



U.S. Department  
of Transportation

**Federal Aviation  
Administration**

Office of the Associate Administrator for  
Commercial Space Transportation

800 Independence Ave., SW.  
Washington, DC 20591

9 October, 2020

Ms. Charity Weeden  
Chair  
Commercial Space Transportation Advisory Committee (COMSTAC)

Dear Charity:

Thank you for providing the recommendations put forth by COMSTAC during the September 2020 meeting. I commend you and the members of the Committee for prioritizing many of the critical issues facing the U.S. commercial space transportation industry. The FAA is very appreciative of the time and expertise that the COMSTAC members contribute on behalf of the industry and I am personally eager to engage with the group on a regular basis.

Enclosed please find AST's responses to the recommendations submitted during the meeting. I look forward to future discussions on the progress being made in each of the issues identified and toward the continued development of a long term and sustainable work program.

Thank you again.

Sincerely,

James A. Hatt  
Designated Federal Official  
Commercial Space Transportation Advisory Committee (COMSTAC)

Enclosure

## FAA Response to COMSTAC Recommendations: Fall 2020

Innovation and Infrastructure Working Group	AST Response
<p><b>Recommendation:</b> The Innovation and Infrastructure Working Group (IIWG) recommends the U.S. government create a federal program for funding improvements at spaceports.</p>	<p>FAA/AST acknowledges this recommendation. FAA/AST is considering a similar proposal under the Office of Spaceports. However, FAA/AST will inform the FAA Administrator and DOT Secretary that the commercial space industry made this recommendation. Additionally, FAA/AST looks forward to COMSTAC further developing the idea and proposing specific legislative language to be published in a future final recommendation to the FAA.</p>

Safety Working Group	AST Response
<p><b>Recommendation:</b> FAA form a Commercial Spaceflight Safety Space Rulemaking Committee (SRC) to focus industry efforts on voluntary standards development, help the space community apply relevant lessons learned, and inform future regulations on commercial spaceflight in general as well as human spaceflight.</p>	<p>FAA/AST acknowledges and partially accepts this recommendation. Voluntary consensus standards development is a high priority for the FAA, but an Aerospace Rulemaking Committee (AsRC) is not suited for this task. Instead, voluntary consensus standards are best developed by industry-led organizations rather than via an FAA-managed AsRC For government standards or means of compliance developed by a consensus standards body, the FAA will provide public notice of those accepted means of compliance that it determines satisfy the corresponding regulatory requirement. Once a means of compliance is accepted by the FAA, it may be used to demonstrate compliance with the corresponding regulatory requirement. An updated Means of Compliance Table will be made available on the website and updated as additional means of compliance are accepted by the FAA.</p> <p>FAA/AST seeks COMSTAC’s input on the development of a future lessons-learned database which will be used by FAA/AST to inform industry stakeholders. FAA supports the establishment of an Aerospace Rulemaking Committee (AsRC) to inform future rulemaking (see FAA/AST’s response to the Regulatory Working Group’s recommendation below).</p>
<p><b>Recommendation:</b> FAA retain a systems engineering and technical assistance organization (e.g., MITRE, Aerospace Corporation) as soon as possible to conduct the CSLCA-required independent review on readiness for an evolved commercial human spaceflight safety framework.</p>	<p>FAA/AST accepts this recommendation as assigned by the CSLCA<sup>1</sup>: FAA/AST will contract with an FFRDC as soon as possible to accomplish this independent analysis.</p>
<p><b>Recommendation:</b> FAA develop a reportable incident database with the goal to provide public access for certain safety-critical data, based initially on the required informed consent process.</p>	<p>FAA/AST accepts these recommendations and acknowledges establishing a reportable incident database for the commercial space transportation industry is important. FAA/AST has begun exploring how to implement a reportable incident database. FAA/AST will continue to seek</p>
<p><b>Recommendations:</b></p>	<p>COMSTAC’s recommendations on what safety</p>

<sup>1</sup> No later than December 31, 2022 the Secretary of Transportation shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology of the House of Representatives, an independent assessment of the readiness of the commercial space industry and the Federal Government to transition to a [human spaceflight] safety framework that may include regulations.

<ul style="list-style-type: none"> <li>• That FAA plan for implementation of an industry-wide voluntary space safety reporting system based on the ASAP program, and provide guidance to industry on development of internal reporting systems that will interface with the industry-wide system.</li> <li>• That FAA AST supports industry development of a voluntary safety reporting system.</li> </ul>	<p>critical data should be included in this database.</p>
<p><b>Recommendation:</b> FAA and COMSTAC continue to support the ASTM International Committee on Commercial Spaceflight as the technical standards organization responsible for development of US commercial industry consensus standards.</p>	<p>FAA/AST acknowledges this recommendation and is aware of ASTM's standards development efforts. FAA/AST supports not only ASTM's efforts in this area but the efforts of all standards organizations to develop safety standards for the commercial space transportation industry.</p>

Regulatory Working Group	AST Response
<p><b>Recommendation:</b> DOT should utilize new (2018 FAA Reauth.) statutory authority to immediately create [an] Aerospace Rulemaking Committee (AsRC) limited to space industry to help AST implement and build on SLRLR rulemaking by:</p> <ul style="list-style-type: none"> <li>• Reviewing final rule and prioritizing any truly urgent problems that might “break the licensing process”</li> <li>• Assist in developing/reviewing several advisory circulars to accompany and simplify compliance with Part 450</li> <li>• Draft consensus improvements to Part 450 that help realize fullest possible streamlining per SPD-2 (within similar scope)</li> <li>• Ideally this AsRC will be set up before/with publication of final Part 450 rule.</li> </ul>	<p>FAA/AST acknowledges this recommendation. Furthermore, we recognize the commercial space transportation industry’s request for DOT to immediately establish an AsRC with participation limited to the space industry. FAA/AST will explore the use this new statutory authority to gather public input on potential refinements to the Final Part 450 Rule, associated advisory circulars, and for future rulemakings. Furthermore, FAA plans to publish all advisory circulars with a public comment period per E.O. 13891, DOT Final Rule on Guidance published in the Federal Register on December 27, 2019, and FAA Order 3020-46B on advisory circulars.</p>