



Committee on Transportation and Infrastructure  
U.S. House of Representatives  
Washington, DC 20515

Sam Graves  
Chairman

Rick Larsen  
Ranking Member

Jack Ruddy, Staff Director

Katherine W. Dedrick, Democratic Staff Director

December 6, 2024

The Honorable Michael G. Whitaker  
Administrator  
Federal Aviation Administration  
800 Independence Ave, SW  
Washington, DC 20591

Dear Administrator Whitaker,

We write to you with deep concerns about the Federal Aviation Administration's (FAA's) part 450 commercial launch and reentry regulation and its protracted pre-application process.

The commercial space transportation industry is integral to a wide variety of American national interests and needs. Today, and especially during a potential armed conflict with a near-peer adversary, commercial space transportation is essential in supporting the United States Department of Defense and our warfighters, with satellite imagery, position, navigation, and timing, and communications. Additionally, the commercial space industry assists Federal, state, and local governments in their preparations for and responses to natural disasters. Further, the industry is increasingly transporting American astronauts to the International Space Station and, in the near future, to the Moon and beyond.

The recent boom of the commercial space transportation industry, coupled with the indispensable support and services it provides to the Federal Government and the American public, makes the reported delays in the part 450 pre-application approval process even more concerning.<sup>1</sup> In November of 2024, the FAA indicated that 98 percent of applications are met within the statutory 180 day timeline.<sup>2</sup> However, this timeframe does not include the months, and oftentimes years, of pre-application review that create extensive delays for companies

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<sup>1</sup> Jeff Foust, "Pending regulatory approval": launch companies struggle with licensing, THE SPACE REVIEW, (Sept. 23, 2024), available at <https://www.thespacereview.com/article/4861/1>.

<sup>2</sup> Press Release, FEDERAL AVIATION ADMINISTRATION, *New Record for FAA-Licensed Commercial Space Operations, Aerospace Rulemaking Committee Launched to Update Licensing Rule* (Nov. 14, 2024), available at <https://www.faa.gov/newsroom/new-record-faa-licensed-commercial-space-operations-aerospace-rulemaking-committee>.

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seeking a launch and reentry license. These delays have a direct impact on the United States' standing in space exploration and our strategic competition with a growing number of adversarial nations seeking to disrupt our space capabilities and support their own.

Maintaining the United States' advantage in space capabilities, driven largely by a thriving commercial space industry, will require more efficient and predictable regulatory processes that enable rapid operations in an ever-developing industry. We commend the FAA for establishing an aerospace rulemaking committee (SpARC) to begin addressing this urgent issue. Further, we welcome the FAA's acknowledgment that the system is broken and must be fixed. It is our understanding that the SpARC intends to release its recommendations to modify and accelerate the part 450 process next summer. We, however, urge the FAA to act now and ensure that all actions short of rulemaking that can help mitigate the deficiencies of the part 450 regulation are taken in advance of any necessary regulatory changes to ensure that the commercial space industry does not have to wait years for relief.

American competitiveness on a global scale is largely underpinned by our technological prowess. Thank you for your attention to this matter and we hope that you both share our concerns about the current process and can commit that it will be fixed expeditiously as possible. If you have any questions about this letter, please contact T. Hunter Presti with the Subcommittee on Aviation, Majority Staff ([Hunter.Presti@mail.house.gov](mailto:Hunter.Presti@mail.house.gov)) or Andrew Maloney with Rep. Wittman's office ([Andrew.Maloney@mail.house.gov](mailto:Andrew.Maloney@mail.house.gov)).

Sincerely,



Sam Graves  
Chairman  
Committee on Transportation  
and Infrastructure



Robert J. Wittman  
Member of Congress

cc: The Honorable Pete Buttigieg, Secretary, United States Department of Transportation