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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Agency Advisory Circular: AC 413.5-1 Pre-Application Consultation and Lifecycle Overview for Licenses and Permits

AGENCY: Federal Aviation Administration (FAA), Department of Transportation (DOT)

ACTION: Notice of availability, request for comments.

SUMMARY: The Federal Aviation Administration (FAA) is soliciting public comment on draft advisory circular (AC) for Pre-Application Consultation and Lifecycle Overview for Licenses and Permits. This Advisory Circular (AC) assists prospective applicants in obtaining commercial space authorizations from FAA and provides guidance for operating in compliance with FAA commercial space in accordance with title 14 of the Code of Federal Regulations (14 CFR) § 413.5.

DATES: Written comments must be received by **[INSERT DATE 30 DAYS AFTER DATE OF PUBLICATION IN THE *FEDERAL REGISTER*]**.

ADDRESSES: Please send comments identified with “Pre-Application Consultation and Lifecycle Overview for Licenses and Permits,” to the following email address: 9-AST-ASZ210-Directives@faa.gov

FOR FURTHER INFORMATION CONTACT: James Hatt, Space Policy Division Manager, ASZ-200, Federal Aviation Administration, 1200 New Jersey Avenue, SE, West Building, Washington DC 20590 USA; email James.A.Hatt@faa.gov.

SUPPLEMENTARY INFORMATION:

Background

The Commercial Space Launch Act of 1984, as amended and codified at 51 U.S.C. 50901 through 50923 (“the Act”), authorizes DOT and FAA through delegation, to oversee, license, and regulate commercial launch and reentry activities, and the operation of launch and reentry sites as carried out by United States citizens or within the United States. The Act’s requirements are implemented in parts 400 through 460 of title 14 of the Code of Federal Regulations (14 CFR).

In accordance with § 413.5, a prospective applicant must consult with FAA before they submit an application to discuss the application process and possible issues relevant to FAA’s licensing or permitting decision. To provide thorough guidance, this AC provides prospective applicants with an overview of the commercial space license and permit process lifecycle. Prospective applicants begin the process with early pre-application consultation and continue through formal pre-application consultation, application submission, and initial application screening. For accepted applications, this AC lays out a high-level outline of FAA’s evaluation and determination process for license and permit applications. Additionally, post-determination topics include compliance monitoring and license modification requests. FAA considers this AC an accepted means of compliance for complying with the regulatory requirements of § 413.5

Expected Criticisms/Reactions: We anticipate a positive response from industry stakeholders to this AC, as its release has been highly anticipated. In addition, we expect that other government entities will welcome the AC as it provides clear, standardized guidance that supports interagency coordination and compliance with regulatory frameworks. Advocacy groups are also likely to respond favorably, recognizing that the

AC reflects industry best practices and promotes safety, transparency, and accountability in launch vehicle operations.

Comments Invited

The FAA invites the public to submit comments on the draft AC, using the method specified in the **ADDRESS** section above. Commenters should include the subject line “AC number and title” on all comments submitted to the FAA. The most helpful comments will reference specific paragraphs of the draft document, provide the rationale for any recommended changes, and include supporting data. The FAA will consider all comments received on or before the closing date prior to issuing the final AC.

You may examine the draft AC on the agency’s public website *Commercial Space Draft Advisory Circulars available for Public Comment* at the webpage located at:

https://www.faa.gov/space/legislationregulationguidance/draft_docs/ac

Issued in Washington, DC.

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Office of Commercial Space Transportation.

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