

Congress of the United States

House of Representatives

COMMITTEE ON SCIENCE, SPACE, AND TECHNOLOGY

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November 18, 2021

The Honorable Jennifer L. Homendy
Chair
National Transportation Safety Board
490 L'Enfant Plaza, SW
Washington, DC 20594

Dear Ms. Homendy:

We write you to seek information regarding the National Transportation Safety Board's (NTSB) recent Notice of Proposed Rule Making (NPRM) on Commercial Space Investigations.¹ NTSB's attempts to expand its authority would alter the long-standing commercial space accident investigation process and significantly impact the commercial space launch industry, U.S. economic competitiveness, scientific discovery, space exploration, international cooperation, national security, and safety. The expansion of authorities, alteration of processes and policies, and the codification of procedures require appropriate oversight, coordination, review, deliberation, and approval.

The House Committee on Science, Space, and Technology is committed to ensuring the continued growth and safety of the commercial space industry. Our Committee has a long history of legislation related to, and oversight of, space activities. Additionally, we have jurisdiction over “[o]uter space, including exploration and **control thereof**” (emphasis added).² The Committee was established in response to the Soviet launch of Sputnik, and wrote not only the Space Act which established the National Aeronautics and Space Administration (NASA), but also the Commercial Space Launch Act that established commercial launch activities. Commercial space activities fall firmly within our jurisdiction, and our Space and Aeronautics Subcommittee has broad oversight over the following:

“All matters relating to astronomical and aeronautical research and development; **national space policy**, including access to space; suborbital access and applications; National Aeronautics and Space Administration and its contractor and government-operated labs; **space commercialization**, including commercial space activities relating to the Department of Transportation and the Department of Commerce; exploration and **use of outer space; international space**

¹ <https://www.federalregister.gov/documents/2021/11/16/2021-24766/commercial-space-investigations>

² Rules of the House of Representatives, One Hundred Seventeenth Congress, February 2, 2021; Rule X(1)(p).
<https://rules.house.gov/sites/democrats.rules.house.gov/files/117-House-Rules-Clerk.pdf>

cooperation; the National Space Council; space applications, space communications and related matters; Earth remote sensing policy; civil aviation research, development, and demonstration; research, development, and demonstration programs of the Federal Aviation Administration; **space law;** other appropriate matters as referred by the Chair; and relevant oversight” (emphasis added).³

So that we can better understand NTSB’s attempts to expand its authorities and evaluate the impact this might have on the success and safety of U.S. commercial space activities, we are requesting the following information:

- 1) All documents and communications (as defined by attachment A) related to the development, drafting, and publishing of NTSB’s NPRM titled “Commercial Space Investigations” in the Federal Register on Tuesday, November 16, 2021.
- 2) All documents and communications related to the memorandum titled “SUBJECT: THE NATIONAL TRANSPORTATION SAFETY BOARD’S AUTHORITY TO INVESTIGATE COMMERCIAL SPACE LAUNCH ACCIDENTS” dated July 1, 2015.

Please provide two copies of all documents and communications (one for the Majority and one for the Minority) by December 3, 2022. Please contact Mr. Tom Hammond of the Committee minority staff at 202-225-6371 with any questions related to this inquiry.

Thank you for your consideration of this matter. We are sure we share the same goals of ensuring safety and U.S. economic competitiveness and leadership in space. As the Board considers future actions related space investigations, please avail yourselves to the Committee and its staff. This would ensure that procedural measures such as the Congressional Review Act are not necessary.

Sincerely,



Frank Lucas
Ranking Member



Brian Babin
Ranking Member
Space and Aeronautics
Subcommittee

³ Rules of the Committee on Science, Space, and Technology, U.S. House of Representatives, One Hundred Seventeenth Congress. Rule VI(b)(4). <https://science.house.gov/imo/media/doc/117th%20Rules%20Final2.pdf>