

with other titles of the Code. The words “amount of such” and “modify . . . with or without conditions” are omitted as surplus.

Subsection (c)(4) is substituted for 49 App.:2618(b) to eliminate unnecessary words.

AMENDMENTS

2010—Pub. L. 111-314 successively renumbered section 70115 of title 49 and section 70115 of this title as this section.

2004—Subsec. (b)(1)(D)(i). Pub. L. 108-492 inserted “crew or space flight participant training site,” after “site of a launch vehicle or reentry vehicle.”

1998—Subsec. (b)(1)(D)(i). Pub. L. 105-303 inserted “reentry site,” after “launch site,” and inserted “or reentry vehicle” after “launch vehicle” in two places.

§ 50918. Consultation

(a) MATTERS AFFECTING NATIONAL SECURITY.—The Secretary of Transportation shall consult with the Secretary of Defense on a matter under this chapter affecting national security. The Secretary of Defense shall identify and notify the Secretary of Transportation of a national security interest relevant to an activity under this chapter.

(b) MATTERS AFFECTING FOREIGN POLICY.—The Secretary of Transportation shall consult with the Secretary of State on a matter under this chapter affecting foreign policy. The Secretary of State shall identify and notify the Secretary of Transportation of a foreign policy interest or obligation relevant to an activity under this chapter.

(c) OTHER MATTERS.—In carrying out this chapter, the Secretary of Transportation shall consult with the head of another executive agency—

- (1) to provide consistent application of licensing requirements under this chapter;
- (2) to ensure fair treatment for all license applicants; and
- (3) when appropriate.

(Pub. L. 103-272, §1(e), July 5, 1994, 108 Stat. 1341, §70116 of title 49; renumbered §70116 then §50918 of title 51, Pub. L. 111-314, §4(d)(2), (3)(R), Dec. 18, 2010, 124 Stat. 3440, 3441.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
70116(a)	49 App.:2619(a).	Oct. 30, 1984, Pub. L. 98-575, §20, 98 Stat. 3062.
70116(b)	49 App.:2619(b).	
70116(c)	49 App.:2604(a)(2).	Oct. 30, 1984, Pub. L. 98-575, §5(a)(2), 98 Stat. 3057; Nov. 16, 1990, Pub. L. 101-611, §117(e)(2), 104 Stat. 3203.
	49 App.:2619(c).	

In subsections (a) and (b), the words “including the issuance or transfer of each license” and “be responsible for” are omitted as surplus.

In subsection (c), before clause (1), the words “the head of” and “executive” are added for consistency in the revised title and with other titles of the United States Code. In clause (2), the words “and equitable” in 49 App.:2604(a)(2) are omitted as surplus.

AMENDMENTS

2010—Pub. L. 111-314 successively renumbered section 70116 of title 49 and section 70116 of this title as this section.

§ 50919. Relationship to other executive agencies, laws, and international obligations

(a) EXECUTIVE AGENCIES.—Except as provided in this chapter, a person is not required to obtain from an executive agency a license, approval, waiver, or exemption to launch a launch vehicle or operate a launch site or reentry site, or to reenter a reentry vehicle.

(b) FEDERAL COMMUNICATIONS COMMISSION AND SECRETARY OF COMMERCE.—This chapter does not affect the authority of—

(1) the Federal Communications Commission under the Communications Act of 1934 (47 U.S.C. 151 et seq.); or

(2) the Secretary of Commerce under chapter 601 of this title.

(c) STATES AND POLITICAL SUBDIVISIONS.—A State or political subdivision of a State—

(1) may not adopt or have in effect a law, regulation, standard, or order inconsistent with this chapter; but

(2) may adopt or have in effect a law, regulation, standard, or order consistent with this chapter that is in addition to or more stringent than a requirement of, or regulation prescribed under, this chapter.

(d) CONSULTATION.—The Secretary of Transportation is encouraged to consult with a State to simplify and expedite the approval of a space launch or reentry activity.

(e) FOREIGN COUNTRIES.—The Secretary of Transportation shall—

(1) carry out this chapter consistent with an obligation the United States Government assumes in a treaty, convention, or agreement in force between the Government and the government of a foreign country; and

(2) consider applicable laws and requirements of a foreign country when carrying out this chapter.

(f) LAUNCH NOT AN EXPORT; REENTRY NOT AN IMPORT.—A launch vehicle, reentry vehicle, or payload that is launched or reentered is not, because of the launch or reentry, an export or import, respectively, for purposes of a law controlling exports or imports, except that payloads launched pursuant to foreign trade zone procedures as provided for under the Foreign Trade Zones Act (19 U.S.C. 81a-81u) shall be considered exports with regard to customs entry.

(g) NONAPPLICATION.—This chapter does not apply to—

(1) a launch, reentry, operation of a launch vehicle or reentry vehicle, operation of a launch site or reentry site, or other space activity the Government carries out for the Government; or

(2) planning or policies related to the launch, reentry, operation, or activity.

(Pub. L. 103-272, §1(e), July 5, 1994, 108 Stat. 1342, §70117 of title 49; Pub. L. 104-287, §5(95), Oct. 11, 1996, 110 Stat. 3398; Pub. L. 105-303, title I, §102(a)(15), Oct. 28, 1998, 112 Stat. 2850; renumbered §70117 then §50919 of title 51 and amended Pub. L. 111-314, §4(d)(2), (3)(S), (5)(T), Dec. 18, 2010, 124 Stat. 3440-3442.)