

8. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
TAUSCHER OF CALIFORNIA, OR
HER DESIGNEE, DEBATABLE FOR 10 MINUTES:

**AMENDMENT TO H.R. 1950, AS REPORTED
OFFERED BY MRS. TAUSCHER OF CALIFORNIA**

Add the following at the end:

**1 SEC. 1716. MARKETING INFORMATION FOR COMMERCIAL
2 COMMUNICATIONS SATELLITES.**

3 (a) IN GENERAL.—A license shall not be required
4 under section 38 of the Arms Export Control Act (22
5 U.S.C. 2778) for the transfer of marketing information
6 for the purpose of providing information directly related
7 to the sale of commercial communications satellites and
8 related parts to a member country of the North Atlantic
9 Treaty Organization (NATO) or to Australia, Japan, or
10 New Zealand.

11 (b) MARKETING INFORMATION.—In this section, the
12 term “marketing information”—

13 (1) means data that a seller must provide to a
14 potential customer (including a foreign end user)
15 that will enable the customer to make a purchase de-
16 cision to award a contract for goods or services, in-
17 cluding system description, functional information,
18 price and schedule information, information required
19 for installation, operation, maintenance, and repair;
20 and



1 (2) includes that level of data necessary to en-
2 sure safe use of the product, but does not include
3 sensitive encryption and source code data, detailed
4 design data, engineering analysis, or manufacturing
5 know-how.

6 (c) EXCEPTION.—Nothing in this section shall ex-
7 empt commercial communications satellites from any li-
8 censing requirement under section 38 of the Arms Export
9 Control Act (22 U.S.C. 2778) for defense items and de-
10 fense services, except as described in subsection (a).

