

Congress of the United States

House of Representatives

COMMITTEE ON SCIENCE, SPACE, AND TECHNOLOGY

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June 16, 2021

The Honorable Peter Buttigieg
Secretary
U.S. Department of Transportation
1200 New Jersey Ave., S.E.
Washington, DC 20590

Dear Secretary Buttigieg:

I look forward to working with you in your new role as Secretary of the Department of Transportation. The Department plays an important role in enabling American leadership in innovative industries like commercial space launch. Coordination with the Committee on Science, Space, and Technology will ensure that this leadership is maintained throughout your tenure.

In 1984, leadership of the House, Science, Space, and Technology Committee drafted the Commercial Space Launch Act, which authorized the Secretary of Transportation to license private sector launch operations. No other House Committee received a referral to this seminal legislation. Similarly, the Commercial Space Act of 1998, the Commercial Space Launch Amendments Act of 2004, and the U.S. Commercial Space Launch Competitiveness Act of 2015 were drafted by committee leadership and solely referred to the committee.

While America's commercial space launch industry has demonstrated robust, safe, and reliable capabilities and services for several decades, leadership in the future will depend on innovation, adaptation, and evolution. That is why Congress tasked the Department with the dual roles of both regulating and promoting the industry. It is also why Congress limited the Department's authority to protecting the uninvolved public, and why it mandated a learning period before promulgation of spaceflight participant regulations.

Independent advisory bodies have consistently recognized that space launch is an inherently risky endeavor. The *Columbia* Accident Investigation Board found that "...all human spaceflight must be viewed as a developmental activity. It is still far from a routine, operational undertaking." While great strides have been made over the years, and the commercial launch of payloads may appear to be increasingly more routine, the commercial human spaceflight industry is still in its infancy. Additional regulation at this point would stifle innovation, export technology, talent, and tax dollars overseas, and undermine American leadership in space.

The Federal Aviation Administration's Office of Commercial Space Transportation (AST), established pursuant to the Commercial Space Launch Act, appropriately balances the goals of protecting the uninvolved public and ensuring the vibrancy of the U.S. commercial launch industry. AST has sufficient authority to fulfill its statutory direction to license and permit launches and reentries without the need for expanded regulations or the implementation of more draconian oversight requirements on license and permit holders. AST's compliance monitoring and enforcement is designed to modify behavior to comply with federal safety regulations. AST also has various enforcement tools available to ensure satisfactory public safety results. Most notably, AST has the authority to prohibit future launches. Recent actions by AST and licensees demonstrate the sufficiency of existing compliance and enforcement tools.

As the Committee on Science, Space, and Technology considers future commercial space legislation and any potential policy changes to the Department's authorities, rules, or regulations, we urge you to work closely with our committee and commercial space stakeholders to maintain global leadership of the U.S. space industry.

The committee has a long history of conducting thorough oversight of AST and the industry to ensure the safety of the uninvolved public and sustained American leadership. Your assistance with the committee's efforts will guarantee that our nation remains the leader in commercial space launch operations. I hope you share these goals and will partner with the committee throughout your tenure as Secretary.

Sincerely,



Rep. Frank Lucas
Ranking Member



Rep. Brian Babin
Ranking Member
Subcommittee on Space
and Aeronautics

CC: Rep. Eddie Bernice Johnson
Chairwoman

Rep. Don Beyer
Chairman
Subcommittee on Space
And Aeronautics

