

**STATEMENT OF
RANKING MEMBER DONNA F. EDWARDS
SUBCOMMITTEE ON SPACE**

NOVEMBER 20, 2013

“COMMERCIAL SPACE”

Thank you, Mr. Chairman, for holding today’s hearing on “Commercial Space”, and welcome to our witnesses. In particular, I know that we will be hearing from Representative McCarthy, and I look forward to hearing his perspectives.

Now, before I go any further, I’d like to congratulate NASA, and particularly NASA Goddard Space Flight Center near my District, as well as the University of Colorado Boulder, the University of California Berkeley, Lockheed Martin, the Jet Propulsion Laboratory, the United Launch Alliance, and all those involved, on the successful launch of the Mars Atmosphere and Volatile Evolution (MAVEN) mission. While not strictly a “commercial” mission per se, it takes a dedicated team including government, the private sector, and academia to accomplish challenging missions such as MAVEN.

In fact, MAVEN, and its commercial partners, serves as an important reminder that over 80 percent of NASA’s entire budget is and has been paid to commercial entities for products and services. And many of the commercial space activities that are being discussed today, as well as others, have and continue to rely on taxpayer investments, NASA expertise and experience, and NASA infrastructure.

In addition, an important factor in the initiation of new commercial space businesses is that NASA-developed technologies have matured to a point that the private sector can begin to seek commercial uses for them. So while I’m as excited as anyone about the potential for growth in commercial space, whether it’s in the satellite industry and services, commercial cargo transportation, and commercial reusable suborbital and orbital human spaceflight—oh, and I want to be one of those private passengers—I don’t want to perpetuate the misconception that these are purely “commercial” endeavors.

There are significant taxpayer dollars associated with these “commercial” activities and there is much at stake for the Government in the successful execution of these programs. As a result, we in Congress need to carry out the oversight that

is required to protect the taxpayers' investments and the Government's contributions to these efforts.

Yet another important Government role in commercial space is in establishing regulations to ensure that commercial space programs are carried out safely and that the uninvolved public is not harmed, should an accident occur. In that regard, Congress has, over the past two decades, enacted provisions to support a shared government-industry third-party liability regime for commercial space launches. These provisions expire at the end of this year. And I know that many commercial space entities have an interest in the government-industry liability regime for commercial space launch, since that regime is active for any commercial FAA-licensed launch. That is the reason I am puzzled, Mr. Chairman, as to why this hearing is not focused on the pressing legislative issue of commercial space launch indemnification.

Furthermore, the legislation that is being discussed today, H.R. 3038—the SOARS Act—appears to deal with a number of FAA-related aviation and space regulatory issues, yet FAA is not represented here today. And I'm not aware that any of the witnesses who will testify are regulatory experts or can discuss the details of how this legislation would be implemented in practice or what the cost of its implementation would be.

Mr. Chairman, my criticism should not be misconstrued. I share in the excitement and promise of the commercial space activities being discussed today and of the many innovative ideas and strengths that commercial enterprises bring to our nation's space activities. I stand ready to work with you, Mr. Chairman, through future hearings, to examine the whole range of issues associated with commercial space. These include, at a minimum, how to ensure the safety of human spaceflight participants; whether the existing shared-risk third-party liability regime requires adjustments; and how commercial space accidents will be investigated. And, given the looming expiration of the commercial space launch indemnification provisions, I am pleased to join Chairman Smith, Ranking Member Johnson, and Space Subcommittee Chairman Palazzo in introducing a clean one-year extension of the provisions.

I hope that we can move the bill quickly to the floor after the Thanksgiving break so that we can ensure that commercial space launches have continued access to the existing protections while this Committee conducts the necessary oversight of the issues associated with a longer-term extension.

Thank you and I yield back the balance of my time.