

§ 50921. Office of Commercial Space Transportation

There are authorized to be appropriated to the Secretary of Transportation for the activities of the Office of the Associate Administrator for Commercial Space Transportation—

- (1) \$11,941,000 for fiscal year 2005;
- (2) \$12,299,000 for fiscal year 2006;
- (3) \$12,668,000 for fiscal year 2007;
- (4) \$13,048,000 for fiscal year 2008; and
- (5) \$13,440,000 for fiscal year 2009.

(Pub. L. 103-272, §1(e), July 5, 1994, 108 Stat. 1343, §70119 of title 49, Pub. L. 105-303, title I, §102(b), Oct. 28, 1998, 112 Stat. 2851; Pub. L. 106-405, §3(a), Nov. 1, 2000, 114 Stat. 1752; Pub. L. 108-360, title III, §301, Oct. 25, 2004, 118 Stat. 1680; renumbered §70119 then §50921 of title 51, Pub. L. 111-314, §4(d)(2), (3)(U), Dec. 18, 2010, 124 Stat. 3440, 3441.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
70119	49 App.:2623 (less last sentence).	Oct. 30, 1984, Pub. L. 98-575, §24 (less last sentence), 98 Stat. 3064; Dec. 5, 1985, Pub. L. 99-170, §301, 99 Stat. 1018; Oct. 30, 1987, Pub. L. 100-147, §120, 101 Stat. 868; Nov. 17, 1988, Pub. L. 100-685, §213, 102 Stat. 4093; Nov. 16, 1990, Pub. L. 101-611, §117(a), 104 Stat. 3202; restated Dec. 9, 1991, Pub. L. 102-195, §13, 105 Stat. 1613; Nov. 4, 1992, Pub. L. 102-588, §211, 106 Stat. 5115.

In this section, the amendment by section 211 of the National Aeronautics and Space Administration Authorization Act, Fiscal Year 1993 (Pub. L. 102-588, 106 Stat. 5115) was executed to carry out the probable intent of Congress by omitting the period after “1993”.

As to the applicability of section 219 of the Act (Pub. L. 102-588, 106 Stat. 5118) to amounts authorized by this section for fiscal year 1993, see section 6(b) of the bill.

AMENDMENTS

2010—Pub. L. 111-314 successively renumbered section 70119 of title 49 and section 70119 of this title as this section.

2004—Pars. (1) to (5). Pub. L. 108-360 added pars. (1) to (5) and struck out former pars. (1) and (2) which read as follows:

- “(1) \$12,607,000 for fiscal year 2001; and
- “(2) \$16,478,000 for fiscal year 2002.”

2000—Pub. L. 106-405 amended section catchline and text generally. Prior to amendment, text read as follows: “There are authorized to be appropriated to the Secretary of Transportation for the activities of the Office of the Associate Administrator for Commercial Space Transportation—

- “(1) \$6,275,000 for the fiscal year ending September 30, 1999; and
- “(2) \$6,600,000 for the fiscal year ending September 30, 2000.”

1998—Pub. L. 105-303 reenacted section catchline without change and amended text generally. Prior to amendment, text read as follows: “The following amounts may be appropriated to the Secretary of Transportation for the fiscal year ending September 30, 1993:

- “(1) \$4,900,000 to carry out this chapter.
- “(2) \$20,000,000 for a program to ensure the resiliency of the space launch infrastructure of the United States if a law is enacted to establish that program in the Department of Transportation.”

§ 50922. Regulations

(a) IN GENERAL.—The Secretary of Transportation, within 9 months after the date of the enactment of this section, shall issue regulations to carry out this chapter that include—

- (1) guidelines for industry and State governments to obtain sufficient insurance coverage for potential damages to third parties;
- (2) procedures for requesting and obtaining licenses to launch a commercial launch vehicle;
- (3) procedures for requesting and obtaining operator licenses for launch;
- (4) procedures for requesting and obtaining launch site operator licenses; and
- (5) procedures for the application of government indemnification.

(b) REENTRY.—The Secretary of Transportation, within 6 months after the date of the enactment of this section, shall issue a notice of proposed rulemaking to carry out this chapter that includes—

- (1) procedures for requesting and obtaining licenses to reenter a reentry vehicle;
- (2) procedures for requesting and obtaining operator licenses for reentry; and
- (3) procedures for requesting and obtaining reentry site operator licenses.

(c) AMENDMENTS.—(1) Not later than 12 months after the date of enactment of the Commercial Space Launch Amendments Act of 2004, the Secretary shall publish proposed regulations to carry out that Act, including regulations relating to crew, space flight participants, and permits for launch or reentry of reusable suborbital rockets. Not later than 18 months after such date of enactment, the Secretary shall issue final regulations.

(2)(A) Starting 3 years after the date of enactment of the Commercial Space Launch Amendments Act of 2004, the Secretary may issue final regulations changing the definition of suborbital rocket under this chapter. No such regulation may take effect until 180 days after the Secretary has submitted the regulation to the Congress.

(B) The Secretary may issue regulations under this paragraph only if the Secretary has determined that the definition in section 50902 does not describe, or will not continue to describe, all appropriate vehicles and only those vehicles. In making that determination, the Secretary shall take into account the evolving nature of the commercial space launch industry.

(d) EFFECTIVE DATE.—(1) Licenses for the launch or reentry of launch vehicles or reentry vehicles with human beings on board and permits may be issued by the Secretary prior to the issuance of the regulations described in subsection (c).

(2) As soon as practicable after the date of enactment of the Commercial Space Launch Amendments Act of 2004, the Secretary shall issue guidelines or advisory circulars to guide the implementation of that Act until regulations are issued.

(3) Notwithstanding paragraphs (1) and (2), no licenses for the launch or reentry of launch vehicles or reentry vehicles with human beings on board or permits may be issued starting three