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**Statement of
The Honorable Charles F. Bolden, Jr.
Administrator
National Aeronautics and Space Administration**

before the

**Subcommittee on Oversight and Investigations
Committee on Foreign Affairs
U.S. House of Representatives**

Mr. Chairman and Members of the Subcommittee, thank you for the opportunity to appear before you today.

This is a critical time for our Nation's space exploration program. We have embarked upon an ambitious plan, agreed to by President Obama and a bipartisan majority in Congress, to maintain U.S. leadership in space for many years to come. Private United States companies will soon be taking over transportation of cargo and crew to the International Space Station; a deep space exploration vehicle and crew capsule to take humans farther into the solar system than we have ever gone before is in development; science missions to Jupiter, an asteroid, the Moon and Mars are getting underway; our technology development efforts are getting closer to demonstration; and our aeronautics research is helping to advance cleaner and safer air travel.

For fifty years, America has led the world in space exploration. And under the plan we have committed to as a Nation, we will continue to do so for the next half-century.

It is important to note that our national success has been achieved, in part, thanks to international cooperation. Strategically, we have entered into agreements that advanced our national objectives and furthered the causes of science, space exploration, and discovery. The United States has always led, but we also work with other countries when it serves our national interests. Having the flexibility to enter into these partnerships has been an important part of America's success in space exploration.

Over the last decade, NASA has had very limited bilateral cooperation with Chinese entities due to U.S. law and policy. In fact, NASA has only signed a single agreement with the Chinese Academy of Sciences for the exchange of data for geodynamics research related to the prediction, monitoring of, and response to natural hazards. Additionally, joint working groups on Earth and space science were established in 2007, and there have been reciprocal visits of NASA and PRC officials to facilities in each nation.

I would like to emphasize that support for cooperation with China has spanned multiple administrations. NASA's bilateral cooperation with China was initiated under President George W. Bush and continued under President Barack Obama. Following a summit between President Bush and Chinese President Hu Jintao in April 2006, it was agreed that the NASA Administrator would travel to China to begin exploratory discussions on potential space cooperation with Chinese officials. Subsequent to that successful visit, in 2007, NASA and China established working groups focused on Earth and space science cooperation. In their November 2009 Joint Statement, President Obama and President Hu noted that they look forward "to expanding discussions on space science cooperation and starting a dialogue on human space flight and space exploration, based on the principles of transparency, reciprocity and mutual benefit." As a result, I traveled to China in October 2010 to continue and expand our discussions on potential space cooperation.

The April 15, 2011, enactment of the Department of Defense and Full-Year Continuing Appropriations Act of 2011 (Public Law 112-10), included language intended to place additional limitations on NASA's interactions with the PRC beyond those already imposed by the China Sanctions Legislation (Public Law 101-246), the NASA Authorization Act of 2000 (Public Law 106-391), and other applicable laws.

NASA has taken several steps in response to this language. However, it must be noted that these steps do not reflect a determination by NASA that the new restrictions in Public Law 112-10 are constitutional as applied to NASA's activities or those of any other agency.

The steps NASA has taken in response to the language in Public Law 112-10 include the immediate suspension of all activities under NASA's agreement with the Chinese Academy of Sciences (CAS). The suspension of this agreement precludes NASA from directly receiving Global Navigation Satellite System, Satellite Laser Ranging, and Very Long Baseline Interferometry data from stations in China. However, it should be noted that given NASA's longstanding open data policy, the international community – including the PRC – continues to have access to the data that NASA was providing directly to CAS under this agreement.

Additionally, to address the language contained in Public Law 112-10, NASA is currently not pursuing any bilateral cooperation with Chinese entities and has:

- Suspended all activities of the NASA-China Earth Science and Space Science Working Groups. These working groups were established in 2007 to discuss areas of potential mutual interest in the areas of Earth observation (including disaster mitigation sciences, oceanographic sciences, land surface imaging, atmospheric sciences), Lunar and Planetary Sciences, and Space Geodesy.
- Cancelled all plans for a reciprocal visit to NASA facilities by senior Chinese officials following my delegation's visit to China in October 2010.
- Denied all requests for potential bilateral activities between NASA employees and Chinese entities – whether funded by NASA or other U.S. Government agencies.

- Cancelled all proposed travel to the PRC by NASA employees or NASA-sponsored contractors that could be interpreted as initiating, pursuing, or implementing bilateral cooperation or other bilateral activities with Chinese entities.
- Established a presumption of denial for all proposed visits by any persons employed by or otherwise representing the PRC Government at facilities belonging to or utilized by NASA.

It should be noted, however, that NASA employees and contractors continue to participate in multilateral activities (through such multinational organizations as the UN Committee on the Peaceful Uses of Outer Space, the International Telecommunications Union, the International Space Exploration Coordination Group, and the Committee on Earth Observations Satellites), conferences, or other fora essential to fundamental international space coordination in which representatives of PRC organizations or companies may also participate.

NASA has over 50 years of experience cooperating with other nations on a broad range of space and aeronautics activities. Currently, NASA has over 500 active agreements in place with 120 nations, excluding China. This cooperation has always been and will continue to be based on the principles of transparency, reciprocity, and mutual benefit. As a U.S. Government Agency on the leading edge of technological development and international cooperation in space, NASA provides responsible stewardship of the Nation's advanced technologies and full compliance with the Nation's export control laws and regulations. For example, during the five years of the Shuttle-Mir program between the United States and Russia and the subsequent 12 years of the International Space Station partnership among the United States and 14 other nations there have been no documented compromises of U.S. technology. These missions have involved over a thousand exchanges of personnel and 29 joint expeditions, each of which has included at least one American and one Russian crew member. NASA's Export Control Program is audited annually, pursuant to statute, and I and my Agency are committed to uncompromising compliance with the export control and technology transfer laws and policies of the United States.

In closing, let me assure this Subcommittee that any NASA engagement with Chinese entities will be conducted in a manner that is consistent with all existing U.S. laws and regulations, specifically including the provisions of section 1340 of Public Law 112-10, unless those provisions are determined to be unconstitutional as applied to particular NASA activities. I believe, however, that some level of engagement with China in space-related areas in the future can form the basis for dialogue and cooperation in a manner that is consistent with the national interests of both our countries, when based on the principles of transparency, reciprocity, and mutual benefit. Initial discussions in areas such as orbital debris mitigation, disaster management, and atmospheric and planetary sciences could provide benefits to the United States and perhaps eventually form the basis for continued dialogue in other areas of space exploration. Our key international partners from Europe, Japan, Canada, and Russia share this view and are increasingly cooperating with China in these and other areas. Looking back on our Nation's history with the Soviet Union, the Apollo-Soyuz Test Program successfully demonstrated that, while other significant difficulties in the relations between our two nations existed, we could in fact successfully and responsibly work together if we were both committed to doing so.

Mr. Chairman, thank you for your continued support of NASA. I would be pleased to respond to any questions you or the other Members of the Subcommittee may have.