

## **LAUNCH AND REENTRY LICENSE REQUIREMENTS IMPROVEMENT** **AEROSPACE RULEMAKING COMMITTEE CHARTER**

- 1. PURPOSE.** This charter establishes the Launch and Reentry License Requirements Improvement Aerospace Rulemaking Committee (Part 450 SpARC) for the Commercial Space Transportation Industry, according to the Secretary's authority under Title 49 of the United States Code (49 U.S.C. § 106(p)(5)). The sponsor of this aerospace rulemaking committee (commonly referred to as a SpARC) is the Federal Aviation Administration's (FAA) Office of Commercial Space Transportation's Deputy Director of the Office of Strategic Management. This charter outlines the Part 450 SpARC's organization, responsibilities, and tasks.
- 2. BACKGROUND.** The Streamlined Launch and Reentry License Requirements Final Rule, which created Title 14 of the Code of Federal Regulations Part 450, was published on December 10, 2020, and became effective on March 21, 2021. The final rule streamlined and increased flexibility in the FAA commercial space launch and reentry regulations and removed obsolete requirements. It consolidated and revised multiple regulatory parts and applied a single set of licensing and safety regulations across several types of operations and vehicles. The final rule describes the requirements to obtain a vehicle operator license, the safety requirements, and the terms and conditions of a vehicle operator license.

As FAA gains additional experience implementing the Part 450 regulatory requirements, both the industry and FAA have identified several areas that should be updated. The FAA is establishing the Part 450 SpARC to solicit advice and recommendations on revisions to Part 450.

- 3. OBJECTIVES OF THE SpARC.** The Part 450 SpARC will identify and recommend any necessary amendments to 14 CFR Part 450 and related regulations.
- 4. TASKS OF THE SpARC.** The Part 450 SpARC's tasks are to:
  - a. Provide consensus recommendations on improvements to 14 CFR Part 450 and related regulations that would achieve the goals of Part 450 with greater clarity and flexibility. Topic areas will include potential changes to Part 450 to:
    - i. better accommodate the reentry of a reentry vehicle;
    - ii. better accommodate the operation of hybrid systems;
    - iii. better accommodate early test flights of a launch or reentry system;
    - iv. improve the use and approval of means of compliance in the licensing process;
    - v. improve the approval of methodologies for flight safety analyses;
    - vi. provide alternatives to measuring high-consequence events;
    - vii. modify or add additional hazard control strategies for use by launch or reentry operators;
    - viii. clarify or improve the application of system safety for launch or reentry systems; and

- ix. clarify or improve the definition of and requirements for safety critical systems, including flight safety systems.
- b. Provide quantitative benefit and cost estimates, qualitative benefit-cost description, and compliance tradeoffs for any recommendation to change regulatory requirements.
- c. Within 8 months from the first meeting after the effective date of the charter, submit a recommendation report. The recommendation report should document both majority and dissenting positions on the findings and the rationale for each position. Any disagreements should be documented, including the rationale for each position and the reasons for the disagreement.
  - i. The Industry Co-Chair sends the recommendation report to the FAA Co-Chair and the FAA Executive Director of the Office of Rulemaking.
  - ii. The FAA Co-Chair determines when the recommendation report and records, pursuant to paragraph 8, will be made available for public release.

## **5. SpARC PROCEDURES.**

- a. The SpARC acts solely in an advisory capacity by advising and providing written recommendations to the FAA Co-Chair.
- b. The SpARC may propose follow-on tasks related to the stated scope of the SpARC to the FAA Co-Chair.
- c. The SpARC may reconvene following the submission of the recommendation report for the purposes of providing advice and assistance to FAA, at the discretion of the FAA Co-Chair, provided the charter is still in effect.

## **6. SpARC ORGANIZATION, MEMBERSHIP, AND ADMINISTRATION.** The FAA will set up a committee of members from primarily current and prospective launch and reentry licensees who have familiarity and experience with Part 450. Members will be selected based on their familiarity and experience with the launch and reentry license regulations. Membership will be balanced in viewpoints and interests, and all members will have knowledge of the committee's objectives and scope. Subject matter experts from FAA and other federal agencies may be requested to participate as observers and to provide technical support to the SpARC members.

The provisions of the August 13, 2014, Office of Management and Budget (OMB) guidance, "Revised Guidance on Appointment of Lobbyists to Federal Advisory Committees, Boards, and Commissions" (79 FR 47482), continue the ban on registered lobbyists participating on Agency Boards and Commissions if participating in their "individual capacity." The revised guidance allows registered lobbyists to participate on Agency Boards and Commissions in a "representative capacity" for the "express purpose of providing a committee with the views of a non-governmental entity, a recognizable group of persons or non-governmental entities

(an industry, sector, labor unions, environmental groups, etc.), or state or local Government.” For further information, refer to the OMB Guidance at 79 FR 47482.

Membership is limited to promote discussion. Attendance, active participation, and commitment by members is essential for achieving the objectives and tasks. When necessary, the SpARC may set up specialized and temporary working groups that include at least one SpARC member and invited subject matter experts from industry and government.

- a. The Deputy Director of the Office of Strategic Management will serve as the FAA Co-Chair and will:
  - i. select and appoint the Industry Co-Chair,
  - ii. select and appoint industry members, observers, and the FAA participants,
  - iii. ensure FAA participation and support from all affected lines of business,
  - iv. provide notification to the members of the time and place for each meeting, and
  - v. receive any status reports and the recommendation report.
- b. Once appointed, the Industry Co-Chair will:
  - i. coordinate required SpARC meetings to meet the objectives and timelines,
  - ii. establish and distribute meeting agendas in a timely manner,
  - iii. keep meeting notes, if deemed necessary,
  - iv. perform other responsibilities as required to ensure the objectives are met,
  - v. provide status reports, as requested, in writing to the FAA Co-Chair, and
  - vi. submit the recommendation report to the FAA Co-Chair and the FAA Executive Director of the Office of Rulemaking.

**7. PUBLIC PARTICIPATION.** Meetings are not open to the public. Persons or organizations outside the SpARC who wish to attend a meeting must get approval in advance of the meeting from the Industry and FAA Co-Chairs.

**8. AVAILABILITY OF RECORDS.** Subject to applicable Freedom of Information Act Exemptions pursuant to Title 5, U.S.C., § 552, FAA will make records provided by the SpARC to FAA available for public inspection and copying. Available records will be located at the Office of Commercial Space Transportation, FAA Headquarters, 800 Independence Avenue SW, Washington, DC 20591. Fees may be charged for information furnished to the public according to the fee schedule published in Title 49 of the Code of Federal Regulations, Part 7.

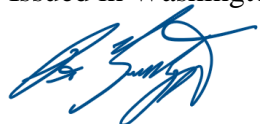
You can find this charter on the FAA Committee Database website at:  
[https://www.faa.gov/regulations\\_policies/rulemaking/committees/documents/](https://www.faa.gov/regulations_policies/rulemaking/committees/documents/).

**9. DISTRIBUTION.** This charter is distributed to the Office of the Associate Administrator for Commercial Space Transportation, the Office of the Associate Administrator for Aviation Safety, the Office of the Associate Administrator of Airports, the Office of the Chief

Counsel, the Office of the Assistant Administrator for Policy, International Affairs, and Environment, and the Office of Rulemaking.

**10. EFFECTIVE DATE AND DURATION.** The SpARC is effective upon issuance of this charter and will remain in existence for a maximum of 2 years unless the Secretary suspends, terminates, or extends the charter.

Issued in Washington, DC, on November, 7, 2024



Pete Buttigieg  
Secretary of Transportation