

data collection for those missions that exceed their planned missions' lifetime.

(2) **CONSIDERATIONS.**—In conducting an assessment under paragraph (1), the Administrator shall consider whether and how extending missions impacts the start of future missions.

(b) **CONSULTATION AND CONSIDERATION OF POTENTIAL BENEFITS OF INSTRUMENTS ON MISSIONS.**—When deciding whether to extend a mission that has an operational component, the Administrator shall—

(1) consult with any affected Federal agency; and

(2) take into account the potential benefits of instruments on missions that are beyond their planned mission lifetime.

(c) **REPORTS.**—The Administrator shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology of the House of Representatives, at the same time as the submission to Congress of the Administration's annual budget request for each fiscal year, a report detailing any assessment under subsection (a) that was carried out during the previous year.

(Pub. L. 111–314, § 3, Dec. 18, 2010, 124 Stat. 3369; Pub. L. 115–10, title V, § 513, Mar. 21, 2017, 131 Stat. 52.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
30504(a)	42 U.S.C. 16654(a) (matter before par. (1)).	Pub. L. 109–155, title III, § 304(a) (matter before par. (1)), (2), Dec. 30, 2005, 119 Stat. 2918.
30504(b)	42 U.S.C. 16654(a)(2).	

In subsection (a), the words “In addition—” are omitted as unnecessary.

Editorial Notes

AMENDMENTS

2017—Pub. L. 115–10 amended section generally. Prior to amendment, text read as follows:

“(a) **ASSESSMENT.**—The Administrator shall carry out biennial reviews within each of the Science divisions to assess the cost and benefits of extending the date of the termination of data collection for those missions that have exceeded their planned mission lifetime.

“(b) **CONSULTATION AND CONSIDERATION OF POTENTIAL BENEFITS OF INSTRUMENTS ON MISSIONS.**—For those missions that have an operational component, the National Oceanic and Atmospheric Administration or any other affected agency shall be consulted and the potential benefits of instruments on missions that are beyond their planned mission lifetime taken into account.”

CHAPTER 307—INTERNATIONAL COOPERATION AND COMPETITION

Sec. 30701.	Competitiveness and international cooperation.
30702.	Foreign contract limitation.
30703.	Foreign launch vehicles.
30704.	Offshore performance of contracts for the procurement of goods and services.

§ 30701. Competitiveness and international cooperation

(a) **LIMITATION.**—

(1) **SOLICITATION OF COMMENT.**—As part of the evaluation of the costs and benefits of entering into an obligation to conduct a space mission in which a foreign entity will participate as a supplier of the spacecraft, spacecraft system, or launch system, the Administrator shall solicit comment on the potential impact of such participation through notice published in Commerce Business Daily at least 45 days before entering into such an obligation.

(2) **AGREEMENTS WITH PEOPLE'S REPUBLIC OF CHINA.**—The Administrator shall certify to Congress at least 15 days in advance of any cooperative agreement with the People's Republic of China, or any company owned by the People's Republic of China or incorporated under the laws of the People's Republic of China, involving spacecraft, spacecraft systems, launch systems, or scientific or technical information, that—

(A) the agreement is not detrimental to the United States space launch industry; and

(B) the agreement, including any indirect technical benefit that could be derived from the agreement, will not improve the missile or space launch capabilities of the People's Republic of China.

(3) **ANNUAL AUDIT.**—The Inspector General of the Administration, in consultation with appropriate agencies, shall conduct an annual audit of the policies and procedures of the Administration with respect to the export of technologies and the transfer of scientific and technical information, to assess the extent to which the Administration is carrying out its activities in compliance with Federal export control laws and with paragraph (2).

(b) **NATIONAL INTERESTS.**—

(1) **DEFINITION OF UNITED STATES COMMERCIAL PROVIDER.**—In this subsection, the term “United States commercial provider” means a commercial provider (as defined in section 30308(a) of this title), organized under the laws of the United States or of a State (as defined in section 30308(a) of this title), which is—

(A) more than 50 percent owned by United States nationals; or

(B) a subsidiary of a foreign company and the Secretary of Commerce finds that—

(i) such subsidiary has in the past evidenced a substantial commitment to the United States market through—

(I) investments in the United States in long-term research, development, and manufacturing (including the manufacture of major components and subassemblies); and

(II) significant contributions to employment in the United States; and

(ii) the country or countries in which such foreign company is incorporated or organized, and, if appropriate, in which it principally conducts its business, affords reciprocal treatment to companies described in subparagraph (A) comparable to that afforded to such foreign company's subsidiary in the United States, as evidenced by—

(I) providing comparable opportunities for companies described in subparagraph