



January 18, 2022

Ms. Kathleen Silbaugh
Office of General Counsel
National Transportation Safety Board
490 L'Enfant Plaza East, SW
Washington, DC 20594

Re: Docket No. NTSB-2021-0008, Commercial Space Investigations

Dear Ms. Silbaugh,

The Aerospace Industries Association (AIA) represents over 300 companies across the aerospace industry, including FAA-licensed launch and human spaceflight operators, systems manufacturers, and suppliers. Safety is paramount to our members' spaceflight activities. AIA appreciates the NTSB's contributions to spaceflight safety and agrees an examination and clarification of its interagency memorandum with the FAA and the Air Force could be warranted given significant passage of time since its enactment. However, AIA requests further consideration of the proposed regulations by the NTSB given existing FAA and NASA statutory and regulatory requirements.

For example, the FAA requires the establishment of mishap investigation plans and provides a specific notification process for mishaps involving a fatality or serious injury. The current interagency memorandum process could benefit from aligning with the FAA's 2020 updates to those requirements. The NTSB should similarly align with these requirements and limit the creation of a duplicative or more expansive set of requirements than the established license process. Further, existing statutory requirements require the establishment of a Presidential Commission to investigate a fatality or total loss of vehicle on an FAA-licensed mission under contract with the Federal Government. See 51 U.S.C. 70702. NASA has proposed legislative changes to this requirement given the development of FAA-licensed missions for NASA as a customer.

Given these factors, AIA requests the NTSB to consider a supplemental NPRM following consideration of the comments received to this notice and to conduct further analysis to ensure regulations, if any, are harmonized with existing FAA and NASA requirements before proceeding.

AIA appreciates the opportunity to comment on this important matter and looks forward to our continued engagement with the NTSB.

Sincerely,

A handwritten signature in black ink that reads "Michael J. French". The signature is written in a cursive style with a large, stylized "M" and "F".

Michael J. French
Vice President, Space Systems