International Cooperation: Current Guidelines

• NASA international partners are generally government agencies due to the significant level of investment and legal requirements

• Each Partner funds its respective contributions, but contributions need not be equivalent

• Cooperation must be consistent with foreign policy objectives of each Partner

• Projects/Partnerships:
  – Must have scientific and technical merit and meet NASA program objectives
  – Must be mutually beneficial (demonstrate specific benefit to each Partner)
  – Are structured to protect against unwarranted technology transfer
  – Are structured to establish clearly defined managerial and technical interfaces to minimize complexity
  – Are documented in a written, binding agreement, closely coordinated with the U.S. Department of State and other U.S. government agencies as needed
Why Do We Need International Agreements?

• International Agreements are tools that:
  – Clarify responsibilities of the partners
  – Confirm commitments and terms
  – Document the quid pro quo and benefits of the cooperation
  – Protect investment and interests, such as:
    • Technical data rights
    • Intellectual property rights
    • Allocation of risk – cross-waiver of liability
  – Allow import/export of technical data and goods
  – Confirm arrangements to meet international obligations, such as UN Registration Convention, if necessary
When Do We Draft International Agreements?

- International Agreements are drafted after final selections are made; agreements are not typically drafted for Phase-A Studies.
- International Agreements are not required for proposals or Concept Study Reports.
- Non-U.S. Participation Requirements are detailed in the AO.
- If the AO proposal is from a foreign entity – or if U.S. AO proposal includes foreign participation – a Letter of Commitment is needed from the foreign partner’s government agency or funding institution, acknowledging the activity and preferably indicating sufficient funds will be made available.
- **Note**: International Agreements will likely take several months to put into place!
NASA’s International Agreements

• NASA’s International Agreements do NOT trump export control laws & regulations

An International Agreement does not replace a contractor’s need for a Technical Assistance Agreement
Thank You

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