

AMENDMENT TO H.R. 1540, AS REPORTED

OFFERED BY Mr. Smith of Washington

At the end of subtitle C of title XII of division A
of the bill, add the following:

1 **SEC. 12xx. AUTHORITY TO REMOVE SATELLITES AND RE-**
2 **LATED COMPONENTS FROM THE UNITED**
3 **STATES MUNITIONS LIST.**

4 (a) IN GENERAL.—Except as provided in subsection
5 (b) and subject to subsection (c), the President is author-
6 ized to remove satellites and related components from the
7 United States Munitions List, consistent with the proce-
8 dures in section 38(f) of the Arms Export Control Act (22
9 U.S.C. 2778(f)), if the President determines that the
10 transfer of such satellites and related components does not
11 pose an unacceptable risk to the national security of the
12 United States and submits to the appropriate congres-
13 sional committees a report on the risk-mitigating licensing
14 controls, procedures, and safeguards the President will es-
15 tablish to reduce such risk to an absolute minimum.

16 (b) RESTRICTION ON SATELLITE SALES TO
17 CHINA.—The authority of subsection (a) may not be exer-
18 cised with respect to any satellite or related component
19 that may, directly or indirectly, be transferred to, or

1 launched into outer space by, the People's Republic of
2 China or any entity or person of the People's Republic
3 of China.

4 (c) EFFECTIVE DATE.—The President may not exer-
5 cise the authority provided in this section before—

6 (1) the date that is 90 days after the date of
7 the enactment of this Act, or

8 (2) the date on which Congress receives the
9 final report required by section 1248 of the National
10 Defense Authorization Act for Fiscal Year 2010
11 (Public Law 111–84; 123 Stat. 2546),

12 whichever occurs later.

13 (d) DEFINITION.—In this section, the term “United
14 States Munitions List” means the list referred to in sec-
15 tion 38(a)(1) of the Arms Export Control Act (22 U.S.C.
16 2778(a)(1)).

