

118TH CONGRESS  
2D SESSION

# H. R. 7632

To amend title 51, United States Code, to exempt from disclosure by NASA certain technical data, and for other purposes.

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IN THE HOUSE OF REPRESENTATIVES

MARCH 12, 2024

Mr. JACKSON of North Carolina introduced the following bill; which was referred to the Committee on Science, Space, and Technology

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## A BILL

To amend title 51, United States Code, to exempt from disclosure by NASA certain technical data, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. EXEMPTION FROM DISCLOSURE BY NASA OF**  
4 **CERTAIN TECHNICAL DATA.**

5 (a) IN GENERAL.—Section 20131 of title 51, United  
6 States Code, is amended—

7 (1) by redesignating subsection (c) as sub-  
8 section (d); and

9 (2) by inserting after subsection (b) the fol-  
10 lowing new subsection:

1       “(c) AUTHORITY TO PROTECT CERTAIN TECHNICAL  
2 DATA FROM PUBLIC DISCLOSURE.—

3               “(1) IN GENERAL.—Notwithstanding any other  
4 provision of law, the Administrator may, pursuant to  
5 section 552 of title 5 (commonly referred to as the  
6 ‘Freedom of Information Act’), withhold any tech-  
7 nical data with aeronautical or space application in  
8 the possession of, or under the control of, the Na-  
9 tional Aeronautics and Space Administration, if such  
10 data may not be exported lawfully outside the  
11 United States without an approval, authorization, or  
12 license under provisions of the Export Control Re-  
13 form Act of 2018 (115–232; 50 U.S.C. 4801 et seq.)  
14 or the Arms Export Control Act (22 U.S.C. 2751 et  
15 seq.).

16               “(2) DEFINITION.—In this section, the term  
17 ‘technical data’ means any blueprints, drawings,  
18 photographs, plans, instructions, computer software,  
19 or documentation, or other technical information  
20 that can be used, or be adapted for use, to design,  
21 develop, engineer, produce, manufacture, assemble,  
22 operate, repair, test, maintain, overhaul, modify, or  
23 reproduce any aeronautical or space items, including  
24 subsystems, components, or parts therefor, or tech-

1 nology concerning such items relating to aero-  
2 nautical or space activities.

3 “(3) CONSIDERATION.—For purposes of section  
4 552 of title 5, United States Code, this subsection  
5 shall be considered a statute for purposes of sub-  
6 section (b)(3) of such section.

7 “(4) RULES OF CONSTRUCTION.—Nothing in  
8 this subsection may be construed to permit the Ad-  
9 ministrator to withhold any technical data with aero-  
10 nautical or space application in the possession of, or  
11 under the control of, the National Aeronautics and  
12 Space Administration from—

13 “(A) an independent, nonpartisan commis-  
14 sion relating to human space flight independent  
15 investigation established by the President pur-  
16 suant to chapter 707 of this title;

17 “(B) the Aerospace Safety Advisory Panel  
18 established under section 31101 of this title in  
19 the conduct of its duties;

20 “(C) any department, agency, or entity of  
21 the Federal Government, if authorized pursuant  
22 to law;

23 “(D) Congress; or

24 “(E) public disclosure, if regulations pro-  
25 mulgated under the provisions of either the Ex-

1 port Control Reform Act of 2018 (115–232; 50  
2 U.S.C. 4801 et seq.) or the Arms Export Con-  
3 trol Act (22 U.S.C. 2751 et seq.) authorize the  
4 export of such data pursuant to a general, un-  
5 restricted license or exemption in such regula-  
6 tions.”.

7 (b) CONFORMING AMENDMENT.—Paragraph (3) of  
8 section 20131(a) of title 51, United States Code, is  
9 amended by striking “subsection (b)” and inserting “sub-  
10 section (b) or (c)”.

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