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:

SEC. 12xx. AUTHORITY TO REMOVE SATELLITES AND RELATED COMPONENTS FROM THE UNITED STATES MUNITIONS LIST.

(a) In General.—Except as provided in subsection
(b) and subject to subsection (c), the President is authorized to remove satellites and related components from the United States Munitions List, consistent with the procedures in section 38(f) of the Arms Export Control Act (22 U.S.C. 2778(f)), if the President determines that the transfer of such satellites and related components does not pose an unacceptable risk to the national security of the United States and submits to the appropriate congressional committees a report on the risk-mitigating licensing controls, procedures, and safeguards the President will establish to reduce such risk to an absolute minimum.

(b) RESTRICTION ON SATELLITE SALES TO CHINA.—The authority of subsection (a) may not be exercised with respect to any satellite or related component that may, directly or indirectly, be transferred to, or
launched into outer space by, the People's Republic of China or any entity or person of the People's Republic of China.

(c) EFFECTIVE DATE.—The President may not exercise the authority provided in this section before—

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

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

(d) DEFINITION.—In this section, the term "United States Munitions List" means the list referred to in section 38(a)(1) of the Arms Export Control Act (22 U.S.C. 2778(a)(1)).