

United States Senate

WASHINGTON, DC 20510

October 6, 2025

The Honorable Susan Collins
Chair
Committee on Appropriations
United States Senate
Washington, DC 20510

The Honorable Patty Murray
Vice Chair
Committee on Appropriations
United States Senate
Washington, DC 20510

Dear Chair Collins and Vice Chair Murray,

We write to urge the Senate Appropriations Committee not to include any language in the final fiscal year (FY) 2026 spending measures to pause any efforts to relocate Space Shuttle Discovery to its new home at the Space Center Houston in Texas. The appropriations process should not be used to play partisan politics and repeal provisions of President Trump's One Big Beautiful Bill Act (Public Law No. 119-21).¹

This provision corrects an egregious injustice committed by the Obama Administration, where the selection of shuttle locations was clearly tainted by political influence. The National Aeronautics and Space Administration Authorization Act of 2010 expressly states that NASA shall prioritize the awarding of the shuttles to locations "with a historical relationship with either the launch, flight operations, or processing of the Space Shuttle orbiters or the retrieval of NASA manned space vehicles, or significant contributions to human space flight."² Mission Control at NASA's Johnson Space Center led all of the space shuttle flights throughout the program's history, and the astronauts who flew aboard the shuttles lived and trained in the Houston area. As the cornerstone of America's human space exploration program, Houston is long overdue for the honor of bringing Space Shuttle Discovery home.

In 2008, the first Request for Information (RFI) was guided by objective criteria, including funding capability at \$42 million, transportation logistics, mission relevance, visitor attendance, and facility readiness. Under this RFI, Johnson Space Center emerged as a leading candidate and was expected to receive one of the retired shuttles. Three of the four shuttles were to be placed at NASA visitor centers, Texas, Alabama, Florida, and the final shuttle at the Smithsonian Institution. Johnson Space Center received a max score in the criteria listed under "Mission tie to

¹ Pub. L. No. 119-21 (2025).

² Pub. L. No. 111-267 (2010).

Shuttle.”³ However, in 2009, after the confirmation of Administrator Bolden, this merit-based process was overtaken by political considerations.

Administrator Bolden, influenced by partisan pressure, wanted the retired shuttles sent to locations based on the political interests of the Democratic Party. He therefore altered the selection criteria at the request of Senator Schumer. He removed criteria that benefited locations with a mission tie to the shuttle, and he instructed the Recommendation Team to include the criteria of attendance, regional population, and consider a location’s access to international visitors.⁴ This shift disregarded the clear legal mandate and historical record, resulting in shuttle assignments to locations that lacked authentic ties to the shuttle program. The prioritization of international visitor access over the interests of American citizens was a deliberate shift clearly intended to produce a politically favorable outcome. As a result, in 2011, the shuttle assignments were awarded to California, New York, Florida, and Northern Virginia. Notably, Space Center Houston receives more visitors than the National Air and Space Museum Steven F. Udvar-Hazy Center,⁵ further underscoring the flawed and politically motivated nature of the award decision.

This year, Congress acted to rectify this injustice with the passage of President Trump’s One Big Beautiful Bill Act. Signed into law on July 4, 2025, the legislation authorizes the transfer of a NASA-designated space vehicle to a facility involved in the Commercial Crew Program, and then to a local entity within the same metropolitan area for public display.⁶ The law requires NASA to obligate \$85 million, of which not less than \$5 million is to be used for transporting a space vehicle, with the remainder designated for building a display facility.⁷ In August, Acting Administrator Sean Duffy approved relocation of the Space Shuttle Discovery to a non-profit near the Johnson Space Center (JSC) in Houston, ensuring the historic orbiter will soon be accessible to the public in one of NASA’s most storied communities.

Those opposing the relocation of the Space Shuttle Discovery have been circulating misinformation about both the cost and logistics of the move. In contrast, we have taken the responsible approach by consulting directly with reputable transportation logistics companies to obtain accurate cost estimates for transporting the shuttle. Rather than relying on secondhand reports or speculative figures, we took the initiative to consult directly with preservation experts who have hands-on experience in relocating and housing historic spacecraft. Based on this due

³ Nat’l Aeronautics & Space Admin., Office of Inspector Gen., Review of NASA’s Selection of Display Locations for the Space Shuttle Orbiters, SR-2011-SHUTTLE (Aug. 25, 2011), <https://oig.nasa.gov/office-of-inspector-general-oig/sr-2011-shuttle/>.

⁴ *Id.* at 6 & 16.

⁵ *About Space Center Houston*, Space Center Houston, <https://spacecenter.org/about-us/#:~:text=About%20Space%20Center%20Houston&text=Since%20opening%20our%20doors%20in,%2Dsquare%2Dfoot%20educational%20complex;Unver-Hazy%20Center,National%20Air%20and%20Space%20Museum,https://airandspace.si.edu/about/history/udvar-hazy-center>.

⁶ Pub. L. No. 119-21 (2025).

⁷ *Id.*

diligence, we are confident that the relocation and proper housing of the Space Shuttle Discovery will be fully supported by funding from the One Big Beautiful Bill Act and the State of Texas.

The Smithsonian Institution has actively worked to block this legislation, taking deliberate steps to oppose both its passage and implementation. These actions include lobbying staff from the Senate Appropriations and Rules Committees, as well as coordinating with members of the press to generate public opposition,⁸ conduct that appears to violate the Anti-Lobbying Act.⁹ As part of its opposition effort, the Smithsonian has disseminated misinformation about the logistics of the move, falsely claiming that the shuttle's wings would need to be removed for transport, a claim not supported by industry experts. Furthermore, we also have serious concerns about the credibility of the cost estimates they have provided, which are more than ten times higher than quotes from experienced private-sector logistics firms.¹⁰ These actions raise serious ethical and legal questions, particularly given that the Smithsonian is a federal government entity.

The Smithsonian claims it is not a government entity. However, the Institution is fundamentally a creation of Congress. Since its establishment, the Smithsonian Institution has been functionally a part of the federal government. The United States Department of the Treasury holds and manages the Smithsonian's original trust fund.¹¹ Two-thirds of the Smithsonian's budget derives from federal appropriations, and its employees are federal employees.¹² The Comptroller General has concluded that funds appropriated to the Smithsonian must be used in accordance with federal law.¹³ Moreover, the Smithsonian is represented in litigation by the U.S. Department of Justice, and judgments against the Smithsonian are paid from the United States Judgment Fund.¹⁴ Notably, the Smithsonian has not sued any federal executive branch agency. United States Federal Courts have repeatedly recognized the Smithsonian as a federal government entity subject to federal law and entitled to governmental immunities.¹⁵ In the words of the United States District Court for the District of Columbia, the "Smithsonian is a government institution through and through."¹⁶ With that status comes a responsibility to uphold the highest legal and ethical standards. Its credibility and continued public trust depend on it.

⁸ Zach Vaile, *Smithsonian Pushing Back on Plans to Relocate Space Shuttle*, FLYING MAGAZINE (Jul. 11, 2025), <https://www.flyingmag.com/smithsonian-pushing-back-on-plans-to-relocate-space-shuttle/>.

⁹ 18 U.S.C. § 1913 (2018).

¹⁰ Angela Woolsey, *NEW: Smithsonian directed to prepare Space Shuttle Discovery for relocation*, FFX NOW (Oct. 2, 2025), <https://www.ffxnow.com/2025/10/02/new-smithsonian-directed-to-prepare-space-shuttle-discovery-for-relocation/>.

¹¹ S. Rep. No. 109-275, at 109 (2006) (Department of the Interior, Environment, and Related Agencies Appropriations Bill, 2007).

¹² *Frequently Asked Questions*, Smithsonian, <https://www.si.edu/ohr/faq>.

¹³ *Cotton v. Adams*, 798 F. Supp. 22 (D.D.C. 1992).

¹⁴ *O'Rourke v. Smithsonian Inst.*, 766 F.3d 140, 145 (D.C. Cir. 2014).

¹⁵ *Benita v. Smithsonian Institution*, 471 F. Supp. 62 (D.Mass.1979); *Cotton v. Adams*, 798 F. Supp. 22 (D.D.C. 1992).

¹⁶ *Raven v. Sajed*, 334 F. Supp. 3d 22 (D.D.C. Sept. 19, 2018).

For these reasons, we respectfully request that you refrain from including any language that would repeal parts of President Trump's One Big Beautiful Bill Act by delaying or obstructing the lawful relocation of Space Shuttle Discovery to its new and rightful home at Space Center Houston. This relocation honors both the intent of Congress and the legacy of America's space program. It is time for the Space Shuttle Discovery return to the community that helped make its missions possible.

Sincerely,



John Cornyn
United States Senator



Ted Cruz
United States Senator