

## § 405.1

SOURCE: Docket No. 43810, 53 FR 11014, Apr. 4, 1988, unless otherwise noted.

### § 405.1 Monitoring of licensed and other activities.

Each licensee must allow access by and cooperate with Federal officers or employees or other individuals authorized by the Associate Administrator to observe licensed facilities and activities, including launch sites and reentry sites, as well as manufacturing, production, and testing facilities, or assembly sites used by any contractor or a licensee in the production, assembly, or testing of a launch or reentry vehicle and in the integration of a payload with its launch or reentry vehicle. Observations are conducted to monitor the activities of the licensee or contractor at such time and to such extent as the Associate Administrator considers reasonable and necessary to determine compliance with the license or to perform the Associate Administrator's responsibilities pertaining to payloads for which no Federal license, authorization, or permit is required.

[Doc. No. FAA-1999-5535, 65 FR 56657, Sept. 19, 2000]

### § 405.3 Authority to modify, suspend or revoke.

(a) Upon application by the licensee or upon the Office's own initiative, the Office may modify a license issued under this chapter if the Office finds that the modification is consistent with the requirements of the Act.

(b) If the Office finds that a licensee has substantially failed to comply with any requirement of the Act, any regulation issued under the Act, the terms and conditions of a license, or any other applicable requirement, or that public health and safety, the safety of property or any national security or foreign policy interest of the United States so require, the Office may suspend or revoke any license issued to such licensee under this chapter.

(c) Unless otherwise specified by the Office, any modification, suspension or revocation made by the Office under this section:

- (1) Takes effect immediately; and
- (2) Continues in effect during any review of such action under Part 406 of this chapter.

## 14 CFR Ch. III (1-1-06 Edition)

(d) Whenever the Office takes any action under this section, the Office immediately notifies the licensee in writing of the Office's finding and the action which the Office has taken or proposes to take regarding such finding.

### § 405.5 Emergency orders.

The Associate Administrator may immediately terminate, prohibit, or suspend a licensed launch, reentry, or operation of a launch or reentry site if the Associate Administrator determines that—

(a) The licensed launch, reentry, or operation of a launch or reentry site is detrimental to public health and safety, the safety of property, or any national security or foreign policy interest of the United States; and

(b) The detriment cannot be eliminated effectively through the exercise of other authority of the Office.

[53 FR 11014, Apr. 4, 1988, as amended by Amdt. 405-1, 65 FR 56657, Sept. 19, 2000]

## PART 406—INVESTIGATIONS, ENFORCEMENT, AND ADMINISTRATIVE REVIEW

### Subpart A—Investigations and Enforcement

Sec.

406.1 Hearings in license and payload actions.

406.3 Submissions; oral presentation in license and payload actions.

406.5 Administrative law judge's recommended decision in license and payload actions.

406.7 [Reserved]

406.9 Civil penalties.

406.10-406.100 [Reserved]

### Subpart B—Rules of Practice in FAA Space Transportation Adjudications

406.101 Applicability.

406.103 Definitions that apply in part 406.

406.105 Separation of functions for prosecuting civil penalties and advising the FAA decisionmaker.

406.107 Appearances of parties, and attorneys and representatives.

406.109 Administrative law judges—powers and limitations.

406.111 Signing documents.

406.113 Filing of documents with the Docket Management System (DMS) and sending documents to the administrative law