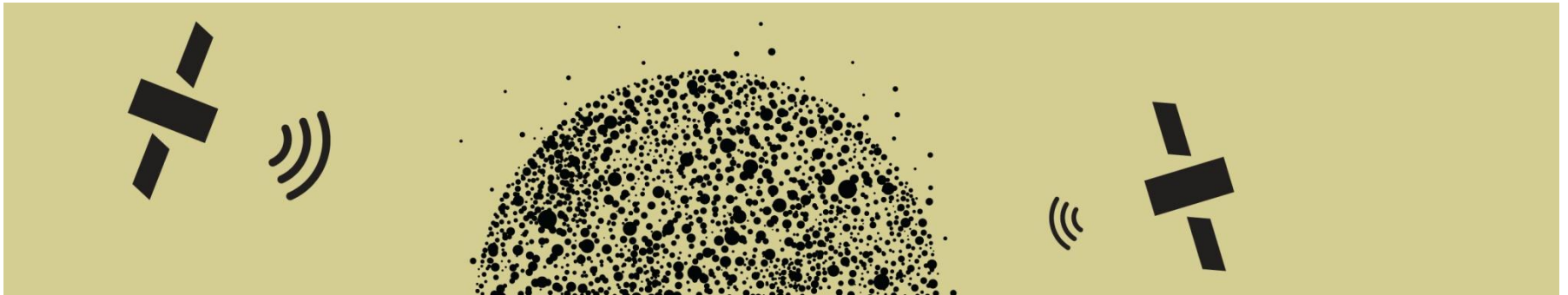




COMSTAC Business / Legal Working Group (BLWG)

CHRIS KUNSTADTER • XL INSURANCE • SEPTEMBER 2014



Review of Working Group, 9/16/14 (1 of 2)

- **Brian Israel, Department of State**
 - **Outer Space Treaty, Article 6: Responsibility for activities in outer space – authorization / supervision by states for private activity**
 - **“Fixing the Article 6 problem is crucial.”**
- **Athina Balta, Athina Balta Law Group**
 - **Outer Space Treaty, Article 2: Private property ownership without territorial sovereignty**
 - **ASTERIODS Act not perfect, but a good start**
- **Peter Marquez, Planetary Resources**
 - **ASTERIODS Act provides regulatory certainty regarding ownership of resources, dispute resolution and harmful interference**

Review of Working Group, 9/16/14 (2 of 2)

- **Duane Ratliff, CASIS**
 - **Access to ISS National Lab**
 - **Two types of agreements: Grants from USG, User Agreements**
- **Jeff Manber, Nanoracks**
 - **Extensive experience with equipment on, and launches from, ISS**
 - **Operating under Space Act Agreement**
 - **Importance of Intergovernmental Agency Agreement (IGA)**
- **Gordon Roesler, DARPA**
 - **RFI for on-orbit GEO servicing**

Observations / Findings / Recommendations

- **COMSTAC *recommends*** that FAA AST study the development of a Mission License for commercial space activities in and beyond LEO which are not already regulated by other Federal Agencies, and would serve either in tandem with or independently of an FAA-issued launch or re-entry license. The purpose of a Mission License would be to ensure (a) that commercial space activities in and beyond LEO are registered with the FAA AST, (b) that commercial activities can take place without fear of harmful interference from other FAA AST licensees, and (c) third-party safety.

- **COMSTAC *observes*** that the introduction of H.R. 5063, the American Space Technology for Exploring Resource Opportunities In Deep Space Act (“**ASTERIODS Act**”), represents a productive step forward by creating a dialogue regarding (a) extraterrestrial resource utilization, (b) the prevention of harmful interference for commercial mining activities in and beyond LEO, and (c) third-party safety.

- **COMSTAC *finds* that the ASTEROIDS Act's legal and policy framework supports FAA AST's mission and would likely enable greater certainty for companies conducting commercial mining activities in and beyond LEO.**

- **COMSTAC *finds* that greater discussion among industry, Congress, Executive Branch Agencies, and FAA AST would help to:**
 - **protect commercial mining activities in and beyond LEO from harmful interference, and**
 - **support the safety of third parties and their commercial mining activities.**

- **COMSTAC *recommends* that the FAA AST support the ASTEROIDS Act.**