AMENDMENT TO H.R. 3625
OFFERED BY MR. SMITH OF TEXAS

Page 1, line 8, insert “The James Webb Space Telescope will revolutionize our understanding of star and planet formation and how galaxies evolved, and advance the search for the origins of our universe.” after “to deep space.”.

Page 2, line 2, insert “and space sciences” after “space exploration”.

Page 2, lines 11 and 18, and page 3, line 1, redesignate paragraphs (3) through (5) as paragraphs (4) through (6), respectively.

Page 2, after line 10, insert the following new paragraph:

(3) Although the James Webb Space Telescope is making steady progress towards its scheduled 2018 launch, it confronts a number of challenging integration tests that will stress a congressionally imposed development cost cap.
Page 3, lines 13 and 14, strike “and shall direct prime contractors not to reserve funds” and insert “or require the reservation of funds by the prime contractor”.

Page 3, lines 20 through 25, amend subsection (d) to read as follows:

(d) APPLICATION OF PRIOR RESERVED FUNDS.—

Funds that have been reserved before the date of enactment of this Act for potential termination liability shall be promptly used to make maximum progress in meeting the established goals and milestones of the covered program.

Page 4, lines 15 and 16, strike “decides to terminate” and insert “initiates termination of”.

Page 4, line 16, insert “pursuant to subsection (e)” after “covered program”.

Page 4, line 23, insert “termination” after “proposed contract”.

Page 5, lines 1 through 6, amend paragraph (2) to read as follows:

(2) INTENT OF CONGRESS.—It is the intent of Congress to provide additional authorization for appropriations as may be necessary to pay termination liability costs on prime contracts for covered pro-
grams if Congress deems it appropriate that the Administration terminate such prime contracts. The Administration shall be responsible for applying these additional funds for payment of all allowable and reasonable negotiated termination liability costs if the Administration terminates a prime contract for a covered program. If the Administration terminates a prime contract for a covered program for the convenience of the Federal Government, then the Federal Government is responsible for payment of all allowable and reasonable negotiated termination liability costs on the prime contract.

Page 6, line 6, strike “and”.

Page 6, line 7, insert “, and the James Webb Space Telescope” after “crew capsule”.

Page 6, lines 13 and 17, and page 7, line 1, redesignate paragraphs (5) through (7) as paragraphs (6) through (8), respectively.

Page 6, after line 12, insert the following new paragraph:

(5) PRIME CONTRACT.—The term “prime contract” means a contract entered directly between a person or entity and the Federal Government for the performance of all or the majority of the responsibil-
ities for developing, integrating, fielding, operating, or sustaining a covered program.