



U.S. Department
of Transportation
**Federal Aviation
Administration**

Advisory Circular

Subject: U.S Agents for Service on Individuals
with Foreign Addresses Who Hold or Apply for
Certain Certificates, Ratings, or Authorizations

Date: 10/11/2024

AC No: 3-1

Initiated By: AGC-300

This advisory circular (AC) provides individuals with guidance on how to comply with Title 14 of the Code of Federal Regulations (14 CFR) sections 3.301 through 3.303. These sections require that individuals with a foreign address and no U.S. physical address of record on file with the FAA, who hold or apply for certain certificates, ratings, or authorizations, designate a U.S. agent for the service of FAA documents. This AC explains an acceptable means to designate a U.S. agent for service and provides instructions on how to electronically certify the U.S. agent designation, change U.S. agent information, and submit a new U.S. agent designation. This AC should be used in combination with the appropriate FAA user guides referenced throughout.

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CHAPTER 1 - GENERAL

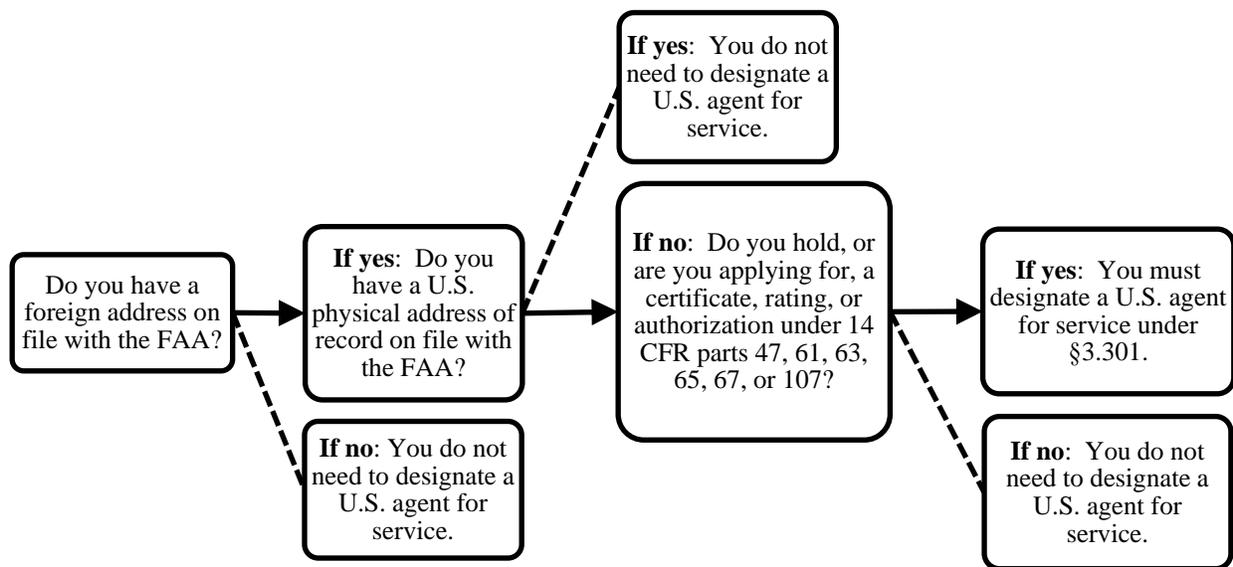
- 1.1 Purpose of This Advisory Circular (AC).** This advisory circular (AC) provides individuals with guidance on how to comply with Title 14 of the Code of Federal Regulations (14 CFR) sections 3.301 through 3.303. In accordance with these sections, individuals with a foreign address and no U.S. physical address of record on file with the FAA, who hold or apply for certain certificates, ratings, or authorizations, must designate a U.S. agent for service of FAA documents. This AC explains an acceptable means to designate a U.S. agent for service, including instructions on how to electronically certify the U.S. agent designation, change U.S. agent information, and submit a new U.S. agent designation. This AC should be used in combination with the appropriate FAA user guides referenced throughout.
- 1.2 Effects of Guidance.** The contents of this document do not have the force and effect of law and are not meant to bind the public in any way. This document is intended only to provide clarity to the public regarding existing requirements under the law or agency policies.
- 1.3 Audience.** This AC is intended for use by individuals who hold or apply for certificates, ratings, or authorizations issued under parts 47, 61, 63, 65, 67, or 107, and have a foreign address and no U.S. physical address of record on file with the FAA.
- 1.4 Where You Can Find This AC.** You can find this AC on the FAA's website at: https://www.faa.gov/regulations_policies/advisory_circulars/ and the Dynamic Regulatory System (DRS) at <https://drs.faa.gov>.
- 1.5 Related 14 CFR Parts.** Parts 3, 47, 61, 63, 65, 67, and 107.
- 1.6 Definitions.** The following terms are defined in § 3.302:
- U.S. agent for service (U.S. agent): An entity or an adult (individual who is 18 or older) with a U.S. address who a certificate, rating, or authorization holder or applicant designates to receive FAA service on their behalf.
 - U.S. agent address: An address in the States of the United States, the District of Columbia, or any U.S. territory or possession. If the agent is an entity, the address must be the U.S. agent's office address. If the agent is an individual, the address must be the agent's usual place of residence or, if applicable, the individual's U.S. military office address. If the U.S. agent is serving as a U.S. agent in their official capacity with the military, the address may be a military office address. A U.S. agent address may not be a post office box, military post office box, or a mail drop box; and
 - U.S. physical address: An address in the States of the United States, the District of Columbia, or any U.S. territory or possession, but excludes post office boxes, military post office boxes, mail drop boxes, and commercial addresses that are not also residential addresses.
- 1.7 Background.** International service requirements can significantly delay service of many FAA documents for months (and, in some cases, over a year) and impose additional costs on the agency. These international service requirements cannot be waived by document recipients, or circumvented by sending documents electronically. Considering these requirements, the FAA

requires applicants or individuals who hold certain certificates, ratings, or authorizations and who have a foreign address and no U.S. physical address of record on file with the FAA to designate a U.S. agent for service. 14 CFR §§ 3.301-3.303. This rule permits the FAA to serve other safety-critical and time-sensitive documents on an individual's U.S. agent. In turn, the FAA would be able to accomplish prompt and cost-effective service on these individuals and facilitate more expedited due process.

- 1.8 AC Feedback Form.** For your convenience, the AC Feedback Form is the last page of this AC. Note any deficiencies found, clarifications needed, or suggested improvements regarding the contents of this AC on the Feedback Form.

CHAPTER 2 - APPLICABILITY

2.1 Certificate, Rating, and Authorization Holders and Applicants. Individuals who have a foreign address and no U.S. physical address of record on file with the FAA are required to designate a U.S. agent for service if they apply for a certificate, rating, or authorization issued under 14 CFR parts 47, 61, 63, 65, 67, or 107, or hold a certificate, rating, or authorization issued under any of these parts. A decision diagram illustrating the applicability of this requirement is provided below.



2.2 The U.S. Agent. Individuals can hire any entity, including registered agent service companies, with a U.S. address to be their designated U.S. agent for service. Alternatively, individuals can hire or designate any adult who is 18 or older with a U.S. address, including a relative, friend, or associate, to be their U.S. agent for service. The U.S. Agent designated by an applicant or certificate holder under § 3.303 must have a U.S. agent address, as defined in §3.302.

2.3 Documents Served on U.S. Agents. The U.S. agent for service would receive certain FAA documents on behalf of the individual who designated them as their U.S. agent in accordance with § 3.303. Examples of the documents that the U.S. agent may receive from the FAA include:

- Enforcement action letter, notices, and orders;
- Reexamination letters;
- Letters of investigation;
- Letters requesting additional information or denying a medical certificate; and

- Notices to aircraft owners of ineffective or invalid aircraft registration.

U.S. agents will receive the document addressed to them as the U.S. agent for service.

2.4 Requirements & Responsibilities of Individuals Designating a U.S. Agent. Under § 3.303, the individual who holds or applies for a certificate, rating, or authorization is responsible for ensuring that their U.S. agent understands what their responsibilities are and is competent to perform those responsibilities. Individuals should ensure the following:

- The U.S. agent understands that their role requires them to be available to receive documents from the FAA and immediately transmit all FAA documents to the individual that designated them;
- The U.S. agent must be competent to assume their duties as U.S. agent. Individuals who designate a U.S. agent should consider whether the U.S. agent has the necessary ability and means to receive documents from the FAA and then immediately and efficiently notify the individual of service of FAA documents. This is important to avoid missing service of time-sensitive documents. In some instances, the appeal and reply deadlines of documents that FAA serves can be as short as two days;
- The U.S. agent should provide the individual who designated them with notice of changes to the U.S. agent's contact information in a timely manner. Individuals with a U.S. agent must provide the FAA with any changes to their U.S. agent designation or the agent's contact information within 30 days of the change to ensure that the U.S. agent's information on file with the FAA is up-to-date; and
- The U.S. agent should agree to serve as the individual's U.S. agent for service.

The FAA considers service on an individual's U.S. agent as the equivalent of service directly on the individual. The individual who designates a U.S. agent is legally responsible for responding to or complying with the requirements of the FAA documents served on their U.S. agent. For this reason, individuals should select a trustworthy and reliable U.S. agent.

2.5 Requirements & Responsibilities of U.S. Agents. A U.S. agent should timely transmit all documents the FAA serves on the U.S. agent to the certificate, rating, or authorization holder or applicant that designated the U.S. agent. Transmittal methods from the U.S. agent to the individual might include, for example, scanning and emailing, faxing the documents, or sending the documents through expedited mail. The U.S. agent and the individual who designated the U.S. agent should agree in advance on what transmittal method would work best to ensure the U.S. agent's timely transmittal of FAA correspondence.

CHAPTER 3 - DESIGNATING A U.S. AGENT

3.1 Information Needed to Designate a U.S. Agent for Service. An individual required to designate a U.S. agent under § 3.303 must do so through a new FAA online system, the U.S. Agent for Service System (USAS), and must include the following information about their U.S. agent to the FAA under § 3.303(a):

- U.S. agent's full name;
- Type of U.S. agent (entity or adult 18 or older);
- U.S. agent address; and
- U.S. agent's email address.

The individual may also choose to provide the U.S. agent's fax number and telephone number.

Under § 3.303, the applicant or holder of the certificate, rating, or authorization would also be required to certify that the U.S. agent has accepted the responsibility or service.

3.2 How to Designate the U.S. Agent for Service. To designate a U.S. agent for service, individuals will utilize a new system, U.S. Agent for Service System (USAS), available by visiting <https://usas.faa.gov>. USAS is an online tool that will be used solely for collecting U.S. agent for service designations.

Once individuals access USAS, they should follow the instructions on the home page and follow the on-screen prompts to designate their U.S. agent.

As discussed below, certain information about the individual designating a U.S. agent may be necessary to retrieve the individual's FAA file and to ensure that the U.S. agent designation is connected to the correct applicant or holder of the certificate, rating, or authorization.

The individual may be prompted to submit the following information about themselves to the FAA to designate their U.S. agent for service:

- Full name;
- Email address;
- Physical location or address; and
- Mailing address.

For airmen (holders or applicants of parts 61, 63, 65, 67, or 107 certificates, ratings, or authorizations), the FAA may also request the airmen's:

- Date of birth;
- Certificate number;
- FAA tracking number; and
- Applicant ID No. (medical).

For individuals who hold or apply for aircraft registration certificates under part 47, the FAA will also collect the aircraft registration number, make, model, and serial number.

CHAPTER 4 - MAINTAINING U.S. AGENT INFORMATION

4.1 Updating U.S. Agent Information. Under § 3.303, the individual who holds or applies for a certificate, rating, or authorization is required to keep their U.S. agent designation current. Therefore, if the U.S. agent's information changes, the individual must update their U.S. agent designation information via USAS.

For example, an individual will update their U.S. agent designation information if the U.S. agent:

- Moves to a new address;
- Changes their legal name; or
- Gets a new email address.

To change a U.S. agent's information, use the steps outlined in § 3.2 above to access USAS, and follow the on-screen prompts.

Under § 3.303, the individual is required to update their U.S. agent information within thirty days of any change.

4.2 How to Change a U.S. Agent Designation. Under § 3.303, the individual who holds or applies for a certificate, rating, or authorization is also required to notify the FAA of any change in their selection of a U.S. agent. An individual may choose to designate a new U.S. agent, for example, if their existing U.S. agent:

- Moves to a new address outside of the United States; or
- Is no longer able to perform the responsibilities of serving as a U.S. agent.

An individual may choose to designate a new U.S. agent for any reason.

To change a U.S. agent's information, use the steps outlined in § 3.2 above to access USAS, and follow the on-screen prompts.

Under § 3.303, the individual is required to update their U.S. agent information within thirty days of any change.

CHAPTER 5 - FAILURE TO DESIGNATE A U.S. AGENT

- 5.1 Current Holders of a Certificate, Rating, or Authorization.** Under § 3.303, the individual who holds a certificate, rating, or authorization has nine months from the date of the publication of the final rule to designate a U.S. agent. If the individual fails to do so, the individual may not exercise any privileges of their certificate, rating, or authorization issued under parts 47, 61, 63, 65, 67, and 107. Additionally, if an aircraft owner fails to designate a U.S. agent, the individual aircraft owner's aircraft registration certificate would be considered ineffective.
- 5.2 Applicants.** Under § 3.303, an individual applicant subject to the requirements of § 3.303 will not be issued a certificate, rating, or authorization under parts 47, 61, 63, 65, 67, or 107 once the final rule becomes effective unless they designate a U.S. agent at the time of application.

For applications that are before the agency when the final rule is published, the FAA will notify the applicant and provide them an opportunity to comply with the U.S. agent designation requirements. If the individual fails to comply, the individual may be denied issuance of the certificate, rating, or authorization.

Advisory Circular Feedback Form

Paperwork Reduction Act Burden Statement: A federal agency may not conduct or sponsor, and a person is not required to respond to, nor shall a person be subject to a penalty for failure to comply with a collection of information subject to the requirements of the Paperwork Reduction Act unless that collection of information displays a currently valid OMB Control Number. The OMB Control Number for this information collection is 2120-0746. Public reporting for this collection of information is estimated to be approximately 20 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering, and maintaining the data needed, completing, and reviewing the collection of information.

All responses to this collection of information are voluntary FAA Order 1320.46D Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden to: Information Collection Clearance Officer, Barbara Hall, 800 Independence Ave, Washington, D.C. 20590.

If you find an error in this Advisory Circular, have recommendations for improving it, or have suggestions for new items/subjects to be added, you may let us know by emailing this form to General Aviation and Commercial Division (AFS-800) at 9-AFS-800-Correspondence@faa.gov or the Flight Standards Directives Management Officer at 9-AWA-AFB-120-Directives@faa.gov.

Subject: AC 3-1, U.S. Agents for Service on Individuals with Foreign Addresses Who Hold or Apply for Certain Certificates, Ratings, or Authorizations Date: _____

Please mark all appropriate line items:

An error (procedural or typographical) has been noted in paragraph _____ on page ____.

Recommend paragraph _____ on page _____ be changed as follows:

In a future change to this AC, please cover the following subject:
(*Briefly describe what you want added.*)

Other comments:

I would like to discuss the above. Please contact me.

Submitted by: _____ Date: _____