

United States Senate

WASHINGTON, DC 20510

February 20, 2018

Mr. Robert M. Lightfoot Jr.
Acting Administrator
National Aeronautics and Space Administration
300 E Street Southwest
Washington, DC 20546

Dear Acting Administrator Lightfoot:

The International Space Station (ISS) is the largest and most complex habitable space-based research facility ever constructed by humanity. It's a marvel of engineering, and critically important to our nation's space program. For over 17 years, the ISS has provided the United States with continuous access to low Earth orbit, which has been paramount to the success of NASA, our commercial partners, scientific research, and human space exploration.

That's why it is concerning that the President's FY 2019 Budget Request for NASA proposes "to end direct U.S. Government funding for the space station [ISS] by 2025 and provides \$150 million to begin a program that would encourage commercial development of capabilities that NASA can use in its place." While we have been strong proponents of the U.S. commercial space sector, prematurely ending direct U.S. Government funding of ISS could have disastrous consequences. The future of ISS should be determined by the emergence of a viable and proven commercial alternative and the needs of our national space program.

It's for this very reason that Congress enacted the bipartisan NASA Transition Authorization Act of 2017 (P.L. 115-10) which sought to provide both NASA and ISS with mission security and stability. As you know, P.L. 115-10 requires NASA, ISS partners, the scientific user community, and the commercial space sector to "develop a plan to transition in a step-wise approach from the current regime that relies heavily on NASA sponsorship to a regime where NASA could be one of many customers of a low-Earth orbit non-governmental human space flight enterprise."

In fact, Congress specifically required that the transition plan include cost estimates for extending operations of the ISS to 2024, 2028, and 2030, and an evaluation of the feasible and preferred service life of the ISS through at least 2028 as a unique scientific, commercial, and space exploration related facility. *P.L. 115-10 specifically required the NASA Administrator to deliver a report to Congress not later than December 1, 2017. As of today, that report has not been delivered to Congress as required by federal statute.*

In order to gain a better understanding of the administration's handling of this important issue, we ask that you please direct NASA to provide the following information as soon as possible, but **no later than 5:00 p.m. on February 27, 2018.**

1. All preliminary versions of the ISS transition report as described in P.L. 115-10, including any drafts of the report that have been delivered to OMB or the National Space Council for review.
2. A list of the individuals within the scientific user community and the commercial space sector, as well as any individuals representing ISS partners, who have been consulted in preparing drafts of the ISS transition report as described in P.L. 115-10.
3. Any analysis used to support a proposal in President Trump's Budget Request seeking, "to end direct U.S. Government funding for the space station [ISS] by 2025 and provid[ing] \$150 million to begin a program that would encourage commercial development of capabilities that NASA can use in its place."
4. The expected date for when the finalized ISS transition report will be delivered to Congress.

The information provided in response to the foregoing requests may necessitate additional oversight. Accordingly, we request that NASA engage in the following preservation efforts:

1. Preserve all documents, records, and logs, including paper-based documents, e-mail, e-mail-based calendar appointments, electronic documents, and other electronic data (electronic records), created since **September 15, 2016**, that relate to any and all aspects of NASA's communication or coordination with the Obama administration, Trump administration, ISS partners, the scientific user community, and the commercial space sector relating to the ISS transition report as described in P.L. 115-10, including all drafts of the ISS transition report. For the purposes of this request, "preserve" means taking any and all reasonable steps to prevent the partial or full destruction, alteration, overwriting, formatting, deletion, shredding, incineration, wiping, relocation, migration, theft, revision, or mutation of electronic and non-electronic documents, records, and logs, as well as negligent or intentional handling that would make such records incomplete or inaccessible;
2. Exercise any and all reasonable efforts to identify and notify former NASA employees, contractors, subcontractors, and consultants who may have access to such electronic or non-electronic records that the records and any related logs are also to be preserved; and
3. If it is the routine practice of NASA, any NASA component, any federal employee, any contract employee, or any grantee or subgrantee to destroy or otherwise alter such electronic or non-electronic records, either halt such practices immediately, or arrange for the preservation of complete and accurate duplicates or copies of such records, suitable for production if requested.

We appreciate your cooperation in this important matter and look forward to your response.
Please contact our staff if there are questions regarding this request.

Sincerely,



Ted Cruz
Chairman
Subcommittee on Space, Science,
and Competitiveness



Bill Nelson
Ranking Member
Committee on Commerce, Science,
and Transportation

Cc: Mick Mulvaney, Director, Office of Management and Budget
Dr. Scott Pace, Executive Secretary, National Space Council