

## Infrastructure Working Group FRs

**Finding:** Just as airports provide infrastructure required for airplanes to access the National Airspace System (NAS), spaceports provide the infrastructure necessary to enable access to space, a critical national capability. However, spaceports are the only form of transportation infrastructure without dedicated and consistent access to a federal matching grants program.

**Recommendation:** The COMSTAC recommends that the FAA conduct a study of infrastructure funding mechanisms for non-space related transportation modes (e.g., highways, aviation, shipping, rail, etc.) and assess their applicability to funding of spaceport infrastructure.

**Finding:** Current regulations outlined in 14 CFR Part 420 (License to Operate a Launch Site) only fit one scenario very well: orbital launch vehicles from dedicated launch ranges. For other scenarios, the regulations and licensing processes sometime lack the definitions, decision trees, and modules needed to address the relevant requirements for each case. This can result in over-regulation, under-regulation and/or lack of regulatory accuracy and relevance.

**Finding:** The FAA should begin a new effort with the commercial spaceflight industry to review potential methods for streamlining and realigning launch and reentry site licensing regulations.

**Recommendation:** The COMSTAC recommends FAA convene an ARC tasked with updating launch and reentry site licensing regulations. This ARC should deliver recommendations for modification and streamlining of the existing regulations as needed.

## Safety Working Group FRs

**Finding:** The COMSTAC finds that industry is aligned and making progress related to the FAA's vision of safety frameworks elements such as standards and voluntary safety reporting systems, as described in its report to Congress.

**Recommendation:** The COMSTAC recommends that FAA and industry collaborate to create a directory and classification of US and international commercial spaceflight SDO's (Standard Development Organizations) including if their standards are in progress or are published.

**Finding:** The COMSTAC finds that the Indian government's intentional demonstration of an anti-satellite weapon has produced dangerous orbital debris negatively impacting the safety of space assets, humans in orbit, and the overall space environment.

**Recommendation:** The COMSTAC recommends that the FAA work with relevant domestic and international entities condemning debris-creating anti-satellite activities and to demand that such activities do not take place again as such activities create unnecessary safety risks to orbital assets and endangers the lives of humans in orbit.

**Recommendation:** The COMSTAC recommends that the FAA conduct a safety review relative to the impact of debris created by the Indian anti-satellite activity and publicly share the results with the domestic and international community.

#### Legal and Regulatory Working Group FRs

**Finding:** The COMSTAC finds that there is significant industry interest in reconvening the ARC as a means to provide feedback to and engage in a dialogue with the FAA regarding the NPRM.

**Finding:** The COMSTAC finds that there is concern among some industry members with aspects of the NPRM regarding the performance-based approach to regulating the industry.

**Recommendation:** The COMSTAC recommends that, as soon as possible, FAA further engage with industry through the ARC and COMSTAC to address concerns in the NPRM.

**Finding:** The COMSTAC finds that system safety assessments have been the evaluation measure for only a small percentage of the operations FAA has licensed, none of which have been large orbital launch vehicles.

**Finding:** The COMSTAC finds that, for licensing of large orbital launch vehicles, FAA traditionally relies on proscriptive regulations derived from USAF requirements, as well as on USAF expertise in applying those requirements.

**Finding:** The COMSTAC finds that FAA's NPRM has the opportunity to foster innovation and allow for flexibility in achieving an applicable performance standard.

**Recommendation:** The COMSTAC recommends that FAA ensure it has sufficient staff and expertise to efficiently transition to system safety-based regulations.

**Finding:** The COMSTAC finds that the MOA is out of date and does not achieve the direction of the NDAA.

**Recommendation:** The COMSTAC recommends that FAA engage with USAF immediately to update the MOA to implement the NDAA's direction to remove duplicative requirements, thereby increasing efficiency and innovation in the spaceflight industry.

#### Competitiveness and Innovation Working Group OFRs

**Recommendation:** The COMSTAC recommends that the FAA should continue to work collaboratively with our international partners to establish legal and regulatory conditions that encourage safe launch and reentry practices, and consistent and predictable licensing globally.

**Recommendation:** The Department of Transportation should advocate to the Department of State and the Department of Commerce that the Directorate of Defense Trade Controls and the Bureau of Industry and Security ensure that U.S. companies with aircraft specially designed or modified to be air-launch platforms for USML Category XV items also receive the benefit of the new Wassenaar entry.

**Recommendation:** In interagency discussions and other dialogues with relevant policymakers, the FAA should express strong support for the reauthorization and continued operation of the Export-Import Bank to ensure the health and growth of the domestic commercial space launch industry, U.S. satellite manufacturing, and American global aerospace competitiveness generally.