

Federal Aviation Administration Notice of Updated Factors for Optimizing Use of the National Airspace System

The Federal Aviation Administration's (FAA's) mission is to ensure the safe, efficient, and equitable use of the National Airspace System (NAS). To fulfill this mission, the FAA has an ongoing obligation to optimize the use of the NAS for the benefit of all users. The FAA applies objective factors to guide its optimization decisions, provide transparency and consistency, and ensure the fair and equitable treatment of all NAS users.

The significant growth in the number of commercial space launch and reentry operations in recent years (along with the introduction of new vehicle launches, both public and private) can result in longer and more frequent disruptions to other flight operations than previously experienced. To mitigate the impacts of increased commercial space operations on other flight operations without impeding commercial space operations, the FAA is updating the factors that will inform its decisions to optimize the NAS.

Effective immediately, the FAA will consider the following factors (in addition to other relevant factors) in determining whether a commercial space operation may proceed as requested or whether alternative approaches are required:

- The location and timing of the proposed commercial space operation
- The number of flights and/or passengers that will be affected by the operation
- Holidays or significant events that result in more NAS congestion generally or in specific areas of the country (*e.g.*, Thanksgiving, Christmas, New Years, Spring break, Memorial Day, Independence Day, Labor Day, Super Bowl, significant military operations/exercises)
- Launch window duration
- Nighttime v. daytime launches: The FAA encourages commercial space operations to take place during nighttime hours (to the extent practicable) when other flight operations tend to be reduced
- Mission purpose: The FAA generally will prioritize commercial space operations that (1) have a national security purpose or are in the national interest and/or (2) commercial space launches carrying payloads.

No single factor is determinative; the FAA will consider the totality of all relevant factors in making an optimization determination. Regardless of these factors and consistent with 49 U.S.C. 40103(b) and JO 7610.4 Special Operations, the FAA will exercise its authority to modify or revoke an airspace assignment (*e.g.*, not issuing airspace clearances) when space operations adversely impact the safety and/or efficiency of the NAS.

The FAA will continue to collaborate with commercial space operators to identify potential constraints on launch scheduling that may significantly impact NAS operations and implement feasible alternatives, such as shorter windows, alternate times of day, and alternate days.

The FAA also will continue to coordinate with external governmental entities and other stakeholders early in the commercial space launch licensing process. As part of this coordination,

the FAA will ensure that interested parties are taking steps to minimize impacts to air traffic operations.

The FAA's efforts to optimize the NAS are ongoing. To that end, FAA intends to (1) continue to cooperatively engage with (1) aviation and commercial space operators through the Collaborative Decision-making (CDM) process and the Airspace Access Priorities (AAP) Aviation Rulemaking Committee (ARC) and (2) expand the use of tools and procedures (*e.g.*, Space Data Integrator) that have cut airspace closures to an average of two hours instead of four hours per launch. The FAA also will prioritize research that identifies and implements approaches for safely reducing the size and duration of aircraft hazard areas.

The FAA encourages input from all stakeholders as it proactively optimizes the NAS for the benefit of all users.