

Cantwell_Substitute as modified



AMENDMENT NO. _____

Calendar No. _____

Purpose: In the nature of a substitute.

IN THE SENATE OF THE UNITED STATES—119th Cong., 1st Sess.**S. 2351**

To supplement existing lease authorities available to the Administrator of the National Aeronautics and Space Administration to support research, education, and training, and for other purposes.

Referred to the Committee on _____ and
ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT IN THE NATURE OF A SUBSTITUTE intended
to be proposed by Ms. CANTWELL

Viz:

1 Strike all after the enacting clause and insert the fol-
2 lowing:

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Space Exploration Re-
5 search Act”.

6 **SEC. 2. NATIONAL AERONAUTICS AND SPACE ADMINISTRA-**
7 **TION SUPPLEMENTAL LEASE AUTHORITY.**

8 (a) SUPPLEMENTAL LEASE AUTHORITY.—

9 (1) IN GENERAL.—The Administrator of the
10 National Aeronautics and Space Administration (re-
11 ferred to in this Act as the “Administrator”) may,

1 using existing lease authorities available to the Ad-
2 ministrator and on such terms as the Administrator
3 considers appropriate to protect the interests of the
4 United States, lease, for a term not to exceed 50
5 years, real property under the jurisdiction of the Ad-
6 ministrator to 1 or more entities described in sub-
7 section (c) for the purpose of the construction and
8 operation on such real property of 1 or more facili-
9 ties the purposes of which shall be—

10 (A) to conduct aeronautical and space re-
11 search;

12 (B) to educate and train individuals for ca-
13 reers in the space industry;

14 (C) to carry out the transfer of aero-
15 nautical and space technology between the
16 United States public and domestic private sec-
17 tors;

18 (D) to conduct space and aeronautics-re-
19 lated scientific, engineering, medical, or aca-
20 demic activities; and

21 (E) to conduct any other space-related ac-
22 tivity relevant to the mission of the National
23 Aeronautics and Space Administration.

1 (2) RENEWAL.—The Administrator may renew
2 a lease under this subsection for 1 or more addi-
3 tional periods.

4 (b) ADMINISTRATIVE, MAINTENANCE, AND INSTRUCC-
5 TIONAL SUPPORT.—Subject to the availability of appro-
6 priations, the Administrator may—

7 (1) enter into 1 or more agreements, on such
8 terms as the Administrator considers appropriate,
9 with 1 or more entities described in subsection (c)
10 to lease back real property described in subsection
11 (a), including such real property that has been sub-
12 leased to a third party by an entity described in sub-
13 section (c);

14 (2) enter into 1 or more contracts, grant agree-
15 ments, cooperative agreements, or other authorized
16 transactions with an entity described in subsection
17 (c) with respect to such property; and

18 (3) provide administrative, instructional, and
19 other appropriate support, with or without reim-
20 bursement, to the 1 or more entities described in
21 subsection (c) that are a party to such a contract,
22 agreement, or transaction.

23 (c) ENTITIES DESCRIBED.—An entity described in
24 this subsection is—

1 (1) the State in which the real property de-
2 scribed in subsection (a) is located;

3 (2) a subdivision, agent, or agency of such a
4 State;

5 (3) a corporation or foundation organized exclu-
6 sively for education or scientific purposes that is ex-
7 empt from taxation under section 501(c)(3) of the
8 Internal Revenue Code of 1986 (26 U.S.C.
9 501(c)(3)); and

10 (4) an institution of higher education (as de-
11 fined in section 102 of the Higher Education Act of
12 1965 (20 U.S.C. 1001)).

13 (d) DELEGATION.—The Administrator may delegate
14 the authorities under subsections (a) and (b) to subordi-
15 nate officers and employees of the National Aeronautics
16 and Space Administration, as the Administrator considers
17 appropriate.

18 (e) EFFECT OF OTHER LAW.—The authority pro-
19 vided by this section shall apply—

20 (1) regardless of the existing authority used by
21 the Administrator to lease the real property de-
22 scribed in subsection (a) to entities described in sub-
23 section (c); and

24 (2) notwithstanding—

1 (A) section 1302 of title 40, United States
2 Code;

3 (B) subsection (b)(1) and (e)(1) of section
4 20145 of title 51, United States Code; or

5 (C) section 306121 of title 54, United
6 States Code.

7 (f) ANNUAL REPORT.—Not later than January 31
8 each year, the Administrator shall submit to the Com-
9 mittee on Commerce, Science, and Transportation of the
10 Senate and the Committee on Science, Space, and Tech-
11 nology of the House of Representatives a report that in-
12 cludes the following:

13 (1) MISSION RELEVANCE.—Information that
14 explains the importance of each lease and lease back
15 agreement to the accomplishment of 1 or more of
16 the mission requirements of the National Aero-
17 nautics and Space Administration.

18 (2) VALUE OF ARRANGEMENTS AND EXPENDI-
19 TURES OF REVENUES.—Information that identifies
20 and quantifies the value of the arrangements and ex-
21 penditures of revenues received under this section.

22 (3) AVAILABILITY AND USE OF FUNDS FOR OP-
23 ERATING PLAN.—The availability and use of funds
24 received under this section for the Administration's
25 operating plan.

1 (4) ANNUAL AND CUMULATIVE NUMBER OF
2 LEASES.—The annual and cumulative number of
3 leases entered into under this section, by National
4 Aeronautics and Space Administration center and
5 facility.

6 (5) ESTIMATED COST SAVINGS.—For each ac-
7 tive lease agreement under this section, the esti-
8 mated cost savings to the Administration resulting
9 from reduced maintenance, operating, and associated
10 costs in the previous fiscal year.

11 (6) OTHER QUANTIFIABLE BENEFITS.—Other
12 quantifiable benefits, including additional cost sav-
13 ings not included under paragraph (4), to the Ad-
14 ministration resulting from the use of leases under
15 this section.