

**AMENDMENT TO H.R. 2687**

**OFFERED BY MS. EDWARDS OF MARYLAND**

Page 35, lines 17 through 20, strike paragraph (2) (and redesignate accordingly).

Page 36, line 3, through page 37, line 13, strike section 215 and insert the following (and redesignate accordingly):

1 **SEC. 215. ACQUISITION APPROACH FOR ACQUIRING COM-**  
2 **MERCIAL CREW.**

3 (a) ACQUISITION APPROACH.—

4 (1) RESTRICTION.—The Administrator shall  
5 not exercise any optional milestones beyond the base  
6 period of the Space Act Agreements established  
7 under the Commercial Crew Integrated Capability  
8 initiative.

9 (2) SOURCE SELECTION.—To cover all develop-  
10 ment, test, demonstration, and certification activities  
11 not included in the base period of the Commercial  
12 Crew Integrated Capability Space Act Agreements,  
13 the Administrator shall conduct a Federal Acquisi-  
14 tion Regulation-based competitive source selection  
15 for a cost plus incentive fee contract for all activities

1 related to the development, test, demonstration, and  
2 certification of one or more commercially provided  
3 crew transportation systems to transport NASA as-  
4 tronauts to and from the ISS and serve as an emer-  
5 gency crew rescue vehicle as soon as practicable  
6 under the authorized funding and while ensuring  
7 that all safety requirements are met. The number of  
8 systems selected shall be consistent with the funding  
9 levels authorized in this Act.

10 (3) **COST MINIMIZATION.**—The Administrator  
11 shall strive through the competitive selection process  
12 to minimize the life cycle cost to NASA through the  
13 planned period of commercially provided crew trans-  
14 portation services.

15 (b) **SAFETY.**—Consistent with the findings and rec-  
16 ommendations of the Columbia Accident Investigation  
17 Board, the Administrator shall seek to ensure that mini-  
18 mization of the probability of loss of crew shall be an im-  
19 portant selection criterion in the competitive selection de-  
20 scribed in subsection (a).

21 **SEC. 216. COMMERCIAL CREW TRANSPORTATION DEVELOP-**  
22 **MENT INDEPENDENT REVIEW.**

23 (a) **IN GENERAL.**—The congressionally established  
24 Aerospace Safety Advisory Panel (ASAP) shall conduct a  
25 review to determine whether NASA has—

1           (1) adequate assurance that the requirements,  
2 standards, and processes for commercial transpor-  
3 tation systems developed with NASA funding are  
4 held to the same safety standards as Government  
5 human spaceflight missions; and

6           (2) developed a procedure to provide inde-  
7 pendent assurance of flight safety and flight readi-  
8 ness before the authorization of United States Gov-  
9 ernment personnel to participate as crew onboard  
10 any commercial space transportation system.

11       (b) REPORT.—Not later than 1 year after the date  
12 of enactment of this Act, the Aerospace Safety Advisory  
13 Panel shall transmit to the Committee on Science, Space,  
14 and Technology of the House of Representatives and the  
15 Committee on Commerce, Science, and Transportation of  
16 the Senate a report describing—

17           (1) the Panel’s assessment of NASA’s certifi-  
18 cation strategy, specifications, and guidance;

19           (2) the Panel’s view of the mandatory safety re-  
20 quirements that must be met; and

21           (3) the steps NASA and the commercial space  
22 industry need to take to ensure that commercial  
23 crew transportation and rescue vehicles have require-  
24 ments, standards, and processes equivalent to those  
25 of NASA.

1           (c) PROHIBITION AGAINST FINANCIAL COMMITMENT  
2 PRIOR TO ASAP REPORT.—The Administrator may not  
3 enter into any financially binding contract with a commer-  
4 cial space transportation services provider for crew trans-  
5 portation services until 30 days after the Committees' re-  
6 ceipt of the report under subsection (b).

7           (d) CERTIFICATION.—The Administrator may not  
8 enter into any financially binding contract with a commer-  
9 cial space transportation services provider for crew trans-  
10 portation services until—

11                 (1) the Administrator has transmitted to the  
12           Committee on Science, Space, and Technology of the  
13           House of Representatives and the Committee on  
14           Commerce, Science, and Transportation of the Sen-  
15           ate a certification that—

16                         (A) the provider with which a contract is  
17                         planned has demonstrated the safety and reli-  
18                         ability of its systems for crew transportation  
19                         and crew rescue to be equivalent to NASA-pro-  
20                         mulgated safety and reliability policies, proce-  
21                         dures, and standards for human spaceflight;  
22                         and

23                         (B) successful flight experience accrued  
24                         has provided NASA with sufficient safety-re-  
25                         lated and reliability-related data and informa-

1           tion to make an informed assessment about the  
2           flight readiness; and  
3           (2) all indemnification and liability issues asso-  
4           ciated with the use of such systems by the United  
5           States Government have been addressed, and the  
6           Administrator has transmitted to the Committee on  
7           Science, Space, and Technology of the House of  
8           Representatives and the Committee on Commerce,  
9           Science, and Transportation of the Senate a report  
10          describing the indemnification and liability provi-  
11          sions that are planned to be included in such con-  
12          tracts.

