

June 14, 2005. See *In the Matter of Inmarsat Group Holdings Limited Petition for Declaratory Ruling Pursuant to Section 621(5)(F) of the ORBIT Act*, Memorandum Opinion and Order, IB Docket 04-439, FCC 05-126 (released June 14, 2005).

Section 763c of this title, referred to in par. (3), was amended generally by Pub. L. 109-34, § 3, July 12, 2005, 119 Stat. 377, and no longer relates to specific criteria for Inmarsat privatization.

The effective date of the Commission order relating to INTELSAT privatization, referred to in par. (4), is Apr. 15, 2005. See *In the Matter of Intelsat, Ltd. Petition for Declaratory Ruling that Intelsat, Ltd. Complies With Section 621(5)(F) of the ORBIT Act*, Memorandum Opinion and Order, IB Docket 05-18, FCC 05-86 (released April 15, 2005).

§ 765e. Repealed. Pub. L. 115-141, div. P, title IV, § 402(a), Mar. 23, 2018, 132 Stat. 1089

Section, Pub. L. 87-624, title VI, § 646, as added Pub. L. 106-180, § 3, Mar. 17, 2000, 114 Stat. 57, related to reports to Congress on the progress made to achieve the objectives and carry out the purposes and provisions of this subchapter.

§ 765f. Satellite auctions

Notwithstanding any other provision of law, the Commission shall not have the authority to assign by competitive bidding orbital locations 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.

(Pub. L. 87-624, title VI, § 647, as added Pub. L. 106-180, § 3, Mar. 17, 2000, 114 Stat. 57.)

§ 765g. 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.

(Pub. L. 87-624, title VI, § 648, as added Pub. L. 106-180, § 3, Mar. 17, 2000, 114 Stat. 57.)

PART D—NEGOTIATIONS TO PURSUE
PRIVATIZATION

§ 767. Methods to pursue privatization

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

(Pub. L. 87-624, title VI, § 661, as added Pub. L. 106-180, § 3, Mar. 17, 2000, 114 Stat. 58.)

PART E—DEFINITIONS

§ 769. Definitions

(a) In general

As used in this subchapter:

(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 portion of the as-