

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 years after the date of enactment of the Commercial Space Launch Amendments Act of 2004 unless the final regulations described in subsection (c) have been issued.

(Added Pub. L. 105-303, title I, §102(a)(16), Oct. 28, 1998, 112 Stat. 2850, §70120 of title 49; amended Pub. L. 108-492, §2(c)(25), Dec. 23, 2004, 118 Stat. 3981; renumbered §70120 then §50922 of title 51 and amended Pub. L. 111-314, §4(d)(2), (3)(V), (5)(U), Dec. 18, 2010, 124 Stat. 3440-3442.)

REFERENCES IN TEXT

The date of the enactment of this section, referred to in subssecs. (a) and (b), is the date of enactment of Pub. L. 105-303, which was approved Oct. 28, 1998.

The Commercial Space Launch Amendments Act of 2004, referred to in subssecs. (c) and (d), is Pub. L. 108-492, Dec. 23, 2004, 118 Stat. 3974, which was approved Dec. 23, 2004. For complete classification of this Act to the Code, see Short Title of 2004 Act note set out under section 10101 of this title and Tables.

AMENDMENTS

2010—Pub. L. 111-314, §4(d)(2), (3)(V), successively renumbered section 70120 of title 49 and section 70120 of this title as this section.

Subsec. (c)(2)(B). Pub. L. 111-314, §4(d)(5)(U), substituted “section 50902” for “section 70102”.

2004—Subsecs. (c), (d). Pub. L. 108-492 added subssecs. (c) and (d).

§ 50923. Report to Congress

The Secretary of Transportation shall submit to Congress an annual report to accompany the President’s budget request that—

(1) describes all activities undertaken under this chapter, including a description of the process for the application for and approval of licenses under this chapter and recommendations for legislation that may further commercial launches and reentries; and

(2) reviews the performance of the regulatory activities and the effectiveness of the Office of Commercial Space Transportation.

(Added Pub. L. 105-303, title I, §102(a)(16), Oct. 28, 1998, 112 Stat. 2851, §70121 of title 49; renumbered §70121 then §50923 of title 51, Pub. L. 111-314, §4(d)(2), (3)(W), Dec. 18, 2010, 124 Stat. 3440, 3441.)