

of a recurrence of the serious or fatal injury; or

(B) has modified the license pursuant to subsection (b) to sufficiently reduce the likelihood of a recurrence of the serious or fatal injury.

(3) This subsection shall not apply to permits.

(e) EFFECTIVE PERIODS OF MODIFICATIONS, SUSPENSIONS, AND REVOCATIONS.—Unless the Secretary specifies otherwise, a modification, suspension, or revocation under this section takes effect immediately and remains in effect during a review under section 50912 of this title.

(f) NOTIFICATION.—The Secretary shall notify the licensee in writing of the decision of the Secretary under this section and any action the Secretary takes or proposes to take based on the decision.

(Pub. L. 103–272, §1(e), July 5, 1994, 108 Stat. 1334, §70107 of title 49; Pub. L. 108–492, §2(c)(18), (19), Dec. 23, 2004, 118 Stat. 3980; renumbered §70107 then §50908 of title 51 and amended Pub. L. 111–314, §4(d)(2), (3)(H), (5)(J), (K), Dec. 18, 2010, 124 Stat. 3440–3442.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
70107(a) .....	49 App.:2606 (last sentence).	Oct. 30, 1984, Pub. L. 98–575, §§7 (last sentence), 10, 98 Stat. 3058, 3059.
70107(b) .....	49 App.:2609(b).	
70107(c) .....	49 App.:2609(a).	
70107(d) .....	49 App.:2609(c).	
70107(e) .....	49 App.:2609(d).	

In subsection (a), the words “of time” and “in accordance with regulations issued under this chapter” are omitted as surplus.

In subsection (b), the words “the requirements of” are omitted as surplus.

In subsection (e), the words “Whenever the Secretary takes any action” are omitted as surplus.

AMENDMENTS

2010—Pub. L. 111–314, §4(d)(2), (3)(H), successively renumbered section 70107 of title 49 and section 70107 of this title as this section.

Subsec. (b)(2). Pub. L. 111–314, §4(d)(5)(J), substituted “section 50905(c)” for “section 70105(c)”.

Subsec. (e). Pub. L. 111–314, §4(d)(5)(K), substituted “section 50912” for “section 70110”.

2004—Subsec. (b). Pub. L. 108–492, §2(c)(18), designated existing text as par. (1) and added par. (2).

Subsecs. (d) to (f). Pub. L. 108–492, §2(c)(19), added subsec. (d) and redesignated former subsecs. (d) and (e) as (e) and (f), respectively.

**§ 50909. Prohibition, suspension, and end of launches, operation of launch sites and reentry sites, and reentries**

(a) GENERAL AUTHORITY.—The Secretary of Transportation may prohibit, suspend, or end immediately the launch of a launch vehicle or the operation of a launch site or reentry site, or reentry of a reentry vehicle, licensed under this chapter if the Secretary decides the launch or operation or reentry is detrimental to the public health and safety, the safety of property, or a national security or foreign policy interest of the United States.

(b) EFFECTIVE PERIODS OF ORDERS.—An order under this section takes effect immediately and remains in effect during a review under section 50912 of this title.

(Pub. L. 103–272, §1(e), July 5, 1994, 108 Stat. 1334, §70108 of title 49; Pub. L. 105–303, title I, §102(a)(8), Oct. 28, 1998, 112 Stat. 2848; renumbered §70108 then §50909 of title 51 and amended Pub. L. 111–314, §4(d)(2), (3)(I), (5)(L), Dec. 18, 2010, 124 Stat. 3440–3442.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
70108(a) .....	49 App.:2610(a).	Oct. 30, 1984, Pub. L. 98–575, §11, 98 Stat. 3059.
70108(b) .....	49 App.:2610(b).	

AMENDMENTS

2010—Pub. L. 111–314, §4(d)(2), (3)(I), successively renumbered section 70108 of title 49 and section 70108 of this title as this section.

Subsec. (b). Pub. L. 111–314, §4(d)(5)(L), substituted “section 50912” for “section 70110”.

1998—Pub. L. 105–303, §102(a)(8)(A), substituted “Prohibition, suspension, and end of launches, operation of launch sites and reentry sites, and reentries” for “Prohibition, suspension, and end of launches and operation of launch sites” in section catchline.

Subsec. (a). Pub. L. 105–303, §102(a)(8)(B), inserted “or reentry site, or reentry of a reentry vehicle,” after “operation of a launch site” and “or reentry” after “launch or operation”.

**§ 50910. Preemption of scheduled launches or reentries**

(a) GENERAL.—With the cooperation of the Secretary of Defense and the Administrator of the National Aeronautics and Space Administration, the Secretary of Transportation shall act to ensure that a launch or reentry of a payload is not preempted from access to a United States Government launch site, reentry site, or launch property, except for imperative national need, when a launch date commitment or reentry date commitment from the Government has been obtained for a launch or reentry licensed under this chapter. A licensee or transferee preempted from access to a launch site, reentry site, or launch property does not have to pay the Government any amount for launch services, or services related to a reentry, attributable only to the scheduled launch or reentry prevented by the preemption.

(b) IMPERATIVE NATIONAL NEED DECISIONS.—In consultation with the Secretary of Transportation, the Secretary of Defense or the Administrator shall decide when an imperative national need requires preemption under subsection (a) of this section. That decision may not be delegated.

(c) REPORTS.—In cooperation with the Secretary of Transportation, the Secretary of Defense or the Administrator, as appropriate, shall submit to Congress not later than 7 days after a decision to preempt under subsection (a) of this section, a report that includes an explanation of the circumstances justifying the decision and a schedule for ensuring the prompt launching or reentry of a preempted payload.

(Pub. L. 103–272, §1(e), July 5, 1994, 108 Stat. 1335, §70109 of title 49; Pub. L. 105–303, title I, §102(a)(9), Oct. 28, 1998, 112 Stat. 2849; renumbered §70109 then §50910 of title 51, Pub. L. 111–314, §4(d)(2), (3)(J), Dec. 18, 2010, 124 Stat. 3440, 3441.)