

AMENDMENT NO. _____ Calendar No. _____

Purpose: To require competitions for contracts for launch services for the evolved expendable launch vehicle program to be open for award to all certified providers of evolved expendable launch vehicle-class systems.

IN THE SENATE OF THE UNITED STATES—114th Cong., 2d Sess.

S. 2943

To authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, 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 intended to be proposed by Mr. NELSON (for
himself and Mr. GARDNER)

Viz:

- 1 Strike sections 1036 and 1037 and insert the fol-
- 2 lowing:

1 **SEC. 1036. COMPETITIVE PROCUREMENT AND PHASE OUT**
2 **OF ROCKET ENGINES FROM THE RUSSIAN**
3 **FEDERATION IN THE EVOLVED EXPENDABLE**
4 **LAUNCH VEHICLE PROGRAM FOR SPACE**
5 **LAUNCH OF NATIONAL SECURITY SAT-**
6 **ELLITES.**

7 (a) IN GENERAL.—Any competition for a contract for
8 the provision of launch services for the evolved expendable
9 launch vehicle program shall be open for award to all cer-
10 tified providers of evolved expendable launch vehicle-class
11 systems.

12 (b) AWARD OF CONTRACTS.—In awarding a contract
13 under subsection (a), the Secretary of Defense—

14 (1) subject to paragraph (2), shall award the
15 contract to the provider of launch services that of-
16 fers the best value to the Federal Government; and

17 (2) notwithstanding any other provision of law,
18 may, during the period beginning on the date of the
19 enactment of this Act and ending on December 31,
20 2022, award the contract to a provider of launch
21 services that intends to use any certified launch ve-
22 hicle in its inventory without regard to the country
23 of origin of the rocket engine that will be used on
24 that launch vehicle, in order to ensure robust com-
25 petition and continued assured access to space.