



INTERNATIONAL SPACE POLICY WORKING GROUP

OBSERVATIONS, FINDINGS, AND RECOMMENDATIONS

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EXPORT CONTROLS

FINDING: The FAA has an important role and opportunity through various interagency reviews and discussions with policymakers to provide input on matters such as export control. In keeping with the FAA AST's mandate to encourage, facilitate, and promote the United States' commercial space industry, it is important for the FAA AST to advocate for modernized regulations and practices that strengthen our nation's leadership in space.

EXPORT CONTROLS

FINDING: The U.S. space industry will benefit from placing human spaceflight systems under the auspices of the Export Administration Regulations (“EAR”) since (1) licensing under the EAR proceeds much more rapidly than under the International Traffic in Arms Regulations (“ITAR”); (2) the EAR offers greater flexibility for international projects than does the ITAR; and (3) the ITAR carries a stigma within the international space community that puts U.S. companies at a competitive disadvantage.

OBSERVATION: An important concern articulated by the Department of Defense in considering the transition of technologies from the United States Munitions List (“USML”) to the Commerce Control List (“CCL”) is the control of systems and technologies that could provide anti-satellite (“ASAT”) capabilities.

EXPORT CONTROLS

RECOMMENDATION: The COMSTAC recommends that the FAA AST convene with industry to identify characteristics and/or performance parameters relevant to ASAT capabilities that can be brought forward to inform the interagency process with the purpose of further export control reform.

EXPORT CONTROLS #2

RECOMMENDATION: The COMSTAC recommends that the FAA AST advocate for unarmed, commercial suborbital spacecraft, particularly if controlled by an onboard pilot, to be transferred to the CCL if such spacecraft is covered by an FAA AST license or a permit.

NON-INTERFERENCE

OBSERVATION: Past COMSTAC recommendations and Congressional report language have referenced the importance of providing non-interference for private sector activities taking place on celestial bodies.

RECOMMENDATION: The COMSTAC recommends that the FAA AST provide more detail to the COMSTAC and broader industry regarding the definition of non-interference via a dialogue with industry.

IAASS

OBSERVATION: In the FAA AST's March 12, 2015 response to the COMSTAC's recommendation that the FAA AST oppose the proliferation of standards following the approach taken by the IAASS in its Human Spaceflight Standards, the FAA AST requested clarification regarding the specific aspects of the IAASS's approach that the COMSTAC finds objectionable.

IAASS

FINDING: The COMSTAC finds the approach taken by the IAASS in its Human Spaceflight Standards objectionable due to (1) the lack of sufficient industry input during the development of the standards and (2) the inclusion of metrics in the standards that are not based on sufficient data from the operation of the vehicles intended to be subject to the standards.

ISO

FINDING: The International Standards Committee (ISO) Technical Committee 20 is undergoing a business plan review that will have an effect on Subcommittee 14 concerning Space Systems and Operations (TC20/SC14), which should be monitored by the FAA AST.

FINDING: The ISO will be seeking an organization to serve as a Secretariat for a new subcommittee within TC20 regarding standards for human spaceflight. It would be beneficial for the U.S. spaceflight industry for a U.S. organization to serve as the Secretariat in order to ensure the participation of U.S. industry in the standards setting process.