International Cooperation: Overview

• International cooperation at NASA:
  – Has been a cornerstone of NASA’s activities throughout its history
  – Since 1958, NASA has concluded over 5000 agreements with over 125 nations and international organizations
  – Over 700 active international agreements
  – Cooperation now established with every region in the world
  – 8 partners account for 50% of the agreements
    • ESA, France, Germany, UK, Italy, Canada, Japan, Russia
  – Every Mission Directorate has international partnerships
  – By mission area: 2/3 of agreements are for NASA science missions
Why International Cooperation?

• Benefits of international cooperation:
  – Leverage resources (financial, technological, scientific, etc.)
  – Access foreign capabilities or geography
    • Adds unique capability and/or expertise
    • Increases mission flight opportunities
    • Enhances the scientific return
  – Promote U.S. foreign policy interests
    • NASA follows foreign policy guidance from the U.S. Department of State
International Cooperation: Current Guidelines

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

- No exchange of funds; each partner funds its respective contributions, but contributions need not be equivalent.

- Cooperation must have scientific and technical merit and demonstrate specific benefits.

- Joint projects must be within the known scientific, technical and budgetary capabilities of each partner.

- Collaboration is structured to establish clearly defined managerial and technical interfaces to:
  - minimize complexity
  - protect against unwarranted technology transfer

- Cooperation must be consistent with foreign policy objectives of each Partner.
• Generally, international partnerships do not involve joint development of technology…
  – each party retains intellectual property rights in the technology/hardware it brings to the partnership, and that which is developed independently of the other party (clean interfaces!)
  – the results of the cooperation are fully shared, and generally published

• ...nor involve products or processes that are potentially of near-term commercial value
  – Source: 2010 US Space Policy – Sector Guidelines – Commercial Space Guidelines: “…departments and agencies shall … refrain from conducting USG space activities that preclude, discourage, or compete with U.S. commercial space activities…

• Exploratory discussions are welcome and encouraged, consistent with export control limitations
  – early discussions are limited to the exchange of “public domain” information

• Specific cooperative activities are documented in written, legally binding agreements, closely coordinated with the U.S. Department of State
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 requested 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 and regulations
- An International Agreement does not replace a contractor’s need for a Technical Assistance Agreement
Thank You

Office of International and Interagency Relations (OIIR)

Kim Hurst
Earth Science Lead
Science Division

http://oiir.hq.nasa.gov/