommendations on oversight activity pursuant to clause 2(b) (2), rule X, and clause 2(1) (3) (D), rule XI, of the Rules of the House of Representatives have been submitted by the Committee on Government Operations for inclusion in this report.



NASA AUTHORIZATION OF APPROPRIATIONS FOR
FISCAL YEAR 1976 AND TRANSITION PERIOD

JUNE 4, 1975.—Ordered to be printed.

Mr. TEAGUE, from the committee of conference,
submitted the following

CONFERENCE REPORT

[To accompany H.R. 4700]

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 4700) to authorize appropriations to the National Aeronautics and Space Administration for research and development, construction of facilities, and research and program management, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

That there is hereby authorized to be appropriated to the National Aeronautics and Space Administration:

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

- (1) Space Shuttle, \$1,206,000,000;
- (2) Space flight operations, \$203,100,000;
- (3) Advanced missions, \$2,000,000;
- (4) Physics and astronomy, \$162,800,000;
- (5) Lunar and planetary exploration, \$259,900,000;
- (6) Launch vehicle procurement, \$166,900,000;
- (7) Space applications, \$181,530,000;
- (8) Aeronautical research and technology, \$175,350,000;
- (9) Space and nuclear research and technology, \$74,900,000;
- (10) Energy technology applications, \$5,900,000;
- (11) Tracking and data acquisition, \$240,800,000;
- (12) Technology utilization, \$8,000,000;

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

(1) Modification of 11- by 11-foot transonic wind tunnel, Ames Research Center, \$2,695,000.

(2) Addition for composite model and metal finishing shops, Langley Research Center, \$1,940,000;

(3) Space shuttle facilities at various locations as follows:

(A) Modifications to launch complex 39, John F. Kennedy Space Center, \$13,110,000;

(B) Construction of Orbiter processing facility, John F. Kennedy Space Center, \$8,160,000;

(C) Modifications for solid rocket booster processing facilities, John F. Kennedy Space Center, \$5,240,000;

(D) Modifications for hypergolic checkout and refurbishment facilities, John F. Kennedy Space Center, \$6,940,000;

(E) Modifications for launch equipment test facilities, John F. Kennedy Space Center, \$1,960,000;

(F) Construction of Orbiter approach and landing test facilities, Flight Research Center, and Air Force Plant #42, Palmdale, California, \$1,680,000

(G) Construction of Shuttle/Carrier aircraft mating facilities, Flight Research Center, and Air Force Plant #42, Palmdale, California, \$3,890,000;

(H) Modifications for crew training facilities, Lyndon B. Johnson Space Center, \$830,000;

(I) Modification of the vibration and acoustic test facility, Lyndon B. Johnson Space Center, \$2,410,000;

(J) Modifications for solid rocket booster component manufacturing and assembly facilities (location to be designated), \$3,000,000;

(4) Modification of 40-by-80 foot subsonic wind tunnel, Ames Research Center, \$12,500,000;

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

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

(7) Facility planning and design not otherwise provided for, \$13,775,000.

(c) For "Research and program management," \$776,000,000, and such additional or supplemental amounts as may be necessary for increases in salary, pay, retirement, or other employee benefits authorized by law.

(d) Notwithstanding the provisions of subsection 1(g), appropriations for "Research and development" may be used (1) for any items of a capital nature (other than acquisition of land) which may be required at locations other than installations of the Administration for the performance of research and development contracts, and (2) for grants to nonprofit institutions of higher education, or to nonprofit organizations whose primary purpose is the conduct of scientific research, for purchase or construction of additional research facilities; and title to such facilities shall be vested in the United States unless the Administrator determines that the national program of aeronautical and space activities will best be served by vesting title in any such grantee institution or organization. Each such grant shall be made

under such conditions as the Administrator shall determine to be required to insure that the United States will receive therefrom benefit adequate to justify the making of that grant. None of the funds appropriated for "Research and development" pursuant to this Act may be used in accordance with this subsection for the construction of any major facility, the estimated cost of which, including collateral equipment, exceeds \$250,000, unless the Administrator or his designee has notified the Speaker of the House of Representatives and the President of the Senate and the Committee on Science and Technology of the House of Representatives and the Committee on Aeronautical and Space Sciences of the Senate of the nature, location, and estimated cost of such facility.

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

(f) Appropriations made pursuant to subsection 1(c) may be used, but not to exceed \$35,000, for scientific consultations of extraordinary expenses upon the approval or authority of the Administrator and his determination shall be final and conclusive upon the accounting officers of the Government.

(g) Of the funds appropriated pursuant to subsections 1(a) and 1(c), not in excess of \$25,000 for each project, including collateral equipment, may be used for construction of new facilities and additions to existing facilities, and not in excess of \$50,000 for each project, including collateral equipment, may be used for rehabilitation or modification of facilities: Provided, That of the funds appropriated pursuant to subsection 1(a), not in excess of \$250,000 for each project, including collateral equipment, may be used for any of the foregoing for unforeseen programmatic needs.

SEC. 2. Authorization is hereby granted whereby any of the amounts prescribed in paragraphs (1) through (6), inclusive, of subsection 1(b)—

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

(2) following a report by the Administrator or his designee to the Committee on Science and Technology of the House of Representatives and the Committee on Aeronautical and Space Sciences of the Senate on the circumstances of such action, may be varied upward 25 per centum, to meet unusual cost variations, but the total cost of all work authorized under such paragraphs shall not exceed the total of the amounts specified in such paragraphs.

SEC. 3. Not to exceed one-half of 1 per centum of the funds appropriated pursuant to subsection 1(a) hereof may be transferred to the "Construction of facilities" appropriation, and, when so transferred, together with \$10,000,000 of the funds appropriated pursuant to subsection 1(b) hereof (other than funds appropriated pursuant to paragraph (7) of such subsection) shall be available for expenditure to construct, expand, or modify laboratories and other installations at any location (including locations specified in subsection 1(b)), if (1)

the Administrator determines such action to be necessary because of changes in the national program of aeronautical and space activities or new scientific or engineering developments, and (2) he determines that deferral of such action until the enactment of the next Authorization Act would be inconsistent with the interest of the Nation in aeronautical and space activities. The funds so made available may be expended to acquire, construct, convert, rehabilitate, or install permanent or temporary public works, including land acquisition, site preparation, appurtenances, utilities, and equipment. No portion of such sums may be obligated for expenditure or expended to construct, expand, or modify laboratories and other installations unless (A) a period of thirty days has passed after the Administrator or his designee has transmitted to the Speaker of the House of Representatives and to the President of the Senate and to the Committee on Science and Technology of the House of Representatives and to the Committee on Aeronautical and Space Sciences of the Senate a written report containing a full and complete statement concerning (1) the nature of such construction, expansion, or modification, (2) the cost thereof including the cost of any real estate action pertaining thereto, and (3) the reason why such construction, expansion, or modification is necessary in the national interest, or (B) each such committee before the expiration of such period has transmitted to the Administrator written notice to the effect that such committee has no objection to the proposed action.

Sec. 4. Notwithstanding any other provision of this Act—

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

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

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

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

Sec. 5. It is the sense of the Congress that it is in the national interest that consideration be given to geographical distribution of Federal research funds whenever feasible, and that the National Aeronautics and Space Administration should explore ways and means of distributing its research and development funds whenever feasible.

Sec. 6. The National Aeronautics and Space Administration is authorized, when so provided in an appropriation Act, to enter into a contract for tracking and data relay satellite services. Such services

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

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

Sec. 7. In addition to the amounts authorized to be appropriated under section 1 of this Act, there is hereby authorized to be appropriated to the National Aeronautics and Space Administration, to be available no earlier than July 1, 1976:

(a) For "Research and development," for the programs specified in the following paragraphs, \$700,600,000, of which no more shall be available for any such program than the amount stipulated (for that program) in the applicable paragraph:

- (1) Space Shuttle, \$321,000,000;
- (2) Space flight operations, \$55,100,000;
- (3) Advanced missions, \$500,000;
- (4) Physics and astronomy, \$46,600,000;
- (5) Lunar and planetary exploration, \$73,300,000;
- (6) Launch vehicle procurement, \$40,400,000;
- (7) Space applications, \$54,700,000;
- (8) Aeronautical research and technology, \$46,800,000;
- (9) Space and nuclear research and technology, \$22,300,000;
- (10) Energy technology applications, \$1,500,000;
- (11) Tracking and data acquisition, \$66,400,000;
- (12) Technology utilization, \$2,000,000.

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

- (1) Rehabilitation and modification of facilities at various locations, not in excess of \$500,000 per project, \$7,000,000;
- (2) Minor construction of new facilities and additions to existing facilities at various locations, not in excess of \$250,000 per project, \$1,250,000;
- (3) Facility planning and design not otherwise provided for, \$2,500,000.

(c) For "Research and program management," \$213,800,000, and such additional or supplemental amounts as may be necessary for increases in salary, pay, retirement, or other employee benefits authorized by law.

All of the limitations and other provisions of this Act which are applicable to amounts appropriated pursuant to subsections (a), (b), and (c) of section 1 of this Act shall apply in the same manner to amounts appropriated pursuant to subsections (a), (b), and (c), respectively, of this section.

SEC. 8. The National Aeronautics and Space Act of 1958, as amended, is amended by adding at the end thereof the following new title:

"TITLE IV—UPPER ATMOSPHERIC RESEARCH

"PURPOSE AND POLICY

"SEC. 401. (a) The purpose of this title is to authorize and direct the Administration to develop and carry out a comprehensive program of research, technology, and monitoring of the phenomena of the upper atmosphere so as to provide for an understanding of and to maintain the chemical and physical integrity of the Earth's upper atmosphere.

"(b) The Congress declares that it is the policy of the United States to undertake an immediate and appropriate research, technology, and monitoring program that will provide for understanding the physics and chemistry of the Earth's upper atmosphere.

"DEFINITIONS

"SEC. 402. For the purpose of this title the term 'upper atmosphere' means that portion of the Earth's sensible atmosphere above the troposphere.

"PROGRAM AUTHORIZED

"SEC. 403. (a) In order to carry out the purposes of this title the Administration in cooperation with other Federal agencies, shall initiate and carry out a program of research, technology, monitoring, and other appropriate activities directed to understand the physics and chemistry of the upper atmosphere.

"(b) In carrying out the provisions of this title the Administration shall—

"(1) arrange for participation by the scientific and engineering community, of both the Nation's industrial organizations and institutions of higher education, in planning and carrying out appropriate research, in developing necessary technology and in making necessary observations and measurements;

"(2) provide, by way of grant, contract, scholarships or other arrangements, to the maximum extent practicable and consistent with other laws, for the widest practicable and appropriate participation of the scientific and engineering community in the program authorized by this title; and

"(3) make all results of the program authorized by this title available to the appropriate regulatory agencies and provide for the widest practicable dissemination of such results.

"INTERNATIONAL COOPERATION

"SEC. 404. In carrying out the provisions of this title, the Administration, subject to the direction of the President and after consultation with the Secretary of State, shall make every effort to enlist the support and cooperation of appropriate scientists and engineers of other countries and international organizations."

SEC. 9. This Act may be cited as the "National Aeronautics and Space Administration Authorization Act, 1976".

And the Senate agree to the same.

OLIN E. TEAGUE,
DON FUQUA,
THOMAS N. DOWNING,
J. W. SYMINGTON,
WALTER FLOWERS,
DALE MILFORD,
ROBERT A. ROE,
C. A. MOSHER,
LARRY WINN, JR.,
JOHN W. WYDLER,

Managers on the Part of the House

FRANK E. MOSS,
JOHN C. STENNIS,
HOWARD W. CANNON,
BARRY GOLDWATER,
PETE V. DOMENICI,

Managers on the Part of the Senate.

JOINT EXPLANATORY STATEMENT OF THE COMMITTEE OF CONFERENCE

The managers on the part of the House and the Senate at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 4700) to authorize appropriations to the National Aeronautics and Space Administration for fiscal year 1976 and for the transition period, July 1, 1976 through September 30, 1976, for research and development, construction of facilities, and research and program management and for other purposes, submit the following joint statement to the House and the Senate in explanation of the effect of the action agreed upon by the managers and recommended in the accompanying conference report:

The NASA request for fiscal year 1976 totaled \$3,539,000,000. The House authorized \$3,585,873,000 and the Senate amendment authorized \$3,544,710,000. The committee of conference agrees to a total authorization for fiscal year 1976 of \$3,562,310,000 as follows:

CONGRESSIONAL ADJUSTMENTS TO NASA, FISCAL YEAR 1976 BUDGET REQUEST

Fiscal year 1976	Budget request	House	Senate	Committee of conference
Research and development:				
Space Shuttle.....	\$1,206,000,000	\$1,206,000,000	\$1,206,000,000	\$1,206,000,000
Space flight operations.....	207,100,000	203,100,000	203,100,000	203,100,000
Advanced missions.....	1,500,000	3,000,000	0	2,000,000
Physics and astronomy.....	155,800,000	156,800,000	162,800,000	162,800,000
Lunar and planetary exploration.....	259,900,000	258,900,000	259,900,000	259,900,000
Launch vehicle procurement.....	166,900,000	166,900,000	166,900,000	166,900,000
Space applications.....	175,030,000	181,530,000	183,930,000	181,530,000
Aeronautical research and technology.....	175,350,000	175,350,000	175,350,000	175,350,000
Space and nuclear research and technology.....	74,900,000	76,900,000	74,900,000	74,900,000
Energy technology applications.....	5,900,000	5,900,000	5,900,000	5,900,000
Tracking and data acquisition.....	243,000,000	240,800,000	240,800,000	240,800,000
Technology utilization.....	7,000,000	9,000,000	7,000,000	8,000,000
Total.....	2,678,380,000	2,684,180,000	2,686,580,000	2,687,180,000
Construction of facilities.....	84,620,000	125,693,000	82,130,000	99,130,000
Research and program management.....	776,000,000	776,000,000	776,000,000	776,000,000
Grand total.....	3,539,000,000	3,585,873,000	3,544,710,000	3,562,310,000

The NASA request for the transition period totaled \$958,900,000. The House authorized \$922,450,000 and the Senate amendment authorized \$929,900,000. The committee of conference agrees to a total authorization of \$925,150,000 as follows:

CONGRESSIONAL ADJUSTMENTS TO NASA REQUEST FOR TRANSITION PERIOD—JULY 1, 1976 THROUGH SEPT. 30, 1976

	Budget request	House	Senate	Committee of conference
Research and development.....	730,600,000	700,600,000	704,600,000	700,600,000
Construction of facilities.....	14,500,000	8,050,000	11,500,000	10,750,000
Research and program management.....	213,800,000	213,800,000	213,800,000	213,800,000
Total.....	958,900,000	922,450,000	929,900,000	925,150,000

The points in disagreement and the conference resolution of them are as follows:

FISCAL YEAR 1976

1. The House authorized \$3 million for the Advanced missions program, adding \$1.5 million to the NASA request.

The Senate did not include this line item in its bill.

The conference substitute authorizes \$2 million for the Advanced missions program.

The conferees agreed that overall advanced mission planning is a vital function within NASA. However, such planning should be an integrated function encompassing all aspects of the Agency's space responsibilities, particularly in view of the advent of the space transportation system. Since presentation of this line item projects an artificial distinction between activities which is no longer appropriate the Conferees agree that, beginning with the fiscal year 1977 budget, NASA should discontinue the use of the Advanced Missions line item.

2. NASA requested \$155,800,000 for the Physics and astronomy program. The House authorized \$156,800,000, adding \$1 million to this program for additional investigations of chlorine compounds in the atmosphere.

The Senate authorized \$162,800,000 for this program, \$7 million above the request and \$6 million above the amount authorized by the House to support an enhanced and aggressive upper atmospheric research program. The Senate addition is complementary to the legislation included in Section 8 of its amendment authorizing and directing NASA to develop and carry out a comprehensive program of research, technology and monitoring of the phenomena of the upper atmosphere.

The conference substitute adopts the Senate amount for the Physics and astronomy program.

3. The House authorized \$258,900,000 for the Lunar and planetary program, a reduction of \$1,000,000 in the NASA request.

The Senate authorized \$259,900,000, identical with the NASA request.

The committee of conference adopts the Senate position.

4. The House approved \$181,530,000 for the Space applications program, an increase of \$6,500,000 in the NASA request.

The Senate authorized \$183,930,000.

The committee of conference adopts the House position authorizing \$181,530,000, emphasizing that the additional \$6,500,000 authorized is to augment and strengthen research and development programs in the areas of severe storm research, earth resources development and Space Shuttle payload studies.

The conferees also note the need for timely actions to assure continuity of remote sensing of earth resources data from space.

5. The House authorized \$76,900,000 for Space and nuclear research and technology.

The Senate authorized \$74,900,000, the original NASA request.

The committee of conference adopts the Senate position authorizing \$74,900,000.

6. The House authorized \$9,000,000 for the Technology utilization program, an increase of \$2,000,000 in the NASA request, \$1,000,000 of which was to provide additional support for NASA applications

teams and \$1,000,000 of which was to accelerate documentation and dissemination activities including expansion of services to industry.

The Senate authorized \$7,000,000, agreeing with the NASA request.

The conference substitute authorizes \$8,000,000.

The conferees agree that in the expansion of the network of industrial applications centers through the establishment of applications divisional offices NASA should assure that service will be provided to the numerous industrial areas of the nation that are now relatively remote from any NASA Center or technology utilization dissemination center and that no new facility should be located in an area which can reasonably be serviced by an established NASA Center.

7. The House authorized \$6,303,000 for modifications for hypergolic checkout and refurbishment facilities for the Space Shuttle program at the John F. Kennedy Space Center, a reduction of \$637,000 in the NASA request for this facilities project.

The Senate authorized the full amount of the NASA request, \$6,940,000.

The conference substitute adopts the Senate position.

8. The NASA requested \$1,680,000 for the construction of orbiter approach and landing test facilities at the Flight Research Center and Air Force Plant No. 42, Palmdale, Calif. The House authorized \$1,380,000, a reduction of \$300,000 in the NASA request.

The Senate authorized \$1,680,000.

The Conference substitute adopts the Senate position.

9. The House authorized \$12,500,000 to initiate the first phase of a three-phase program to upgrade the capability of the 40' x 80' aeronautical research wind tunnel at the Ames Research Center. This project was not included in the NASA budget request.

The Senate did not include this facility project in its amendment.

The conference substitute adopts the House position authorizing \$12,500,000 for this facility project.

10. The House authorized \$27,500,000 to initiate the first phase of a two-phase program to construct a new transonic research tunnel for advanced aeronautical research at the Langley Research Center. NASA did not include this facility project in its budget request.

The Senate did not include this item in its amendment to the bill.

The conference substitute adopts the Senate position.

11. NASA requested \$9,275,000 for Facility Planning and Design activities for fiscal year 1976. The House authorized \$13,775,000, increasing the request by \$4,500,000 to provide for design and engineering services for expanding the 40' x 80' wind tunnel at the Ames Research Center and for a new transonic research tunnel at the Langley Research Center, both of which are advanced aeronautical research facility projects.

The Senate authorized \$9,275,000, identical with the NASA request.

The conference substitute authorizes \$13,775,000, recognizing that design work on a third leg for the 40' x 80' tunnel is required and that the NASA and Air Force requirements for transonic research facilities require redefinition in order to provide advanced transonic aeronautical research capability.

The conferees agree that reprogramming authority is available for NASA to make the most appropriate use of funds available to assure adequate national aeronautical research facilities.

TRANSITION PERIOD

12. NASA requested a lump sum amount of \$730,600,000 for research and development for the transition period, July 1, 1976, through September 30, 1976. The House authorized \$700,600,000 for research and development, establishing ceiling amounts for the twelve programs constituting the research and development appropriation. Inasmuch as the total of the program ceilings equated to the original NASA request, the House authorized NASA to fund the several programs within those ceilings up to the total of \$700,600,000 except that the entire amount stipulated for the Aeronautical research and technology program was to be available only for that program.

The Senate authorized \$704,600,000 for research and development for the transition period and established identical ceiling amounts as the House for all programs except advanced missions which was not included as a specified program. The Senate did not provide any restriction on the amount to be used for the Aeronautical research and technology program. Further, it was the intent of the Senate that \$4,000,000 of the total amount authorized for Research and development be applied to the upper atmospheric research activity which would be an addition to those amounts already included in the budget request for such activity during the transition period.

The conference substitute authorizes \$700,600,000 for Research and development for the transition period, stipulating ceiling amounts for the twelve research and development programs included therein, and allows NASA the flexibility to apply the authorized funds to the various programs provided that the stipulated ceiling for any program is not exceeded.

13. NASA requested a lump sum of \$14,500,000 for the Construction of facilities for the transition period. The House authorized a total of \$8,050,000 stipulating that \$4,000,000 was for the rehabilitation and modifications of facilities, at various locations, not in excess of \$500,000 per project, \$1,250,000 was for the minor construction of new facilities and additions to existing facilities at various locations, not in excess of \$250,000 per project, and that \$2,800,000 was for facility planning and design activities.

The Senate authorized \$11,500,000 for the Construction of facilities for the transition period stipulating that \$7,000,000 was for the rehabilitation and modification of facilities at various locations, not in excess of \$500,000 per project, \$2,000,000 was for minor construction of new facilities and additions to existing facilities at various locations, not in excess of \$250,000 per project, and that \$2,500,000 was for facility planning and design work.

The conference substitute authorizes three line items for the Construction of facilities for the transition period with amounts as follows: (1) rehabilitation and modification of facilities at various locations, not in excess of \$500,000 per project, \$7,000,000; (2) minor construction of new facilities and additions to existing facilities at various locations, not in excess of \$250,000 per project, \$1,250,000; and (3) facility planning and design not otherwise provided for, \$2,500,000.

LEGISLATIVE PROVISIONS

14. The House inserted in Section 6 the following language: "The contract shall include a provision under which the Government may acquire title, upon termination of the contract, to facilities, equipment, and spacecraft which have been acquired in the performance of the contract, under terms and conditions agreed upon in the contract."

The Senate deleted this language from the Bill.

The committee of conference adopts the Senate position on the basis that wording in the request for proposal associated with the project will facilitate the intent of the House language.

15. The Senate amendment added a Section 8 to the bill, amending the National Aeronautics and Space Act of 1958, as amended, through the addition of "Title IV—Upper Atmospheric Research", authorizing and directing the NASA to develop and carry out a comprehensive program of research, technology, and monitoring of the phenomena of the upper atmosphere so as to provide for an understanding of and to maintain the chemical and physical integrity of the earth's upper atmosphere.

The House bill did not contain such a provision.

The conference substitute adopts the Senate amendment except that Section 405 of Title IV requiring a special report on activities carried out pursuant to Title IV is deleted.

The conferees agree that a complete and comprehensive report on the activities being carried out under the upper atmospheric research program provided for under this new Title IV should be included in the Aeronautics and Space Report of the President submitted annually to the Congress.

OLIN E. TEAGUE,
DON FUQUA,
THOMAS N. DOWNING,
J. W. SYMINGTON,
WALTER FLOWERS,
DALE MILFORD,
ROBERT A. ROE,
C. A. MOSHER,
LARRY WINN, JR.,
JOHN W. WYDLER,

Managers on the Part of the House.

FRANK E. MOSS,
JOHN C. STENNIS,
HOWARD W. CANNON,
BARRY GOLDWATER,
PETE V. DOMENICI,

Managers on the Part of the Senate.

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June 10, 1975

Dear Mr. Director:

The following bills were received at the White House on June 10th:

- S.J. Res. 92
- S. 818
- H.R. 3109
- H.R. 4700

Please let the President have reports and recommendations as to the approval of these bills as soon as possible.

Sincerely,

Robert D. Linder
Chief Executive Clerk

The Honorable James T. Lynn
Director
Office of Management and Budget
Washington, D. C.