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Folder Title: 10/01/2002 [S. 2810] [771467]

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771467
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Barcode Scanning Sheet

Collection Code: **SECLOG**

Staff Name:

Document Date:

Correspondent: **TIM SAUNDERS**

Subject/Description: **OVERSIZE ATTACHMENT # 9468 NARA # 9359 BOX 4 FOLDER 1D BILL FILES RECEIVED FROM THE OFFICE OF THE EXECUTIVE CLERK - OCT 01 02 ENROLLED BILL S. 2810 - DEADLINE EXTENSION FOR INTELSAT INITIAL PUBLIC OFFERING**

THE PRESIDENT HAS SEEN
10-1-02

EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

APPROVED
OCT 1 2002

THE DIRECTOR

September 20, 2002

'02 SEP 20 PM3:12

MEMORANDUM FOR THE PRESIDENT

SUBJECT: Enrolled Bill S. 2810 - Deadline Extension for INTELSAT Initial Public Offering
Sponsors - Senator Hollings (D) South Carolina and 3 cosponsors

Last Day for Action

October 1, 2002 - Tuesday

Purpose

Extends the deadline for the International Telecommunications Satellite Organization (INTELSAT) to conduct an initial public offering of securities.

Agency Recommendations

Office of Management and Budget	Approval
Department of Commerce	Approval
Department of State	No objection (Informally)
Office of Science and Technology Policy	No objection (Informally)
Department of Justice	No comment (Informally)
Federal Communications Commission (FCC)	No comment (Informally)
Securities and Exchange Commission	No comment (Informally)

Discussion

The Open-market Reorganization for the Betterment of International Telecommunications (ORBIT) Act (P.L. 106-180, enacted on March 17, 2000) required the President to secure the privatization of INTELSAT and the International Mobile Satellite Organization (Inmarsat) in a manner that met specified pro-competitive criteria. Each organization was required to convert into a publicly-traded stock corporation, with specified deadlines for conducting initial public offerings (IPOs). Until these requirements are met, INTELSAT is prohibited from providing certain advanced services, such as direct-to-home and direct broadcast satellite video services.

The ORBIT Act required the IPO for Inmarsat to be conducted on or about October 1, 2000, but provided the FCC authority to extend the deadline in consideration of market conditions and relevant business factors to no later than December 31, 2001. The ORBIT Act required the IPO for INTELSAT to be conducted on or about October 1, 2001, but provided the FCC authority to extend the deadline in consideration of market conditions and relevant business factors to no later than December 31, 2002.

In recognition of the deteriorating market for IPOs and unfavorable market returns generally over the past two years, neither of the IPOs has been conducted. The Commerce-Justice-State Appropriations Act for FY 2002 (P.L. 107-77, enacted on November 28, 2001) extended the statutory deadline for Inmarsat's IPO to December 31, 2002, and also provided authority for the FCC to further extend the deadline to no later than June 30, 2003. On October 5, 2001, exercising the authority provided in the ORBIT Act, the FCC extended the deadline for the IPO for INTELSAT to December 31, 2002.

Provisions of S. 2810

The enrolled bill would extend the statutory deadline for the IPO for INTELSAT to on or about December 31, 2003, and provide the FCC authority to further extend the deadline to no later than June 30, 2004.

Conclusion and Recommendations

Commerce recommends approval of S. 2810, noting that a one-time extension of the deadline for INTELSAT's IPO will provide flexibility to conduct the IPO when market conditions are more favorable. The Department notes that INTELSAT completed a successful privatization to become a privately-held company in July 2001.

We join Commerce in recommending approval of S. 2810, which passed the Senate by unanimous consent and the House by voice vote.

M E Daniels J

Mitchell E. Daniels, Jr.
Director

Enclosures

S. 2810

One Hundred Seventh Congress of the United States of America

AT THE SECOND SESSION

Begun and held at the City of Washington on Wednesday, the twenty-third day of January, two thousand and two

An Act

To amend the Communications Satellite Act of 1962 to extend the deadline for the INTELSAT initial public offering.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. EXTENSION OF IPO DEADLINE.

Section 621(5)(A)(i) of the Communications Satellite Act of 1962 (47 U.S.C. 763(5)(A)(i)) is amended—

(1) by striking "October 1, 2001," and inserting "December 31, 2003,"; and

(2) by striking "December 31, 2002;" and inserting "June 30, 2004;".

Speaker of the House of Representatives.

~~*Vice President of the United States and*~~ *President of the Senate* *pro tempore*.

APPROVED

OCT 1 2002

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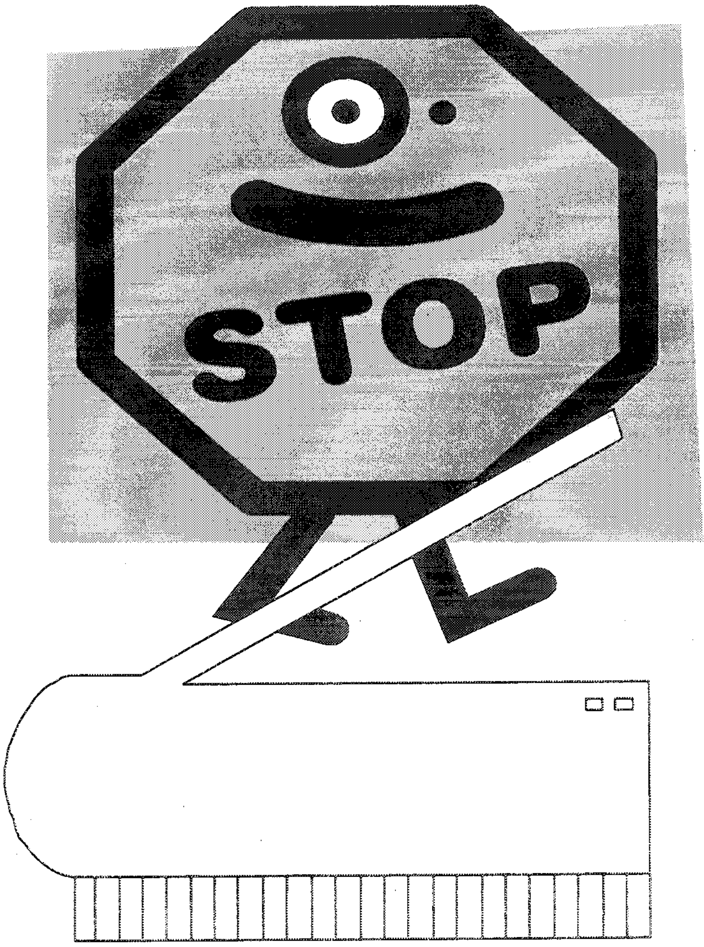
Scanning insert sheet



Remainder of case not scanned

Bills Received at the White House

Date received and notification to OMB: **9/19/2002**

Last day for action: **10/1/2002**

	Official Title	
S.2810	An Act to amend the Communications Satellite Act of 1962 to extend the deadline for the INTELSAT initial public offering.	518697

SS/ RM NO. 518697

WHITE HOUSE STAFFING MEMORANDUM

Date: 09-21-02 9:00 AM   ACTION / CONCURRENCE / COMMENT DUE BY: 09-23-02 5:00 PM

Subject: ENROLLED BILL S. 2810 -- DEADLINE EXTENSION FOR INTELSAT INITIAL PUBLIC OFFERING

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT No objection	☑	☐	HUBBARD concur	☑	☐
CARD ok	☑	☐	IRASTORZA	☐	☐
BARTLETT NC	☑	☐	JOHNSON	☐	☐
BLAKEMAN	☐	☐	LINDSEY ok	☑	☐
BOLTEN ✓	☑	☐	MARBURGER	☐	☐
BRIDGELAND	☐	☐	MIERS	☐	☐
CALIO NC	☑	☐	RICE N/C	☑	☐
CONNAUGHTON	☐	☐	RIDGE	☐	☐
DANIELS	☐	☑	ROVE	☑	☐
FLEISCHER	☐	☑	SPELLINGS ok	☑	☐
GERSON	☐	☑	CLERK	☐	☑
GONZALES No obj.	☑	☐	______	☐	☐
HAGIN	☐	☐	______	☐	☐
HAWKINS	☑	☐	______	☐	☐

REMARKS:

PLEASE FORWARD COMMENTS TO JIM JUKES, 53458, OR FAX 56148, BY 5:00 P.M., MONDAY, SEPTEMBER 21, 2002, WITH A COPY TO THE STAFF SECRETARY'S OFFICE. THANK YOU.

RESPONSE:

Harriet E. Miers
Assistant to the President
and Staff Secretary
Ext. 62702

EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

THE DIRECTOR

September 20, 2002

MEMORANDUM FOR THE PRESIDENT

SUBJECT: Enrolled Bill S. 2810 - Deadline Extension for INTELSAT Initial Public Offering
Sponsors - Senator Hollings (D) South Carolina and 3 cosponsors

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Enclosures

SS/ RM NO. ______________

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Subject: ENROLLED BILL S. 2810 -- DEADLINE EXTENSION FOR INTELSAT INITIAL PUBLIC OFFERING

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BLAKEMAN	☐	☐	LINDSEY	☑	☐
BOLTEN	☑	☐	MARBURGER	☐	☐
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CONNAUGHTON	☐	☐	RIDGE	☐	☐
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GERSON	☐	☑	CLERK	☐	☑
GONZALES	☑	☐	______________	☐	☐
HAGIN	☐	☐	______________	☐	☐
HAWKINS	☑	☐	______________	☐	☐

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Harriet E. Miers
Assistant to the President
and Staff Secretary
Ext. 62702

EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

THE DIRECTOR

September 20, 2002

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Sponsors - Senator Hollings (D) South Carolina and 3 cosponsors

Last Day for Action

October 1, 2002 - Tuesday

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M E Daniels J

Mitchell E. Daniels, Jr.
Director

Enclosures

GENERAL COUNSEL OF THE
UNITED STATES DEPARTMENT OF COMMERCE
Washington, D.C. 20230

September 13, 2002

The Honorable Mitchell Daniels
Director, Office of Management
and Budget
Washington, DC 20503

Attention: Assistant Director for Legislative Reference

Dear Mr. Daniels:

Thank you for providing the Department of Commerce with the opportunity to provide our views on S. 2810, an enrolled bill that amends the Communications Satellite Act of 1962 to extend the deadline for an initial public offering (IPO) by the International Telecommunications Satellite Organization (INTELSAT). The Department of Commerce recommends that the President approve the enrolled bill.

In 2000, Congress enacted the Open-Market Reorganization for the Betterment of International Telecommunications (ORBIT) Act, Pub. L. No. 106-180, 114 Stat. 48 (2000), to establish a statutory framework for the privatization of INTELSAT and the International Mobile Satellite Organization (Inmarsat). Among other things, the ORBIT Act amended the Communications Satellite Act of 1962 to require the privatized successor entities of those organizations to conduct an IPO in order to dilute the aggregate ownership interests of the privatized entities held by former signatories.[1] Specifically, the ORBIT Act mandated the privatized successor entity to INTELSAT to conduct an IPO no later than October 1, 2001, but the ORBIT Act gave the Federal Communications Commission discretion to grant an extension of the deadline to no later than December 31, 2002.[2] Similarly, the ORBIT Act required the privatized successor entity to Inmarsat to conduct an IPO no later than October 1, 2000, but gave the Commission discretion to grant an extension of the deadline to no later than December 31, 2001.[3]

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[1] ORBIT Act § 3, 114 Stat. at 51 (creating a new Section 621 of the Communications Satellite Act of 1962, *codified at* 47 U.S.C. § 763).

[2] 47 U.S.C. § 763(5)(a)(i).

[3] 47 U.S.C. § 763(5)(A)(ii). On November 13, 2001, Congress amended this clause to further extend Inmarsat's IPO deadline to December 31, 2002, again giving the FCC the discretion to extend the deadline to no later than June 30, 2003. *See* Department of Commerce, Justice and State,

In anticipation of privatization, INTELSAT formed Intelsat LLC, a separate private Delaware company, in 2000 to hold U.S. authorizations and associated space segment assets upon privatization. On July 18, 2001, INTELSAT completed a successful privatization to become a privately held company, Intelsat, Ltd. In August 2001, Intelsat LLC, the U.S. subsidiary, requested that the Commission extend the deadline for the required IPO to December 31, 2002. In October 2001, the Commission granted the request, finding that Intelsat LLC had had insufficient time to take the substantial planning, financial, and legal preparations necessary to conduct an IPO since its July 2001 privatization. The Commission concluded that the extension was consistent with the discretion granted the agency under the ORBIT Act to extend the deadline in consideration of market conditions and relevant business factors relating to the timing of an IPO.[4]

The enrolled bill, S. 2810, amends section 621(5)(A)(i) of the Communications Satellite Act of 1962 (47 U.S.C. § 763(5)(a)(i)) to extend the time during which Intelsat LLC must proceed with the IPO. It extends the current statutory deadline for the IPO until December 31, 2003, giving the Commission the additional discretion to extend it further until June 30, 2004.

The Department finds the request for an extension of the deadline to be reasonable. The goal of privatizing the organization is to dilute the interests of former signatories in order to create a more pro-competitive market for global satellite services. A one-time extension of the statutory deadline may further this goal by giving Intelsat LLC the flexibility to stage its IPO when more favorable market conditions will permit the greatest likelihood that substantial dilution will occur. Accordingly, we recommend that the President approve the legislation.

Respectfully,

Theodore W. Kassinger

Theodore W. Kassinger

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the Judiciary and Related Agencies Appropriations Act 2002, Pub. L. No. 107-77, § 628, 115 Stat. 748, 804 (2001).

[4] *In the Matter of Intelsat LLC, Request for Extension of Time Under Section 621(5) of the ORBIT Act*, Memorandum Opinion and Order, FCC 01-288, 16 FCC Rcd. 18185 (rel. Oct. 5, 2001).

S. 2810

One Hundred Seventh Congress of the United States of America

AT THE SECOND SESSION

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(1) by striking "October 1, 2001," and inserting "December 31, 2003,"; and

(2) by striking "December 31, 2002;" and inserting "June 30, 2004;".

Speaker of the House of Representatives.

Vice President of the United States and President of the Senate.

518697

EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

THE DIRECTOR

September 20, 2002

MEMORANDUM FOR THE PRESIDENT

SUBJECT: Enrolled Bill S. 2810 - Deadline Extension for INTELSAT Initial Public Offering
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Last Day for Action

October 1, 2002 - Tuesday

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Enclosures

****
*** TX REPORT ***
****

TRANSMISSION OK

TX/RX NO	1304
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CONNECTION ID	
ST. TIME	09/21 12:21
USAGE T	00'58
PGS. SENT	3
RESULT	OK

SS/ RM NO. ____________

WHITE HOUSE STAFFING MEMORANDUM

Date: 09-21-02 9:00 AM ACTION / CONCURRENCE / COMMENT DUE BY: 09-23-02 5:00 PM

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BOLTEN	☑	☐	MARBURGER	☐	☐
BRIDGELAND	☐	☐	MIERS	☐	☐
CALIO	☑	☐	RICE	☑	☐
CONNAUGHTON	☐	☐	RIDGE	☐	☐
DANIELS	☐	☑	ROVE	☑	☐
FLEISCHER	☐	☑	SPELLINGS	☑	☐
GERSON	☑	☑	CLERK	☐	☑
GONZALES	☑	☐	____________	☐	☐
HAGIN	☐	☐	____________	☐	☐
HAWKINS	☑	☐	____________	☐	☐

REMARKS:
PLEASE FORWARD COMMENTS TO JIM JUKES, 53458, OR FAX 56148, BY 5:00 P.M.

SS/ RM NO. ______________

WHITE HOUSE STAFFING MEMORANDUM

Date: 09-21-02 9:00 AM ACTION / CONCURRENCE / COMMENT DUE BY: 09-23-02 5:00 PM

Subject: ENROLLED BILL S. 2810 -- DEADLINE EXTENSION FOR INTELSAT INITIAL PUBLIC OFFERING

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT	☑	☐	HUBBARD	☑	☐
CARD	☑	☐	IRASTORZA	☐	☐
BARTLETT	☑	☐	JOHNSON	☐	☐
BLAKEMAN	☐	☐	LINDSEY	☑	☐
BOLTEN	☑	☐	MARBURGER	☐	☐
BRIDGELAND	☐	☐	MIERS	☐	☐
CALIO	☑	☐	RICE	☑	☐
CONNAUGHTON	☐	☐	RIDGE	☐	☐
DANIELS	☐	☑	ROVE	☑	☐
FLEISCHER	☐	☑	SPELLINGS	☑	☐
GERSON	☑	☑	CLERK	☐	☑
GONZALES	☑	☐	______	☐	☐
HAGIN	☐	☐	______	☐	☐
HAWKINS	☑	☐	______	☐	☐

REMARKS:

PLEASE FORWARD COMMENTS TO JIM JUKES, 53458, OR FAX 56148, BY 5:00 P.M., MONDAY, SEPTEMBER 21, 2002, WITH A COPY TO THE STAFF SECRETARY'S OFFICE. THANK YOU.

RESPONSE:

Harriet E. Miers
Assistant to the President
and Staff Secretary
Ext. 62702

```
*********************
***   TX REPORT   ***
*********************
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TRANSMISSION OK

TX/RX NO	1302
CONNECTION TEL	56958
CONNECTION ID	
ST. TIME	09/21 12:18
USAGE T	01'00
PGS. SENT	3
RESULT	OK

SS/ RM NO. ____________

WHITE HOUSE STAFFING MEMORANDUM

Date: 09-21-02 9:00 AM **ACTION / CONCURRENCE / COMMENT DUE BY:** 09-23-02 5:00 PM

Subject: ENROLLED BILL S. 2810 -- DEADLINE EXTENSION FOR INTELSAT INITIAL PUBLIC OFFERING

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT	✓	☐	HUBBARD	✓	☐
CARD	✓	☐	IRASTORZA	☐	☐
BARTLETT	✓	☐	JOHNSON	☐	☐
BLAKEMAN	☐	☐	LINDSEY	✓	☐
BOLTEN	✓	☐	MARBURGER	☐	☐
BRIDGELAND	☐	☐	MIERS	☐	☐
CALIO	✓	☐	RICE	✓	☐
CONNAUGHTON	☐	☐	RIDGE	☐	☐
DANIELS	☐	✓	ROVE	✓	☐
FLEISCHER	☐	✓	SPELLINGS	✓	☐
GERSON	✓	✓	CLERK	☐	✓
GONZALES	✓	☐	________	☐	☐
HAGIN	☐	☐	________	☐	☐
HAWKINS	✓	☐	________	☐	☐

REMARKS:
PLEASE FORWARD COMMENTS TO JIM JUKES, 53458, OR FAX 56148, BY 5:00 P.M.

SS/ RM NO. ____________

WHITE HOUSE STAFFING MEMORANDUM

Date: 09-21-02 9:00 AM ACTION / CONCURRENCE / COMMENT DUE BY: 09-23-02 5:00 PM

Subject: ENROLLED BILL S. 2810 -- DEADLINE EXTENSION FOR INTELSAT INITIAL PUBLIC OFFERING

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT	☑	☐	HUBBARD	☑	☐
CARD	☑	☐	IRASTORZA	☐	☐
BARTLETT	☑	☐	JOHNSON	☐	☐
BLAKEMAN	☐	☐	LINDSEY	☑	☐
BOLTEN	☑	☐	MARBURGER	☐	☐
BRIDGELAND	☐	☐	MIERS	☐	☐
CALIO	☑	☐	RICE	☑	☐
CONNAUGHTON	☐	☐	RIDGE	☐	☐
DANIELS	☐	☑	ROVE	☑	☐
FLEISCHER	☐	☑	SPELLINGS	☑	☐
GERSON	☑	☑	CLERK	☐	☑
GONZALES	☑	☐	____________	☐	☐
HAGIN	☐	☐	____________	☐	☐
HAWKINS	☑	☐	____________	☐	☐

REMARKS:

PLEASE FORWARD COMMENTS TO JIM JUKES, 53458, OR FAX 56148, BY 5:00 P.M., MONDAY, SEPTEMBER 21, 2002, WITH A COPY TO THE STAFF SECRETARY'S OFFICE. THANK YOU.

RESPONSE:

Harriet E. Miers
Assistant to the President
and Staff Secretary
Ext. 62702

****
*** TX REPORT ***
****

TRANSMISSION OK

TX/RX NO	1303
CONNECTION TEL	51005
CONNECTION ID	
ST. TIME	09/21 12:19
USAGE T	00'58
PGS. SENT	3
RESULT	OK

SS/ RM NO. ______________

WHITE HOUSE STAFFING MEMORANDUM

Date: 09-21-02 9:00 AM ACTION / CONCURRENCE / COMMENT DUE BY: 09-23-02 5:00 PM

Subject: ENROLLED BILL S. 2810 -- DEADLINE EXTENSION FOR INTELSAT INITIAL PUBLIC OFFERING

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT	☑	☐	HUBBARD	☑	☐
CARD	☑	☐	IRASTORZA	☐	☐
BARTLETT	☑	☐	JOHNSON	☐	☐
BLAKEMAN	☐	☐	LINDSEY	☑	☐
BOLTEN	☑	☐	MARBURGER	☐	☐
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DANIELS	☐	☑	ROVE	☑	☐
FLEISCHER	☐	☑	SPELLINGS	☑	☐
GERSON	☑	☑	CLERK	☐	☑
GONZALES	☑	☐	______	☐	☐
HAGIN	☐	☐	______	☐	☐
HAWKINS	☑	☐	______	☐	☐

REMARKS:

PLEASE FORWARD COMMENTS TO JIM JUKES, 53458, OR FAX 56148, BY 5:00 P.M.,

SS/ RM NO. ______________

WHITE HOUSE STAFFING MEMORANDUM

Date: 09-21-02 9:00 AM   ACTION / CONCURRENCE / COMMENT DUE BY: 09-23-02 5:00 PM

Subject: ENROLLED BILL S. 2810 -- DEADLINE EXTENSION FOR INTELSAT INITIAL PUBLIC OFFERING

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT	☑	☐	HUBBARD	☑	☐
CARD	☑	☐	IRASTORZA	☐	☐
BARTLETT	☑	☐	JOHNSON	☐	☐
BLAKEMAN	☐	☐	LINDSEY	☑	☐
BOLTEN	☑	☐	MARBURGER	☐	☐
BRIDGELAND	☐	☐	MIERS	☐	☐
CALIO	☑	☐	RICE	☑	☐
CONNAUGHTON	☐	☐	RIDGE	☐	☐
DANIELS	☐	☑	ROVE	☑	☐
FLEISCHER	☐	☑	SPELLINGS	☑	☐
GERSON	☑	☑	CLERK	☐	☑
GONZALES	☑	☐	______	☐	☐
HAGIN	☐	☐	______	☐	☐
HAWKINS	☑	☐	______	☐	☐

REMARKS:

PLEASE FORWARD COMMENTS TO JIM JUKES, 53458, OR FAX 56148, BY 5:00 P.M., MONDAY, SEPTEMBER 21, 2002, WITH A COPY TO THE STAFF SECRETARY'S OFFICE. THANK YOU.

RESPONSE:

Harriet E. Miers
Assistant to the President
and Staff Secretary
Ext. 62702

SS/ RM NO. ______________

WHITE HOUSE STAFFING MEMORANDUM

Date: 09-21-02 9:00 AM ACTION / CONCURRENCE / COMMENT DUE BY: 09-23-02 5:00 PM

Subject: ENROLLED BILL S. 2810 -- DEADLINE EXTENSION FOR INTELSAT INITIAL PUBLIC OFFERING

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT	✓		HUBBARD	✓	
CARD	✓		IRASTORZA		
BARTLETT	✓		JOHNSON		
BLAKEMAN			LINDSEY	✓	
BOLTEN	✓		MARBURGER		
BRIDGELAND			MIERS		
CALIO	✓		RICE	✓	
CONNAUGHTON			RIDGE		
DANIELS		✓	ROVE	✓	
FLEISCHER		✓	SPELLINGS	✓	
GERSON	✓	✓	CLERK		✓
GONZALES	✓		______		
HAGIN			______		
HAWKINS	✓		______		

REMARKS:
PLEASE FORWARD COMMENTS TO JIM JUKES, 53458, OR FAX 56148, BY 5:00 P.M., MONDAY, SEPTEMBER 21, 2002, WITH A COPY TO THE STAFF SECRETARY'S OFFICE. THANK YOU.

RESPONSE:

Jc Ack 9/23 0545

Harriet E. Miers
Assistant to the President
and Staff Secretary
Ext. 62702

The ORBIT Act required the IPO for Inmarsat to be conducted on or about October 1, 2000, but provided the FCC authority to extend the deadline in consideration of market conditions and relevant business factors to no later than December 31, 2001. The ORBIT Act required the IPO for INTELSAT to be conducted on or about October 1, 2001, but provided the FCC authority to extend the deadline in consideration of market conditions and relevant business factors to no later than December 31, 2002.

In recognition of the deteriorating market for IPOs and unfavorable market returns generally over the past two years, neither of the IPOs has been conducted. The Commerce-Justice-State Appropriations Act for FY 2002 (P.L. 107-77, enacted on November 28, 2001) extended the statutory deadline for Inmarsat's IPO to December 31, 2002, and also provided authority for the FCC to further extend the deadline to no later than June 30, 2003. On October 5, 2001, exercising the authority provided in the ORBIT Act, the FCC extended the deadline for the IPO for INTELSAT to December 31, 2002.

Provisions of S. 2810

The enrolled bill would extend the statutory deadline for the IPO for INTELSAT to on or about December 31, 2003, and provide the FCC authority to further extend the deadline to no later than June 30, 2004.

Conclusion and Recommendations

Commerce recommends approval of S. 2810, noting that a one-time extension of the deadline for INTELSAT's IPO will provide flexibility to conduct the IPO when market conditions are more favorable. The Department notes that INTELSAT completed a successful privatization to become a privately-held company in July 2001.

We join Commerce in recommending approval of S. 2810, which passed the Senate by unanimous consent and the House by voice vote.

M E Daniels Jr.

Mitchell E. Daniels, Jr.
Director

Enclosures

'02 SEP 23 AM 7:51

SS/ RM NO. ____________

WHITE HOUSE STAFFING MEMORANDUM

Date: 09-21-02 9:00 AM ACTION / CONCURRENCE / COMMENT DUE BY: 09-23-02 5:00 PM

Subject: ENROLLED BILL S. 2810 – DEADLINE EXTENSION FOR INTELSAT INITIAL PUBLIC OFFERING

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT	☑	☐	HUBBARD	☑	☐
CARD	☑	☐	IRASTORZA	☐	☐
BARTLETT	☑	☐	JOHNSON	☐	☐
BLAKEMAN	☐	☐	LINDSEY	☑	☐
BOLTEN	☑	☐	MARBURGER	☐	☐
BRIDGELAND	☐	☐	MIERS	☐	☐
CALIO	☑	☐	RICE	☑	☐
CONNAUGHTON	☐	☐	RIDGE	☐	☐
DANIELS	☐	☑	ROVE	☑	☐
FLEISCHER	☐	☑	SPELLINGS	☑	☐
GERSON	☑	☑	CLERK	☐	☑
GONZALES	☑	☐	____________	☐	☐
HAGIN	☐	☐	____________	☐	☐
HAWKINS	☑	☐	____________	☐	☐

REMARKS:

PLEASE FORWARD COMMENTS TO JIM JUKES, 53458, OR FAX 56148, BY 5:00 P.M., MONDAY, SEPTEMBER 21, 2002, WITH A COPY TO THE STAFF SECRETARY'S OFFICE. THANK YOU.

09/23/02

RESPONSE:

Concur in approving

Harriet E. Miers
Assistant to the President
and Staff Secretary
Ext. 62702

SS/ RM NO. ____________

WHITE HOUSE STAFFING MEMORANDUM

Date: 09-21-02 9:00 AM ACTION / CONCURRENCE / COMMENT DUE BY: 09-23-02 5:00 PM

Subject: ENROLLED BILL S. 2810 -- DEADLINE EXTENSION FOR INTELSAT INITIAL PUBLIC OFFERING

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT	☑	☐	HUBBARD	☑	☐
CARD	☑	☐	IRASTORZA	☐	☐
BARTLETT	☑	☐	JOHNSON	☐	☐
BLAKEMAN	☐	☐	LINDSEY	☑	☐
BOLTEN	☑	☐	MARBURGER	☐	☐
BRIDGELAND	☐	☐	MIERS	☐	☐
CALIO	☑	☐	RICE	☑	☐
CONNAUGHTON	☐	☐	RIDGE	☐	☐
DANIELS	☐	☑	ROVE	☑	☐
FLEISCHER	☐	☑	SPELLINGS	☑	☐
GERSON	☑	☑	CLERK	☐	☑
GONZALES	☑	☐	____________	☐	☐
HAGIN	☐	☐	____________	☐	☐
HAWKINS	☑	☐	____________	☐	☐

'02 SEP 23 PM12:20

REMARKS:

PLEASE FORWARD COMMENTS TO JIM JUKES, 53458, OR FAX 56148, BY 5:00 P.M., MONDAY, SEPTEMBER 21, 2002, WITH A COPY TO THE STAFF SECRETARY'S OFFICE. THANK YOU.

OK - No Comment

RESPONSE:

Harriet E. Miers
Assistant to the President
and Staff Secretary
Ext. 62702

THE DIRECTOR

September 20, 2002

MEMORANDUM FOR THE PRESIDENT

SUBJECT: Enrolled Bill S. 2810 - Deadline Extension for INTELSAT Initial Public Offering
Sponsors - Senator Hollings (D) South Carolina and 3 cosponsors

Last Day for Action

October 1, 2002 - Tuesday

Purpose

Extends the deadline for the International Telecommunications Satellite Organization (INTELSAT) to conduct an initial public offering of securities.

Agency Recommendations

Office of Management and Budget	Approval
Department of Commerce	Approval
Department of State	No objection (Informally)
Office of Science and Technology Policy	No objection (Informally)
Department of Justice	No comment (Informally)
Federal Communications Commission (FCC)	No comment (Informally)
Securities and Exchange Commission	No comment (Informally)

Discussion

The Open-market Reorganization for the Betterment of International Telecommunications (ORBIT) Act (P.L. 106-180, enacted on March 17, 2000) required the President to secure the privatization of INTELSAT and the International Mobile Satellite Organization (Inmarsat) in a manner that met specified pro-competitive criteria. Each organization was required to convert into a publicly-traded stock corporation, with specified deadlines for conducting initial public offerings (IPOs). Until these requirements are met, INTELSAT is prohibited from providing certain advanced services, such as direct-to-home and direct broadcast satellite video services.

SS/ RM NO. ______________

WHITE HOUSE STAFFING MEMORANDUM

'02 SEP 23 PM1:08

Date: 09-21-02 9:00 AM **ACTION / CONCURRENCE / COMMENT DUE BY:** 09-23-02 5:00 PM

Subject: ENROLLED BILL S. 2810 – DEADLINE EXTENSION FOR INTELSAT INITIAL PUBLIC OFFERING

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT	☑	☐	HUBBARD	☑	☐
CARD	☑	☐	IRASTORZA	☐	☐
BARTLETT	☑	☐	JOHNSON	☐	☐
BLAKEMAN	☐	☐	LINDSEY	☑	☐
BOLTEN	☑	☐	MARBURGER	☐	☐
BRIDGELAND	☐	☐	MIERS	☐	☐
CALIO	☑	☐	RICE	☑	☐
CONNAUGHTON	☐	☐	RIDGE	☐	☐
DANIELS	☐	☑	ROVE	☑	☐
FLEISCHER	☐	☑	SPELLINGS	☑	☐
GERSON	☑	☑	CLERK	☐	☑
GONZALES	☑	☐	______________	☐	☐
HAGIN	☐	☐	______________	☐	☐
HAWKINS	☑	☐	______________	☐	☐

REMARKS:

PLEASE FORWARD COMMENTS TO JIM JUKES, 53458, OR FAX 56148, BY 5:00 P.M., MONDAY, SEPTEMBER 21, 2002, WITH A COPY TO THE STAFF SECRETARY'S OFFICE. THANK YOU.

NC

RESPONSE:

Harriet E. Miers
Assistant to the President
and Staff Secretary
Ext. 62702

SS/ RM NO. ____________

WHITE HOUSE STAFFING MEMORANDUM

Date: 09-21-02 9:00 AM ACTION / CONCURRENCE / COMMENT DUE BY: 09-23-02 5:00 PM

Subject: ENROLLED BILL S. 2810 -- DEADLINE EXTENSION FOR INTELSAT INITIAL PUBLIC OFFERING

'02 SEP 23 PM3:00

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT	☑	☐	HUBBARD	☑	☐
CARD	☑	☐	IRASTORZA	☐	☐
BARTLETT	☑	☐	JOHNSON	☐	☐
BLAKEMAN	☐	☐	LINDSEY	☑	☐
BOLTEN	☑	☐	MARBURGER	☐	☐
BRIDGELAND	☐	☐	MIERS	☐	☐
CALIO	☑	☐	RICE	☑	☐
CONNAUGHTON	☐	☐	RIDGE	☐	☐
DANIELS	☐	☑	ROVE	☑	☐
FLEISCHER	☐	☑	SPELLINGS	☑	☐
GERSON	☑	☑	CLERK	☐	☑
GONZALES	☑	☐	____________	☐	☐
HAGIN	☐	☐	____________	☐	☐
HAWKINS	☑	☐	____________	☐	☐

REMARKS:

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RESPONSE:

Harriet E. Miers
Assistant to the President
and Staff Secretary
Ext. 62702

EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

THE DIRECTOR

September 20, 2002

MEMORANDUM FOR THE PRESIDENT

SUBJECT: Enrolled Bill S. 2810 - Deadline Extension for INTELSAT Initial Public Offering
Sponsors - Senator Hollings (D) South Carolina and 3 cosponsors

Last Day for Action

October 1, 2002 - Tuesday

Purpose

Extends the deadline for the International Telecommunications Satellite Organization (INTELSAT) to conduct an initial public offering of securities.

Agency Recommendations

Office of Management and Budget	Approval
Department of Commerce	Approval
Department of State	No objection (Informally)
Office of Science and Technology Policy	No objection (Informally)
Department of Justice	No comment (Informally)
Federal Communications Commission (FCC)	No comment (Informally)
Securities and Exchange Commission	No comment (Informally)

Discussion

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Provisions of S. 2810

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Conclusion and Recommendations

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We join Commerce in recommending approval of S. 2810, which passed the Senate by unanimous consent and the House by voice vote.

M E Daniels. J

Mitchell E. Daniels, Jr.
Director

Enclosures

OFFICE OF THE VICE PRESIDENT

WASHINGTON

'02 SEP 23 PM5:21

September 23, 2002

MEMORANDUM FOR JIM JUKES
ASSISTANT DIRECTOR, OMB

FROM: **JONATHAN BURKS**
DEPUTY STAFF SECRETARY TO THE VICE PRESIDENT

SUBJECT: **Enrolled Bill S. 2810 – Deadline Extension for Intelsat Initial Public Offering**

The Office of the Vice President has reviewed the above-referenced draft and has no objection to the President signing the enrolled bill.

cc: **Harriet Miers**
Staff Secretary

SS/ RM NO. ____________

WHITE HOUSE STAFFING MEMORANDUM

Date: 09-21-02 9:00 AM ACTION / CONCURRENCE / COMMENT DUE BY: 09-23-02 5:00 PM

Subject: ENROLLED BILL S. 2810 -- DEADLINE EXTENSION FOR INTELSAT INITIAL PUBLIC OFFERING

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT	☑	☐	HUBBARD	☑	☐
CARD	☑	☐	IRASTORZA	☐	☐
BARTLETT	☑	☐	JOHNSON	☐	☐
BLAKEMAN	☐	☐	LINDSEY	☑	☐
BOLTEN	☑	☐	MARBURGER	☐	☐
BRIDGELAND	☐	☐	MIERS	☐	☐
CALIO	☑	☐	RICE	☑	☐
CONNAUGHTON	☐	☐	RIDGE	☐	☐
DANIELS	☐	☑	ROVE	☑	☐
FLEISCHER	☐	☑	SPELLINGS	☑	☐
GERSON	☑	☑	CLERK	☐	☑
GONZALES	☑	☐	____________	☐	☐
HAGIN	☐	☐	____________	☐	☐
HAWKINS	☑	☐	____________	☐	☐

REMARKS:
PLEASE FORWARD COMMENTS TO JIM JUKES, 53458, OR FAX 56148, BY 5:00 P.M., MONDAY, SEPTEMBER 21, 2002, WITH A COPY TO THE STAFF SECRETARY'S OFFICE. THANK YOU.

OK - NEC

RESPONSE:

Harriet E. Miers
Assistant to the President
and Staff Secretary
Ext. 62702

Caroly Dinkins

SS/ RM NO. HELGI

WHITE HOUSE STAFFING MEMORANDUM

Date: 09-21-02 9:00 AM ACTION / CONCURRENCE / COMMENT DUE BY: 09-23-02 5:00 PM

Subject: ENROLLED BILL S. 2810 -- DEADLINE EXTENSION FOR INTELSAT INITIAL PUBLIC OFFERING

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT	☑	☐	HUBBARD	☑	☐
CARD	☑	☐	IRASTORZA	☐	☐
BARTLETT	☑	☐	JOHNSON	☐	☐
BLAKEMAN	☐	☐	LINDSEY	☑	☐
BOLTEN	☑	☐	MARBURGER	☐	☐
BRIDGELAND	☐	☐	MIERS	☐	☐
CALIO	☑	☐	RICE	☑	☐
CONNAUGHTON	☐	☐	RIDGE	☐	☐
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FLEISCHER	☐	☑	SPELLINGS	☑	☐
GERSON	☑	☑	CLERK	☐	☑
GONZALES	☑	☐	______	☐	☐
HAGIN	☐	☐	______	☐	☐
HAWKINS	☑	☐	______	☐	☐

REMARKS:
PLEASE FORWARD COMMENTS TO JIM JUKES, 53458, OR FAX 56148, BY 5:00 P.M., MONDAY, SEPTEMBER 21, 2002, WITH A COPY TO THE STAFF SECRETARY'S OFFICE. THANK YOU.

No objection.

RESPONSE:

Heggi Wallace
wH206.7361

Harriet E. Miers
Assistant to the President
and Staff Secretary
Ext. 62702

SS/ RM NO. ____________

WHITE HOUSE STAFFING MEMORANDUM

Date: 09-21-02 9:00 AM   ACTION / CONCURRENCE / COMMENT DUE BY: 09-23-02 5:00 PM

Subject: ENROLLED BILL S. 2810 -- DEADLINE EXTENSION FOR INTELSAT INITIAL PUBLIC OFFERING

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT	☑	☐	HUBBARD	☑	☐
CARD	☑	☐	IRASTORZA	☐	☐
BARTLETT	☑	☐	JOHNSON	☐	☐
BLAKEMAN	☐	☐	LINDSEY	☑	☐
BOLTEN	☑	☐	MARBURGER	☐	☐
BRIDGELAND	☐	☐	MIERS	☐	☐
CALIO	☑	☐	RICE	☑	☐
CONNAUGHTON	☐	☐	RIDGE	☐	☐
DANIELS	☐	☑	ROVE	☑	☐
FLEISCHER	☐	☑	SPELLINGS	☑	☐
GERSON	☐	☑	CLERK	☐	☑
GONZALES	☑	☐	____________	☐	☐
HAGIN	☐	☐	____________	☐	☐
HAWKINS	☑	☐	____________	☐	☐

REMARKS:
PLEASE FORWARD COMMENTS TO JIM JUKES, 53458, OR FAX 56148, BY 5:00 P.M., MONDAY, SEPTEMBER 21, 2002, WITH A COPY TO THE STAFF SECRETARY'S OFFICE. THANK YOU.

RESPONSE:

cc Larry   OK TT

Harriet E. Miers
Assistant to the President
and Staff Secretary
Ext. 62702

EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

THE DIRECTOR

September 20, 2002

MEMORANDUM FOR THE PRESIDENT

SUBJECT: Enrolled Bill S. 2810 - Deadline Extension for INTELSAT Initial Public Offering
Sponsors - Senator Hollings (D) South Carolina and 3 cosponsors

Last Day for Action

October 1, 2002 - Tuesday

Purpose

Extends the deadline for the International Telecommunications Satellite Organization (INTELSAT) to conduct an initial public offering of securities.

Agency Recommendations

Office of Management and Budget	Approval
Department of Commerce	Approval
Department of State	No objection (Informally)
Office of Science and Technology Policy	No objection (Informally)
Department of Justice	No comment (Informally)
Federal Communications Commission (FCC)	No comment (Informally)
Securities and Exchange Commission	No comment (Informally)

Discussion

The Open-market Reorganization for the Betterment of International Telecommunications (ORBIT) Act (P.L. 106-180, enacted on March 17, 2000) required the President to secure the privatization of INTELSAT and the International Mobile Satellite Organization (Inmarsat) in a manner that met specified pro-competitive criteria. Each organization was required to convert into a publicly-traded stock corporation, with specified deadlines for conducting initial public offerings (IPOs). Until these requirements are met, INTELSAT is prohibited from providing certain advanced services, such as direct-to-home and direct broadcast satellite video services.

The ORBIT Act required the IPO for Inmarsat to be conducted on or about October 1, 2000, but provided the FCC authority to extend the deadline in consideration of market conditions and relevant business factors to no later than December 31, 2001. The ORBIT Act required the IPO for INTELSAT to be conducted on or about October 1, 2001, but provided the FCC authority to extend the deadline in consideration of market conditions and relevant business factors to no later than December 31, 2002.

In recognition of the deteriorating market for IPOs and unfavorable market returns generally over the past two years, neither of the IPOs has been conducted. The Commerce-Justice-State Appropriations Act for FY 2002 (P.L. 107-77, enacted on November 28, 2001) extended the statutory deadline for Inmarsat's IPO to December 31, 2002, and also provided authority for the FCC to further extend the deadline to no later than June 30, 2003. On October 5, 2001, exercising the authority provided in the ORBIT Act, the FCC extended the deadline for the IPO for INTELSAT to December 31, 2002.

Provisions of S. 2810

The enrolled bill would extend the statutory deadline for the IPO for INTELSAT to on or about December 31, 2003, and provide the FCC authority to further extend the deadline to no later than June 30, 2004.

Conclusion and Recommendations

Commerce recommends approval of S. 2810, noting that a one-time extension of the deadline for INTELSAT's IPO will provide flexibility to conduct the IPO when market conditions are more favorable. The Department notes that INTELSAT completed a successful privatization to become a privately-held company in July 2001.

We join Commerce in recommending approval of S. 2810, which passed the Senate by unanimous consent and the House by voice vote.

M E Daniels J

Mitchell E. Daniels, Jr.
Director

Enclosures

8001

SS/ RM NO. ____________

WHITE HOUSE STAFFING MEMORANDUM

Date: 09-21-02 9:00 AM ACTION / CONCURRENCE / COMMENT DUE BY: 09-23-02 5:00 PM

Subject: ENROLLED BILL S. 2810 -- DEADLINE EXTENSION FOR INTELSAT INITIAL PUBLIC OFFERING

'02 SEP 24 PM8:57

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT	✓	☐	HUBBARD	✓	☐
CARD	✓	☐	IRASTORZA	☐	☐
BARTLETT	✓	☐	JOHNSON	☐	☐
BLAKEMAN	☐	☐	LINDSEY	✓	☐
BOLTEN	✓	☐	MARBURGER	☐	☐
BRIDGELAND	☐	☐	MIERS	☐	☐
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CONNAUGHTON	☐	☐	RIDGE	☐	☐
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FLEISCHER	☐	✓	SPELLINGS	✓	☐
GERSON	✓	✓	CLERK	☐	✓
GONZALES	✓	☐	____________	☐	☐
HAGIN	☐	☐	____________	☐	☐
HAWKINS	✓	☐	____________	☐	☐

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September 24, 2002

RESPONSE: The NSC has no comments.

Steve for

Condoleezza Rice
Assistant to the President for
National Security Affairs

Harriet E. Miers
Assistant to the President
and Staff Secretary
Ext. 62702

EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

THE DIRECTOR

September 20, 2002

MEMORANDUM FOR THE PRESIDENT

SUBJECT: Enrolled Bill S. 2810 - Deadline Extension for INTELSAT Initial Public Offering
Sponsors - Senator Hollings (D) South Carolina and 3 cosponsors

Last Day for Action

October 1, 2002 - Tuesday

Purpose

Extends the deadline for the International Telecommunications Satellite Organization (INTELSAT) to conduct an initial public offering of securities.

Agency Recommendations

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Department of Commerce	Approval
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Office of Science and Technology Policy	No objection (Informally)
Department of Justice	No comment (Informally)
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M E Daniels Jr

Mitchell E. Daniels, Jr.
Director

Enclosures

Marsh, Thomas S. (RECORDS)

From: Sachs, Marcus H. (CYBER)
Sent: Monday, September 23, 2002 1:14 PM
To: Lee, Sang W. (RECORDS); @West Wing Desk
Cc: @Cyber; @Defense; @EXECSEC; @UP
Subject: RE: WHR8001 - Enrolled Bill S. 2810 -- Deadline Extension for Intelsat IPO [UNCLASSIFIED, Record]

Cyber concurs, no comments.

Marc

-----Original Message-----
From: Lee, Sang W. (RECORDS)
Sent: Monday, September 23, 2002 9:01 AM
To: @Cyber
Cc: @West Wing Desk
Subject: FW: WHR8001 - Enrolled Bill S. 2810 -- Deadline Extension for Intelsat IPO [UNCLASSIFIED, Record]

Could someone @Cyber please comment for Mr. Kurtz?

Thank you,

Sang

-----Original Message-----
From: Lee, Sang W. (RECORDS)
Sent: Monday, September 23, 2002 7:28 AM
To: Klinger, Gil I. (Defense); Kurtz, Paul B. (CYBER)
Cc: @Cyber; @Defense; @EXECSEC; @West Wing Desk; @UP
Subject: WHR8001 - Enrolled Bill S. 2810 -- Deadline Extension for Intelsat IPO [UNCLASSIFIED, Record]

Attached is WH Referral 8001 - Enrolled Bill S. 2810 -- Deadline Extension for Intelsat IPO

Action: Klinger

Concurrence: Kurtz

Comments are due 5 PM on 23 Sep 02.

<< File: WHR8001.tif >>

Please pass your comments via e-mail to West Wing Desk, and we will do the rest.

Marsh, Thomas S. (RECORDS)

From: Andricos, George M. (LEGISLATIVE)
Sent: Tuesday, September 24, 2002 11:16 AM
To: Marsh, Thomas S. (RECORDS); @International Economic Affairs; @Legislative Affairs
Subject: RE: WHR8001 - Enrolled Bill S. 2810 -- Deadline Extension for Intelsat IPO [UNCLASSIFIED, Record]

I've looked at the memo and have no comment.

-----Original Message-----
From: Marsh, Thomas S. (RECORDS)
Sent: Monday, September 23, 2002 8:20 PM
To: @International Economic Affairs; @Legislative Affairs
Subject: FW: WHR8001 - Enrolled Bill S. 2810 -- Deadline Extension for Intelsat IPO [UNCLASSIFIED, Record]

Per Mr. Wedderien, could someone from Intecon and Legislative Affairs take a look at this?

-----Original Message-----
From: Lee, Sang W. (RECORDS)
Sent: Monday, September 23, 2002 9:01 AM
To: @Cyber
Cc: @West Wing Desk
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Action: Klinger

Concurrence: Kurtz

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<< File: WHR8001.tif >>

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