

or spectrum used for the provision of international or global satellite communications services. The President shall oppose in the International Telecommunication Union and in other bilateral and multilateral fora any assignment by competitive bidding of orbital locations or spectrum used for the provision of such services.

**“SEC. 648. EXCLUSIVITY ARRANGEMENTS.**

“(a) *IN GENERAL.*—No satellite operator shall acquire or enjoy the exclusive right of handling telecommunications to or from the United States, its territories or possessions, and any other country or territory by reason of any concession, contract, understanding, or working arrangement to which the satellite operator or any persons or companies controlling or controlled by the operator are parties.

“(b) *EXCEPTION.*—In enforcing the provisions of this section, the Commission—

“(1) shall not require the termination of existing satellite telecommunications services under contract with, or tariff commitment to, such satellite operator; but

“(2) may require the termination of new services only to the country that has provided the exclusive right to handle telecommunications, if the Commission determines the public interest, convenience, and necessity so requires.

**“Subtitle D—Negotiations To Pursue Privatization**

**“SEC. 661. METHODS TO PURSUE PRIVATIZATION.**

“The President shall secure the pro-competitive privatizations required by this title in a manner that meets the criteria in subtitle B.

**“Subtitle E—Definitions**

**“SEC. 681. DEFINITIONS.**

“(a) *IN GENERAL.*—As used in this title:

“(1) *INTELSAT.*—The term ‘INTELSAT’ means the International Telecommunications Satellite Organization established pursuant to the Agreement Relating to the International Telecommunications Satellite Organization (INTELSAT).

“(2) *INMARSAT.*—The term ‘Inmarsat’ means the International Mobile Satellite Organization established pursuant to the Convention on the International Maritime Organization.

“(3) *SIGNATORIES.*—The term ‘signatories’—

“(A) in the case of INTELSAT, or INTELSAT successors or separated entities, means a Party, or the telecommunications entity designated by a Party, that has signed the Operating Agreement and for which such Agreement has entered into force; and

“(B) in the case of Inmarsat, or Inmarsat successors or separated entities, means either a Party to, or an entity that has been designated by a Party to sign, the Operating Agreement.

“(4) *PARTY.*—The term ‘Party’—

“(A) in the case of INTELSAT, means a nation for which the INTELSAT agreement has entered into force; and

“(B) in the case of Inmarsat, means a nation for which the Inmarsat convention has entered into force.

“(5) *COMMISSION.*—The term ‘Commission’ means the Federal Communications Commission.

“(6) *INTERNATIONAL TELECOMMUNICATION UNION.*—The term ‘International Telecommunication Union’ means the intergovernmental organization that is a specialized agency of the United Nations in which member countries cooperate for the development of telecommunications, including adoption of international regulations governing terrestrial and space uses of the frequency spectrum as well as use of the geostationary satellite orbit.

“(7) *SUCCESSOR ENTITY.*—The term ‘successor entity’—

“(A) means any privatized entity created from the privatization of INTELSAT or Inmarsat or from the assets of INTELSAT or Inmarsat; but

“(B) does not include any entity that is a separated entity.

“(8) *SEPARATED ENTITY.*—The term ‘separated entity’ means a privatized entity to whom a por-

tion of the assets owned by INTELSAT or Inmarsat are transferred prior to full privatization of INTELSAT or Inmarsat, including in particular the entity whose structure was under discussion by INTELSAT as of March 25, 1998, but excluding ICO.

“(9) *ORBITAL LOCATION.*—The term ‘orbital location’ means the location for placement of a satellite on the geostationary orbital arc as defined in the International Telecommunication Union Radio Regulations.

“(10) *SPACE SEGMENT.*—The term ‘space segment’ means the satellites, and the tracking, telemetry, command, control, monitoring and related facilities and equipment used to support the operation of satellites owned or leased by INTELSAT, Inmarsat, or a separated entity or successor entity.

“(11) *NON-CORE SERVICES.*—The term ‘non-core services’ means, with respect to INTELSAT provision, services other than public-switched network voice telephony and occasional-use television, and with respect to Inmarsat provision, services other than global maritime distress and safety services or other existing maritime or aeronautical services for which there are not alternative providers.

“(12) *ADDITIONAL SERVICES.*—The term ‘additional services’ means—

“(A) for Inmarsat, those non-maritime or non-aeronautical mobile services in the 1.5 and 1.6 Ghz band on planned satellites or the 2 Ghz band; and

“(B) for INTELSAT, direct-to-home (DTH) or direct broadcast satellite (DBS) video services, or services in the Ka or V bands.

“(13) *INTELSAT AGREEMENT.*—The term ‘INTELSAT Agreement’ means the Agreement Relating to the International Telecommunications Satellite Organization (‘INTELSAT’), including all its annexes (TIAS 7532, 23 UST 3813).

“(14) *HEADQUARTERS AGREEMENT.*—The term ‘Headquarters Agreement’ means the International Telecommunication Satellite Organization Headquarters Agreement (November 24, 1976) (TIAS 8542, 28 UST 2248).

“(15) *OPERATING AGREEMENT.*—The term ‘Operating Agreement’ means—

“(A) in the case of INTELSAT, the agreement, including its annex but excluding all titles of articles, opened for signature at Washington on August 20, 1971, by Governments or telecommunications entities designated by Governments in accordance with the provisions of the Agreement; and

“(B) in the case of Inmarsat, the Operating Agreement on the International Maritime Satellite Organization, including its annexes.

“(16) *INMARSAT CONVENTION.*—The term ‘Inmarsat Convention’ means the Convention on the International Maritime Satellite Organization (Inmarsat) (TIAS 9605, 31 UST 1).

“(17) *NATIONAL CORPORATION.*—The term ‘national corporation’ means a corporation the ownership of which is held through publicly traded securities, and that is incorporated under, and subject to, the laws of a national, state, or territorial government.

“(18) *COMSAT.*—The term ‘COMSAT’ means the corporation established pursuant to title III of the Communications Satellite Act of 1962 (47 U.S.C. 731 et seq.), or the successor in interest to such corporation.

“(19) *ICO.*—The term ‘ICO’ means the company known, as of the date of enactment of this title, as ICO Global Communications, Inc.

“(20) *GLOBAL MARITIME DISTRESS AND SAFETY SERVICES OR GMDSS.*—The term ‘global maritime distress and safety services’ or ‘GMDSS’ means the automated ship-to-shore distress alerting system which uses satellite and advanced terrestrial systems for international distress communications and promoting maritime safety in general. The GMDSS permits the worldwide alerting of vessels, coordinated search and rescue operations, and dissemination of maritime safety information.

“(21) *NATIONAL SECURITY AGENCY.*—The term ‘national security agency’ means the National Security Agency, the Director of Central Intelligence and the Central Intelligence Agency, the Department of Defense, and the Coast Guard.

“(b) *COMMON TERMINOLOGY.*—Except as otherwise provided in subsection (a), terms used in this title that are defined in section 3 of the Communications Act of 1934 have the meanings provided in such section.”

And the House agree to the same.

TOM BLILEY,  
BILLY TAUZIN,  
MICHAEL G. OXLEY,  
JOHN D. DINGELL,  
EDWARD J. MARKEY,

Managers on the Part of the House.

JOHN MCCAIN,  
TED STEVENS,  
CONRAD BURNS,  
FRITZ HOLLINGS,  
DANIEL K. INOUE,

Managers on the Part of the Senate.

**JOINT EXPLANATORY STATEMENT OF THE COMMITTEE OF CONFERENCE**

The managers on the part of the House and the Senate at the conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 376) to amend the Communications Satellite Act of 1962 to promote competition and privatization in satellite communications, and for other purposes, submit the following joint statement to the House and the Senate in explanation of the effect of the action agreed upon by the managers and recommended in the accompanying conference report:

The House amendment struck all of the Senate bill after the enacting clause and inserted a substitute text.

The Senate recedes from its disagreement to the amendment of the House with an amendment that is a substitute for the Senate bill and the House amendment.

The managers on the part of the House and Senate met on February 29, 2000, and reconciled the differences between the two bills.

TOM BLILEY,  
BILLY TAUZIN,  
MICHAEL G. OXLEY,  
JOHN D. DINGELL,  
EDWARD J. MARKEY,

Managers on the Part of the House.

JOHN MCCAIN,  
TED STEVENS,  
CONRAD BURNS,  
FRITZ HOLLINGS,  
DANIEL K. INOUE,

Managers on the Part of the Senate.

**SPECIAL ORDERS GRANTED**

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. SCARBOROUGH) to revise and extend their remarks and include extraneous material:)

Mr. SCARBOROUGH, for 5 minutes, today.

Mr. PALLONE, for 5 minutes, today.

Mr. WOLF, for 5 minutes, March 9.

**SENATE ENROLLED BILL SIGNED**

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 613. An act to encourage Indian economic development, to provide for the disclosure of Indian tribal sovereign immunity