

(2) With respect to the first one-year period during which the initial fee schedule is in effect, fees shall be assessed at no more than one-third of the fair market value specified in subsection (a).

(3) With respect to the second one-year period during which the initial fee schedule is in effect, fees shall be assessed at not more than two-thirds of such fair market value.

(4) With respect to the third one-year period during which the initial fee schedule is in effect, and with respect to any period thereafter, fees shall be assessed at no more than the full amount of such fair market value.

(e) Data archive center operations; availability of fees for expenses of centers

Fees collected under this section by the National Environmental Satellite, Data, and Information Service for archived data shall be available to the National Environmental Satellite, Data, and Information Service for expenses incurred in the operation of its data archive centers.

(f) Report to Congressional committees

The Secretary shall, not later than 90 days after November 17, 1988, 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 a report which sets forth—

(1) any plan of the Secretary for assessing fees under this section by the National Environmental Satellite, Data, and Information Service for archived data, including the methodology and bases by which the amount of such fees shall be determined, and the estimated revenues therefrom; and

(2) any plan of the Secretary for using revenues generated from such fees, as well as other resources, to improve the capability of the National Environmental Satellite, Data, and Information Service to collect, manage, process, archive, and disseminate the increasing amounts of data generated from satellites, radars, and other technologies.

(g) Other assessment authorities unaffected

The authority of the Secretary to assess fees under this section shall be in addition to, and shall not be construed to limit, the authority under any other law to assess fees relating to the environmental data activities of the National Oceanic and Atmospheric Administration, including the authority of the Secretary pursuant to section 1307 of title 44. Nothing in this section shall be construed to authorize the Secretary to assess fees for nautical and aeronautical products of the National Oceanic and Atmospheric Administration in addition to those fees authorized under section 1307 of title 44.

(Pub. L. 100-685, title IV, § 409, Nov. 17, 1988, 102 Stat. 4100; Pub. L. 101-508, title X, § 10201(a), Nov. 5, 1990, 104 Stat. 1388-392.)

AMENDMENTS

1990—Subsec. (a). Pub. L. 101-508, § 10201(a)(1), substituted “and information and products derived therefrom collected and/or archived by the National Oceanic and Atmospheric Administration” for “data archived by the National Environmental Satellite, Data, and In-

formation Service of the National Oceanic and Atmospheric Administration”.

Subsec. (b)(1). Pub. L. 101-508, § 10201(a)(2), inserted “, information, and products” after “provide data” and substituted “data, information, and products are” for “data is”.

Subsec. (b)(2). Pub. L. 101-508, § 10201(a)(3), inserted “, information, or products” after “provide data” and substituted “basis of exchanging such data, information, and products” for “data exchange basis”.

Subsec. (b)(3). Pub. L. 101-508, § 10201(a)(4), added par. (3).

Subsec. (d). Pub. L. 101-508, § 10201(a)(6), inserted “by the National Environmental Satellite, Data, and Information Service for archived data” after “under this section” in introductory provisions.

Subsec. (d)(1). Pub. L. 101-508, § 10201(a)(5), amended par. (1) generally. Prior to amendment, par. (1) read as follows: “No fees shall be assessed under this section until after September 30, 1989.”

Subsecs. (e), (f)(1). Pub. L. 101-508, § 10201(a)(6), inserted “by the National Environmental Satellite, Data, and Information Service for archived data” after “under this section”.

Subsec. (g). Pub. L. 101-508, § 10201(a)(7), inserted before period at end “, including the authority of the Secretary pursuant to section 1307 of title 44. Nothing in this section shall be construed to authorize the Secretary to assess fees for nautical and aeronautical products of the National Oceanic and Atmospheric Administration in addition to those fees authorized under section 1307 of title 44”.

EFFECT OF AMENDMENTS

Pub. L. 101-508, title X, § 10201(b), Nov. 5, 1990, 104 Stat. 1388-393, provided that:

“(1) The increase in revenues to the United States attributable to the amendments made by subsection (a) [amending this section] shall not exceed—

“(A) \$2,000,000 for each of the fiscal years 1991, 1992, and 1993; and

“(B) \$3,000,000 for each of the fiscal years 1994 and 1995.

“(2) Increases in revenues to the United States described in paragraph (1) shall be achieved by the Secretary of Commerce through fair and equitable increases in fees for services offered by the various programs of the National Oceanic and Atmospheric Administration.

“(3) The Secretary of Commerce shall notify the Congress of any changes in fee schedules under section 409 of the Act of November 17, 1988 (15 U.S.C. 1534), before such changes take effect.”

§ 1535. Repealed. Pub. L. 111-314, § 6, Dec. 18, 2010, 124 Stat. 3444

Section, Pub. L. 101-611, title I, § 115(b), Nov. 16, 1990, 104 Stat. 3201, related to annual reports of activities of the Office of Space Commerce. See section 50703 of Title 51, National and Commercial Space Programs.

§ 1536. Prohibition against fraudulent use of “Made in America” labels

If it has been finally determined by a court or a Federal agency that any person intentionally affixed a label bearing a “Made in America” inscription, or an inscription with the same meaning, to any product sold in or shipped to the United States that is not made in the United States, that person shall be ineligible to receive any contract or subcontract from the Department of Commerce, pursuant to the debarment, suspension, and ineligibility procedures in subpart 9.4 of chapter 1 of title 48, Code of Federal Regulations.

(Pub. L. 102-245, title I, § 111(b), Feb. 14, 1992, 106 Stat. 14.)