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COMSTAC OUTBRIEF

INTERNATIONAL SPACE POLICY WORKING GROUP

Mark Sundahl, Chair
Jennifer Warren, Vice Chair

April 28, 2016

ISPWG TELECONS

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DECEMBER 10, 2015

ESA MOON VILLAGE
USTR INDIA POLICY

JANUARY 27, 2016

USTR INDIA POLICY

FEBRUARY 12, 2016

EXPORT CONTROLS: FOREIGN OPERATIONS

MARCH 18, 2016

NON-INTERFERENCE



ESA MOON VILLAGE

DECEMBER 10, 2015 TELECON

Observation: COMSTAC observes that the Director General of the European Space Agency (ESA) has proposed a concept for a “Moon Village” which envisions a multi-national effort to establish a permanent human presence on the Moon.

Finding: COMSTAC finds that the participation of commercial entities based in the United States, as well as in other countries, will be critical to the success of the “Moon Village.”

Recommendation: COMSTAC recommends that FAA AST, after consulting with the appropriate U.S. agencies, engage directly with ESA in support of the “Moon Village” concept, with the goal of fostering the participation of U.S.-based commercial entities in the planning and creation of the “Moon Village.”

A faint, light gray world map is visible in the background, centered on the Atlantic Ocean. The map shows the outlines of the continents, with North and South America on the left and Europe and Africa on the right.

USTR POLICY

INDIAN LAUNCH SERVICES

JANUARY 27, 2016 TELECON

FINDING: COMSTAC finds that India's state-owned and controlled launch providers whose pricing structures and related costs are not able to be confirmed as market-based hold the potential to distort the conditions of competition.

FINDING: COMSTAC finds that allowing state-owned and controlled launch providers to compete with U.S. companies runs counter to many national policies, and undermines the work that has been done by government and industry to ensure the health of the U.S. space launch industrial base.

JANUARY 27, 2016 TELECON

RECOMMENDATION: COMSTAC recommends that the Department of Transportation work with other relevant departments and agencies to maintain the current cautious approach in granting U.S. commercial satellite operators access to India's state-owned and controlled launch providers.



EXPORT CONTROLS

FOREIGN SUBORBITAL OPERATIONS

OCTOBER 2015 OFRs

RECOMMENDATION: COMSTAC recommends that the FAA AST advocate that peaceful, commercial, human spaceflight operations could be conducted outside of the United States entirely under the auspices of the EAR under the following circumstances:

- (1) The spacecraft is operated and maintained exclusively by U.S. Persons (as defined in § 120.15 of the ITAR);
- (2) No technical data is disclosed to any Foreign Person (as defined in § 120.16 of the ITAR); and
- (3) The foreign government provides binding legal assurances that no ITAR-protected technical data related to the spacecraft or its operations will need to be shared with Foreign Persons even in the context of a failure investigation.



NO NEW OFRs

A faint, light gray world map is visible in the background, centered on the Atlantic Ocean. The continents of North and South America are prominent on the right side, while Europe and Africa are on the left. The map is semi-transparent, allowing the text to be clearly visible over it.

NON-INTERFERENCE OPERATIONS ON CELESTIAL BODIES

OCTOBER 2015 OFRs

OBSERVATION: The FAA AST currently uses expected casualty analysis to determine the magnitude of potential hazards to the public arising from the launch and reentry of spacecraft and from the operation of spaceports.

FINDING: Industry would benefit from a dynamic approach to determining the parameters of a zone of non-interference by leveraging a variety of tools such as probabilistic risk analysis.

DRAFT OFRs

OBSERVATION: The FAA AST has previously stated that, per Congressional guidance, the FAA AST intends to leverage its existing launch licensing authority to encourage private sector investments in space activities by ensuring that commercial activities can be conducted on a non-interference basis on the Moon or other celestial bodies.

FINDING: Industry would benefit from a clearer understanding of the scope of non-interference that a private sector company can expect when operating on the Moon or other celestial bodies.

DRAFT OFRs

RECOMMENDATION: COMSTAC recommends that, in compliance with existing international obligations, specifically the Outer Space Treaty, the FAA AST, within the bounds of its jurisdiction, support the principle of non-interference in a broad and robust fashion to ensure that private sector companies will be able to conduct their operations free from interference by other entities.



ICAO

**HUMAN SPACEFLIGHT
LEARNING GROUP**

YURI FATTAH

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COPUOS UPDATE

RICHARD BUENNEKE

AMBER CHARLESWORTH

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