

S2959 SAT-LOA-20160408-00034 IB2016000875
 Intelsat License LLC
 INTELSAT 35e



File # SAT-LOA-20160408-00034

Call Sign S2959 Grant Date 10/05/16

(or other identifier)

From see conditions To: see conditions

Approved: *Stephen J. Duall*

Stephen J. Duall
 Chief, Satellite Policy Branch

Approved by OMB
 3060-0678

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APPLICATION FOR SATELLITE SPACE STATION AUTHORIZATIONS FCC 312 MAIN FORM FOR OFFICIAL USE ONLY	FCC Use Only
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APPLICANT INFORMATION

Enter a description of this application to identify it on the main menu:

Application for Authority to Launch and Operate Intelsat 35e, a Replacement Satellite With New Frequencies

1-8. Legal Name of Applicant			
Name:	Intelsat License LLC	Phone Number:	703-559-7848
DBA Name:		Fax Number:	703-559-8539
Street:	c/o Intelsat Corporation 7900 Tysons One Place	E-Mail:	susan.crandall@intelsat.com
City:	McLean	State:	VA
Country:	USA	Zipcode:	22102 -5972
Attention:	Susan H. Crandall		

ATTACHMENT TO GRANT
Intelsat License LLC
IBFS File No. SAT-LOA-20160408-00034

IBFS File No(s):	SAT-LOA-20160408-00034	<p>GRANTED – With Conditions</p>  <p>International Bureau Satellite Division</p>
Licensee/Grantee:	Intelsat License LLC	
Call Sign:	S2959	
Satellite Name:	Intelsat 35e	
Orbital Location: (required station-keeping tolerance)	34.5° W.L. (+/- 0.05 degrees east/west)	
Administration:	United States of America	
Nature of Service:	Fixed-Satellite Service (FSS)	
Scope of Grant:	Authority to construct, deploy, and operate a C- and Ku -band geostationary orbit space station	
Service Area(s):	See Item S6 of Schedule S and accompanying .gxt files	
Frequencies:	3625-4200 MHz band (space-to-Earth) 5850-6425 MHz band (Earth-to-space) 10.95-11.2 GHz band (space-to-Earth) 11.45-11.7 GHz band (space-to-Earth) 13.75-14.0 GHz band (Earth-to-space) 14.0-14.5 GHz band (Earth-to-space) Tracking, telemetry and command frequencies: 4197.75 MHz, 4198.75 MHz (space-to-Earth) 4198.25 MHz and 4199.25 MHz (space-to-Earth) 6424.5 MHz and 5853.0 MHz (Earth-to-space)	
<p>Operations under this grant must comport with the legal and technical specifications set forth by the applicant or petitioner and with Federal Communication Commission's rules not waived herein. This grant is also subject to the following conditions:¹</p> <ol style="list-style-type: none"> 1. Intelsat must prepare the necessary information, as may be required, for submission to the International Telecommunication Union (ITU) to initiate and complete the advance publication, coordination, due diligence, and notification process of this space station, in accordance with the ITU Radio Regulations. Intelsat will be held responsible for all cost-recovery fees associated with ITU filings. No protection from interference caused by radio stations authorized by other administrations is guaranteed unless coordination and notification procedures are timely completed or, with respect to individual administrations, coordination agreements are successfully completed. Any radio station authorization for which coordination has not been completed may be subject to additional terms and conditions as required to effect coordination of the frequency assignments of other administrations. See 47 CFR § 25.111(b). 2. In connection with the provision of service in any particular country, Intelsat is obliged to comply with the applicable laws, regulations, rules, and licensing procedures of that country. 3. Intelsat must operate Intelsat 35e at the 34.5° W.L. orbital location in compliance with all existing or future coordination agreements for this location. 4. Intelsat must maintain the Intelsat 35e space station within an east/west longitudinal station-keeping 		

¹ Intelsat's requests for waiver of Sections 25.210(a)(1), 25.210(a)(3), and 25.210(i)(1) of the Commission's rules, 47 CFR §§ 25.210(a)(1), 25.210(a)(3), and 25.210(i)(1), are moot. These rules were eliminated as part of a recent Commission-level order streamlining Part 25 rules governing satellite communications. See *Comprehensive Review of Licensing and Operating Rules for Satellite Services*, Second Report and Order, 30 FCC Rcd 14713, 14816-17, paras. 331-333 (2015).

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tolerance of ± 0.05 degrees of the 34.5° W.L. orbital location.

5. Intelsat's operations of Intelsat 35e at the 34.5° W.L. orbital location in the 3700-4200 MHz (space-to-Earth), 5850-6425 MHz (Earth-to-space), 10.95-11.2 GHz (space-to-Earth), and 14.0-14.5 GHz (Earth-to-space) frequency bands are subject to the following additional conditions:
 - a. Intelsat shall remain a signatory to the Public Services Agreement between Intelsat and the International Telecommunications Satellite Organization (ITSO) that was approved by the ITSO Twenty-fifth Assembly of Parties, as amended.
 - b. No entity shall be considered a successor-in-interest to Intelsat under the ITSO Agreement for licensing purposes unless it has undertaken to perform the obligations of the Public Services Agreement approved by the Twenty-fifth Assembly of Parties, as amended.
6. The operations of Intelsat 35e and associated earth stations must comport with the applicable uplink and downlink limits in 47 CFR § 25.140(a)(3) of the Commission's rules, unless Intelsat coordinates any non-conforming operations with the operations of U.S.-licensed geostationary orbit space stations within 6 degrees of the 34.5° W.L. orbital location. Intelsat must also comport with the maximum power limits indicated in its application. Non-conforming operation must also be coordinated with respect to those operations of non-U.S.-licensed space stations within 6 degrees of 34.5° W.L. involving approved communications with U.S.-licensed earth stations.
7. Intelsat's use of the 3625-3650 MHz (space-to-Earth) band is subject to footnote US107, which limits FSS operations within the United States in the 3600-3650 MHz band on a primary basis to earth stations authorized prior to, or granted as a result of an application filed prior to, July 23, 2015 and constructed within 12 months of initial authorization. Additionally, applications filed after July 23, 2015 to modify these earth stations will not be accepted except for changes in polarization, antenna orientation, or ownership; and increases in antenna size for interference mitigation purposes. All other FSS earth station operations in the 3625-3650 MHz band must be on a secondary basis.
8. Intelsat's use of the 3625-3650 MHz (space-to-Earth) band is subject to footnote US245 of the United States Table of Frequency Allocations, 47 CFR § 2.106, US245, which states that, in the 3600-3650 MHz band, use of the non-Federal FSS is limited to international inter-continental systems and is subject to case-by-case electromagnetic compatibility analysis.
9. Intelsat's use of the 3650-3700 MHz (space-to-Earth) band is subject to footnote NG185 of the United States Table of Frequency Allocations, 47 CFR § 2.106, NG185, which states that, in the 3650-3700 MHz band, use of the non-Federal FSS is limited to international inter-continental systems.
10. Intelsat's use of the 3650-3700 MHz (space-to-Earth) band is subject to footnote NG169 of the United States Table of Frequency Allocations, which states that after December 1, 2000, operations on a primary basis by the FSS (space-to-Earth) in the 3650-3700 MHz band must be limited to grandfathered earth stations. All other FSS earth station operations in the band 3650-3700 MHz must be on a secondary basis.
11. Use of the 5850-5925 MHz frequency band must comply with the terms of footnote US245 to the U.S. Table of Frequency Allocations, 47 CFR § 2.106, US245, and Section 2.108 of the Commission's rules, 47 CFR § 2.108, which states that, in the 5850-5925 MHz band, use of the non-Federal FSS is limited to international, intercontinental satellite systems and is subject to case-by-case electromagnetic compatibility analysis. Intelsat must not claim protection from radiolocation transmitting stations operating in accordance with footnote G2.²

² For technical information of these radiolocation systems, see NTIA Report 83-115, Spectrum Resource Assessment in the 5650-5925 MHz Band, and NTIA Report 00-373, Measured Occupancy of 5850-5925 MHz and Adjacent 5-GHz Spectrum in the United States at <http://www.its.blrdoc.gov/pub/pubs.php>.

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12. Intelsat's use of the 10.95-11.2 GHz and 11.45-11.7 GHz frequency bands is subject to footnote US211 to the United States Table of Frequency Allocations, 47 CFR § 2.106, US211, which urges applicants for airborne or space station assignments to take all practicable steps to protect radio astronomy observations in the adjacent bands from harmful interference, consistent with footnote US74.
13. Intelsat's use of the 10.95-11.2 and 11.45-11.7 GHz frequency bands is limited to international operations in accordance with footnote NG52 to the United States Table of Frequency Allocations, 47 CFR § 2.106 NG52.
14. Pursuant to footnote US337 of the United States Table of Frequency Allocations, 47 CFR § 2.106, US337, any earth station in the United States and its possessions communicating with the Intelsat 35e space station in the 13.75-13.8 GHz (Earth-to-space) frequency band is required to coordinate through the National Telecommunications and Information Administration (NTIA) Interdepartment Radio Advisory Committee (IRAC) Frequency Assignment Subcommittee (FAS) to minimize interference to the National Aeronautics and Space Administration (NASA) Tracking and Data Relay Satellite System, including manned space flight.
15. In the 13.75-14.0 GHz (Earth-to-space) frequency band, receiving space stations in the FSS must not claim protection from radiolocation transmitting stations operating in accordance with footnote US356 the United States Table of Frequency Allocations, 47 CFR § 2.106, US356.
16. Operations of any earth station in the United States and its possessions communicating with the Intelsat 35e space station in the 13.75-14.0 GHz (Earth-to-space) frequency band must comply with footnote US356 to the United States Table of Frequency Allocations, 47 CFR § 2.106, US356, which specifies a mandatory minimum antenna diameter of 4.5 meters and recommended minimum and maximum equivalent isotropically radiated powers (e.i.r.p.). Operations of any earth station located outside the United States and its possessions communicating with the Intelsat 35e space station in the 13.75-14.0 GHz (Earth-to-space) frequency band must be consistent with No. 5.502 to the ITU Radio Regulations, which allows a minimum antenna diameter of 1.2 meters for earth stations of a geostationary satellite orbit network and specifies mandatory power limits.
17. Operations of any earth station in the United States and its possessions communicating with the Intelsat 35e space station in the 13.77-13.78 GHz (Earth-to-space) frequency band must comply with footnote US357 to United States Table of Frequency Allocations, 47 CFR § 2.106, US357, which specifies that the maximum e.i.r.p. density of emissions not exceed 71 dBW in any 6 MHz band within the 13.77-13.78 GHz (Earth-to-space) frequency band for communications with a space station in geostationary-satellite orbit. Operations of any earth station located outside the United States and its possessions communicating with the Intelsat 35e space station in the 13.77-13.78 GHz (Earth-to-space) frequency band must comply with No. 5.503 of the ITU Radio Regulations, which specifies a required maximum e.i.r.p. density of emissions (limit is dependent on antenna diameter) for communications with a space station in geostationary-satellite orbit.
18. Operations of Intelsat 35e in the 14.47-14.5 GHz (Earth-to-space) frequency band is subject to the terms of footnotes 5.149 and US342 to the United States Table of Frequency Allocations, 47 CFR §2.106, 5.149, US342, which urge applicants to take all practicable steps to protect the radio astronomy service from harmful interference.
19. Intelsat 35e must begin providing service at the 34.5° W.L. orbital location in the 3625-4200 MHz (space-to-Earth), 5850-6425 MHz (Earth-to-space), 10.95-11.2 GHz (space-to-Earth), 11.45-11.7 GHz (space-to-Earth), and 14.0-14.5 GHz (Earth-to-space) frequency bands before the satellite it is replacing, Intelsat 903 (Call Sign S2407), discontinues service at the 34.5° W.L. orbital location. Failure to meet this condition will render this authorization to operate in these frequency bands NULL and VOID.

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20. This authorization is subject to the following requirements:

- a. Intelsat must post a surety bond in satisfaction of 47 CFR §§ 25.165(a)(2) & (b) no later than November 4, 2016, and thereafter maintain on file a surety bond requiring payment in the event of a default in an amount, at minimum, determined according to the formula set forth in 47 CFR § 25.165(a)(2); and
- b. Intelsat must launch the space station, position it in its assigned orbital location, and operate it in accordance with the station authorization no later than October 5, 2021, 47 CFR § 25.164(a).

This authorization will be null and void automatically, without further Commission action if Intelsat fails to comply with any of these requirements. Failure to comply with the milestone requirement of 47 CFR § 25.164(a) will also result in forfeiture of Intelsat's surety bond. By October 20, 2021, Intelsat must either demonstrate compliance with its milestone requirement or notify the Commission in writing that the requirement was not met. 47 CFR § 25.164(f).

- 21. The license term for the space station is 15 years and will begin on the date that Intelsat certifies to the Commission that Intelsat 35e has been successfully placed into orbit and its operations fully conform to the terms and conditions of this authorization. Intelsat is directed to file its certification of commencement of operation with the Commission within five business days of Intelsat 35e being placed into operation at the 34.5° W.L. orbital location.


Licensee/grantee is afforded thirty (30) days from the date of release of this action to decline the grant as conditioned. Failure to respond within this period will constitute formal acceptance of the grant as conditioned.

This action is taken pursuant to Section 0.261 of the Commission's rules on delegated authority, 47 CFR § 0.261, and is effective upon release.

Station licenses are subject to the conditions specified in Section 309(h) of the Communications Act of 1934, as amended, 47 U.S.C. § 309(h).

Action Date:	October 5, 2016	
Term Dates	From: see conditions	To: see conditions

Approved:



Stephen J. Duall
 Chief, Satellite Policy Branch

9-16. Name of Contact Representative

Name:	Jennifer D. Hindin	Phone Number:	202-719-4975
Company:	Wiley Rein LLP	Fax Number:	202-719-7049
Street:	1776 K Street, NW	E-Mail:	jhindin@wileyrein.com
City:	Washington	State:	DC
Country:	USA	Zipcode:	20006 -3006
Attention:		Relationship:	Legal Counsel

CLASSIFICATION OF FILING

17. Choose the button next to the classification that applies to this filing for both questions a. and b. Choose only one for 17a and only one for 17b.

a.

- (N/A) a1. Earth Station
 a2. Space Station

b.

- b1. Application for License of New Station
(N/A) b2. Application for Registration of New Domestic Receive-Only Station
(N/A) b3. Amendment to a Pending Application
(N/A) b4. Modification of License or Registration
(N/A) b5. Assignment of License or Registration
(N/A) b6. Transfer of Control of License or Registration
(N/A) b7. Notification of Minor Modification
(N/A) b8. Application for License of New Receive-Only Station Using Non-U.S. Licensed Satellite
- b9. Letter of Intent to Use Non-U.S. Licensed Satellite to Provide Service in the United States
 b10. Replacement Satellite Application - no new frequency bands
 b11. Replacement Satellite Application - new frequency bands (Not eligible for streamlined processing)
 b12. Petition for Declaratory Ruling to be Added to the Permitted List
(N/A) b13. Other (Please specify)

17c. Is a fee submitted with this application?

If Yes, complete and attach FCC Form 159.

If No, indicate reason for fee exemption (see 47 C.F.R. Section 1.1114).

Governmental Entity Noncommercial educational licensee

Other (please explain):

17c. Fee Classification BNY – Space Station (Geostationary)

18. If this filing is in reference to an existing station, enter:

(a) Call sign of station:

Not Applicable

19. If this filing is an amendment to a pending application enter:

(a) Date pending application was filed:

Not Applicable

(b) File number of pending application:

Not Applicable

TYPE OF SERVICE

<p>20. NATURE OF SERVICE: This filing is for an authorization to provide or use the following type(s) of service(s): Select all that apply:</p> <p><input checked="" type="checkbox"/> a. Fixed Satellite <input type="checkbox"/> b. Mobile Satellite <input type="checkbox"/> c. Radiodetermination Satellite <input type="checkbox"/> d. Earth Exploration Satellite <input type="checkbox"/> e. Direct to Home Fixed Satellite <input type="checkbox"/> f. Digital Audio Radio Service <input type="checkbox"/> g. Other (please specify)</p>	
<p>21. STATUS: Choose the button next to the applicable status. Choose only one. <input type="radio"/> Common Carrier <input checked="" type="radio"/> Non-Common Carrier</p>	<p>22. If earth station applicant, check all that apply. Not Applicable</p>
<p>23. If applicant is providing INTERNATIONAL COMMON CARRIER service, see instructions regarding Sec. 214 filings. Choose one. Are these facilities: <input type="radio"/> Connected to a Public Switched Network <input type="radio"/> Not connected to a Public Switched Network <input checked="" type="radio"/> N/A</p>	
<p>24. FREQUENCY BAND(S): Place an "X" in the box(es) next to all applicable frequency band(s). <input checked="" type="checkbox"/> a. C-Band (4/6 GHz) <input checked="" type="checkbox"/> b. Ku-Band (12/14 GHz) <input type="checkbox"/> c. Other (Please specify upper and lower frequencies in MHz.) Frequency Lower: Frequency Upper: (Please specify additional frequencies in an attachment)</p>	

TYPE OF STATION

25. CLASS OF STATION: Choose the button next to the class of station that applies. Choose only one.

- (N/A) a. Fixed Earth Station
- (N/A) b. Temporary-Fixed Earth Station
- (N/A) c. 12/14 GHz VSAT Network
- (N/A) d. Mobile Earth Station
- e. Geostationary Space Station.
- f. Non-Geostationary Space Station
- g. Other (please specify)

26. TYPE OF EARTH STATION FACILITY: Not Applicable

PURPOSE OF MODIFICATION

27. The purpose of this proposed modification is to: (Place an "X" in the box(es) next to all that apply.) Not Applicable

ENVIRONMENTAL POLICY

28. Would a Commission grant of any proposal in this application or amendment have a significant environmental impact as defined by 47 CFR 1.1307? If YES, submit the statement as required by Sections 1.1308 and 1.1311 of the Commission's rules, 47 C.F.R. §§ 1.1308 and 1.1311, as an exhibit to this application. A Radiation Hazard Study must accompany all applications for new transmitting facilities, major modifications, or major amendments. Yes No

ALIEN OWNERSHIP

Earth station applicants not proposing to provide broadcast, common carrier, aeronautical en route or aeronautical fixed radio station services are not required to respond to Items 30-34.

29. Is the applicant a foreign government or the representative of any foreign government?	<input type="radio"/> Yes <input checked="" type="radio"/> No
30. Is the applicant an alien or the representative of an alien?	<input type="radio"/> Yes <input checked="" type="radio"/> No <input type="radio"/> N/A
31. Is the applicant a corporation organized under the laws of any foreign government?	<input type="radio"/> Yes <input checked="" type="radio"/> No <input type="radio"/> N/A
32. Is the applicant a corporation of which more than one-fifth of the capital stock is owned of record or voted by aliens or their representatives or by a foreign government or representative thereof or by any corporation organized under the laws of a foreign country?	<input type="radio"/> Yes <input checked="" type="radio"/> No <input type="radio"/> N/A
33. Is the applicant a corporation directly or indirectly controlled by any other corporation of which more than one-fourth of the capital stock is owned of record or voted by aliens, their representatives, or by a foreign government or representative thereof or by any corporation organized under the laws of a foreign country?	<input checked="" type="radio"/> Yes <input type="radio"/> No <input type="radio"/> N/A
34. If any answer to questions 29, 30, 31, 32 and/or 33 is Yes, attach as an exhibit an identification of the aliens or foreign entities, their nationality, their relationship to the applicant, and the percentage of stock they own or vote.	

BASIC QUALIFICATIONS

35. Does the Applicant request any waivers or exemptions from any of the Commission's Rules?
If Yes, attach as an exhibit, copies of the requests for waivers or exceptions with supporting documents.

Yes No

36. Has the applicant or any party to this application or amendment had any FCC station authorization or license revoked or had any application for an initial, modification or renewal of FCC station authorization, license, or construction permit denied by the Commission? If Yes, attach as an exhibit, an explanation of circumstances.

Yes No

37. Has the applicant, or any party to this application or amendment, or any party directly or indirectly controlling the applicant ever been convicted of a felony by any state or federal court? If Yes, attach as an exhibit, an explanation of circumstances.

Yes No

38. Has any court finally adjudged the applicant, or any person directly or indirectly controlling the applicant, guilty of unlawfully monopolizing or attempting unlawfully to monopolize radio communication, directly or indirectly, through control of manufacture or sale of radio apparatus, exclusive traffic arrangement or any other means or unfair methods of competition? If Yes, attach as an exhibit, an explanation of circumstances

Yes No

39. Is the applicant, or any person directly or indirectly controlling the applicant, currently a party in any pending matter referred to in the preceding two items? If yes, attach as an exhibit, an explanation of the circumstances.

Yes No

40. If the applicant is a corporation and is applying for a space station license, attach as an exhibit the names, address, and citizenship of those stockholders owning a record and/or voting 10 percent or more of the Filer's voting stock and the percentages so held. In the case of fiduciary control, indicate the beneficiary(ies) or class of beneficiaries. Also list the names and addresses of the officers and directors of the Filer.

41. By checking Yes, the undersigned certifies, that neither applicant nor any other party to the application is subject to a denial of Federal benefits that includes FCC benefits pursuant to Section 5301 of the Anti-Drug Act of 1988, 21 U.S.C. Section 862, because of a conviction for possession or distribution of a controlled substance. See 47 CFR 1.2002(b) for the meaning of "party to the application"; for these purposes. Yes No

42a. Does the applicant intend to use a non-U.S. licensed satellite to provide service in the United States? If Yes, answer 42b and attach an exhibit providing the information specified in 47 C.F.R. 25.137, as appropriate. If No, proceed to question 43. Yes No

42b. What administration has licensed or is in the process of licensing the space station? If no license will be issued, what administration has coordinated or is in the process of coordinating the space station?

43. Description. (Summarize the nature of the application and the services to be provided). (If the complete description does not appear in this box, please go to the end of the form to view it in its entirety.)

Intelsat License LLC, pursuant to Section 25.114 of the rules of the Federal Communications Commission, hereby applies to launch and operate a C/Ku-band replacement satellite with new frequencies, to be known as Intelsat 35e, at the 34.5 W.L. orbital location.

Narrative & Exhibits

43a. Geographic Service Rule Certification

By selecting A, the undersigned certifies that the applicant is not subject to the geographic service or geographic coverage requirements specified in 47 C.F.R. Part 25.

A

By selecting B, the undersigned certifies that the applicant is subject to the geographic service or geographic coverage requirements specified in 47 C.F.R. Part 25 and will comply with such requirements.

B

By selecting C, the undersigned certifies that the applicant is subject to the geographic service or geographic coverage requirements specified in 47 C.F.R. Part 25 and will not comply with such requirements because it is not feasible as a technical matter to do so, or that, while technically feasible, such services would require so many compromises in satellite design and operation as to make it economically unreasonable. A narrative description and technical analysis demonstrating this claim are attached.

C

Beam Diagrams

CERTIFICATION

The Applicant waives any claim to the use of any particular frequency or of the electromagnetic spectrum as against the regulatory power of the United States because of the previous use of the same, whether by license or otherwise, and requests an authorization in accordance with this application. The applicant certifies that grant of this application would not cause the applicant to be in violation of the spectrum aggregation limit in 47 CFR Part 20. All statements made in exhibits are a material part hereof and are incorporated herein as if set out in full in this application. The undersigned, individually and for the applicant, hereby certifies that all statements made in this application and in all attached exhibits are true, complete and correct to the best of his or her knowledge and belief, and are made in good faith.

FCC NOTICE REQUIRED BY THE PAPERWORK REDUCTION ACT

The public reporting for this collection of information is estimated to average 0.25 – 24 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the required data, and completing and reviewing the collection of information. If you have any comments on this burden estimate, or how we can improve the collection and reduce the burden it causes you, please write to the Federal Communications Commission, AMD-PERF, Paperwork Reduction Project (3060-0678), Washington, DC 20554. We will also accept your comments regarding the Paperwork Reduction Act aspects of this collection via the Internet if you send them to PRA@fcc.gov. PLEASE DO NOT SEND COMPLETED FORMS TO THIS ADDRESS.

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THE FOREGOING NOTICE IS REQUIRED BY THE PAPERWORK REDUCTION ACT OF 1995, PUBLIC LAW 104-13, OCTOBER 1, 1995, 44 U.S.C. SECTION 3507.