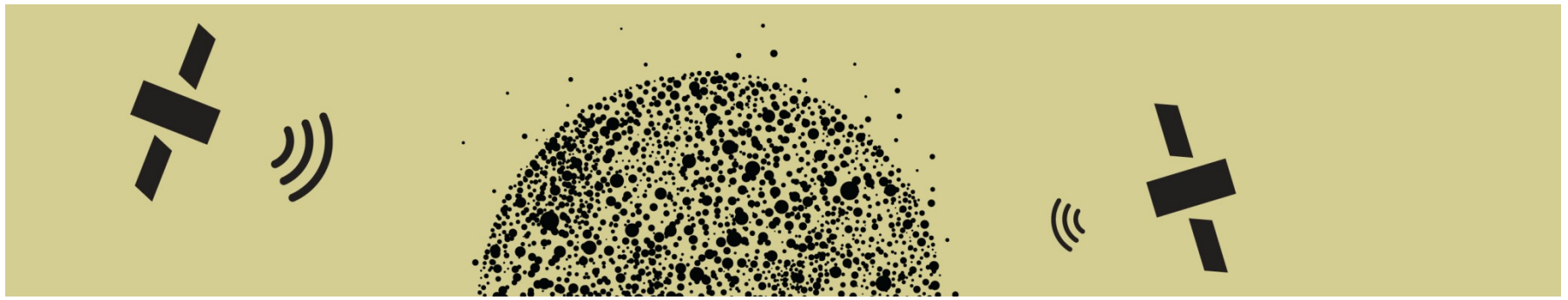




COMSTAC BLWG Outbrief

28 April 2016

Christopher T.W. Kunstadter
Chair



Agenda Items



- **Use of excess ICBM motors for commercial launch**
- **Department of State – COPUOS Legal Subcommittee update – Brian Israel**
- **FAA AST – MPL update – Randy Repcheck**
- **FAA AST – Informed consent – Mike Machula & Glenn Rizner**
- **GAO – Studies on:**
 - **State and municipal government property at launch sites – Anne Kruse**
 - **Use of space support vehicles**
 - **EELV competition – Maureen Luna-Long**

Statement by General John E. Hyten on proposed use of excess ICBM motors for commercial launch (*extract – 4/25/16*)



“...it's *appropriate to consider leveraging the considerable investment that the American taxpayer has made in developing, manufacturing and maintaining these motors.* However, in doing so, *we must not put the small launch market at risk. We should study the issue carefully* to determine if the engines could be sold to commercial industry at a reasonable price, and in reasonable numbers that *do not provide an unfair competitive advantage...***”**



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Jeff Foust on Twitter today...



Jeff Foust @jeff_foust · 1h

And, speaking of excess ICBM motors, a Bloomberg editorial endorses their use for commercial launches:



A Second Life in Space for Cold War Nukes

Congress should lift a ban on recycling ICBMs for commercial launches.

bloombergview.com



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Excess Ballistic Missile Assets

Observation: COMSTAC observes that, over the last 20 years, consistent and bipartisan space policies have resulted in billions of dollars of private investment in creating and maintaining a robust domestic commercial space industry.

Finding: COMSTAC finds that by changing the policy on the use of ICBMs, the government could discourage new investment and undermine the market's confidence in the emerging small space launch sector.



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Excess Ballistic Missile Assets

Recommendation: COMSTAC recommends that, in its interactions with Executive Branch agencies and Congress, FAA AST support the maintenance of existing policy with respect to the use of excess ICBM assets in order to sustain the continued growth of the commercial U.S. launch sector.

COPUOS Legal Subcommittee

Observation



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Observation: COMSTAC observes that, during the April 2016 meeting of the Legal Subcommittee of the Committee on the Peaceful Uses of Outer Space (COPUOS), the United States was accused of violating the Outer Space Treaty of 1967 by adopting a unilateral approach to the extraction and utilization of extraterrestrial resources through adoption of the Commercial Space Launch Competitiveness Act (CSLCA).

COPUOS Legal Subcommittee

Finding



Finding: COMSTAC finds that, throughout the development of the CSLCA, industry, Congress, and the Executive Branch explicitly crafted the legislation to ensure and bolster U.S. conformity with the Outer Space Treaty, creating a system that can serve as a model for other nations to adopt.

COPUOS Legal Subcommittee

Recommendation



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Recommendation: COMSTAC recommends that, in its interactions with the Department of State and other Executive Branch agencies, FAA AST advocate for the U.S. Government to express – at COPUOS and through other international and domestic forums – that the CSLCA is an example of national legislation that supports multilateral, international obligations, and that the CSLCA specifically implements U.S. obligations under the Outer Space Treaty.