

103<sup>D</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 4276

To amend the Arms Export Control Act and the Export Administration Act of 1979 to provide that the export of certain commercial communications satellites and associated equipment be regulated solely under the Export Administration Act of 1979.

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## IN THE HOUSE OF REPRESENTATIVES

APRIL 21, 1994

Ms. HARMAN (for herself and Mr. BERMAN) introduced the following bill;  
which was referred to the Committee on Foreign Affairs

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## A BILL

To amend the Arms Export Control Act and the Export Administration Act of 1979 to provide that the export of certain commercial communications satellites and associated equipment be regulated solely under the Export Administration Act of 1979.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

1 **SECTION 1. REGULATION OF EXPORT OF CERTAIN COM-**  
2 **MERCIAL COMMUNICATIONS SATELLITES**  
3 **AND ASSOCIATED EQUIPMENT UNDER THE**  
4 **EXPORT ADMINISTRATION ACT OF 1979.**

5 (a) AMENDMENT TO ARMS EXPORT CONTROL  
6 ACT.—Subsection (a) of section 38 of the Arms Export  
7 Control Act (22 U.S.C. 2778(a)) is amended—

8 (1) in paragraph (3), by striking “In exercising  
9 the authorities” and inserting “Except as provided  
10 in paragraph (4), in exercising the authorities”; and

11 (2) by adding at the end the following new  
12 paragraph:

13 “(4) The export of commercial communications sat-  
14 ellites, including all integral components of such satellites,  
15 which are designed for civil applications, including items  
16 necessary to achieve the ultimate orbit location of such  
17 satellites, and associated ground and test equipment, when  
18 exported as part of a satellite system for purposes of  
19 launch, shall be regulated only by the Secretary of Com-  
20 merce under the Export Administration Act of 1979.”.

21 (b) AMENDMENT TO EXPORT ADMINISTRATION ACT  
22 OF 1979.—Section 17 of the Export Administration Act  
23 of 1979 (50 U.S.C. app. 2416) is amended by adding at  
24 the end the following new subsection:

25 “(g) REGULATION OF EXPORT OF CERTAIN COM-  
26 MERCIAL COMMUNICATIONS SATELLITES SOLELY UNDER

1 THIS ACT.—Notwithstanding any other provision of law,  
2 the export of commercial communications satellites, in-  
3 cluding all integral components of such satellites, which  
4 are designed for civil applications, including items nec-  
5 essary to achieve the ultimate orbit location of such sat-  
6 ellites, and associated ground and test equipment, when  
7 exported as part of a satellite system for purposes of  
8 launch, shall be regulated under this Act. The Secretary,  
9 in consultation with the Secretary of Defense and the Sec-  
10 retary of State, shall prohibit the unauthorized transfer  
11 of missile equipment, data, or technology that are compo-  
12 nents of any such satellite which is authorized for  
13 export.”.

14 (c) APPLICABILITY.—The amendments made by sub-  
15 sections (a) and (b) shall apply only with respect to the  
16 export of satellites on or after the date of the enactment  
17 of this Act.

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