

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

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

Editorial Notes

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.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
70109(a)	49 App.:2614(b)(4)(A) (1st, last sentences).	Oct. 30, 1984, Pub. L. 98-575, 98 Stat. 3055, §15(b)(4); added Nov. 15, 1988, Pub. L. 100-657, §7, 102 Stat. 3906.
70109(b)	49 App.:2614(b)(4)(A) (2d sentence).	
70109(c)	49 App.:2614(b)(4)(B).	

Editorial Notes

AMENDMENTS

2010—Pub. L. 111-314 successively renumbered section 70109 of title 49 and section 70109 of this title as this section.

1998—Pub. L. 105-303, §102(a)(9)(A), substituted “Preemption of scheduled launches or reentries” for “Preemption of scheduled launches” in section catchline.

Subsec. (a). Pub. L. 105-303, §102(a)(9)(B), inserted “or reentry” after “ensure that a launch”, “, reentry site,” after “United States Government launch site”, “or reentry date commitment” after “launch date commitment”, “or reentry” after “obtained for a launch”, “, reentry site,” after “access to a launch site”, “, or services related to a reentry,” after “amount for launch services”, and “or reentry” after “the scheduled launch”.

Subsec. (c). Pub. L. 105-303, §102(a)(9)(C), inserted “or reentry” after “prompt launching”.

§ 50911. Space advertising

(a) LICENSING.—Notwithstanding the provisions of this chapter or any other provision of law, the Secretary may not, for the launch of a payload containing any material to be used for the purposes of obtrusive space advertising—

- (1) issue or transfer a license under this chapter; or
- (2) waive the license requirements of this chapter.

(b) LAUNCHING.—No holder of a license under this chapter may launch a payload containing any material to be used for purposes of obtrusive space advertising.

(c) COMMERCIAL SPACE ADVERTISING.—Nothing in this section shall apply to nonobtrusive commercial space advertising, including advertising on—

- (1) commercial space transportation vehicles;
- (2) space infrastructure payloads;
- (3) space launch facilities; and
- (4) launch support facilities.

(Added Pub. L. 106-391, title III, §322(b), Oct. 30, 2000, 114 Stat. 1598, §70109a of title 49; renumbered §70109a then §50911 of title 51, Pub. L. 111-314, §4(d)(2), (3)(K), Dec. 18, 2010, 124 Stat. 3440, 3441.)

Editorial Notes

AMENDMENTS

2010—Pub. L. 111-314 successively renumbered section 70109a of title 49 and section 70109a of this title as this section.