



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL EARTH SATELLITE SERVICE
Washington, D.C. 20233

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Dr. Victor H. Reis
Assistant Director
Office of Science and Technology Policy
Executive Office of the President
Washington, D. C. 20500

Dear Vic,

Enclosed are what I believe to be NOAA's views on the national space policy issues. Included as an enclosure is a detailed review of the three previous space policy directives, PD/NSC-37, PD/NSC-42, and PD/NSC-54. Section I of the enclosure discusses the unclassified policy statements and Section II (classified SECRET) discusses classified policy statements. I have not staffed this material through to the Administrator of NOAA.

In general, we concur with most of the policy statements included in the three previous documents. However, we believe that the following issues should be considered in developing any new space policy directive.


1. Policies with respect to all aspects of the commercialization of space activities need to be examined more fully. Certain aspects of the commercialization issue (e.g., those involving the civil land remote sensing system) are currently being studied by the Cabinet Council for Commerce and Trade and recommendations will be forthcoming. However, private sector commercial involvement in other areas of space activities, such as commercial sensors flown on the Shuttle, materials processing in space, and commercial launch services should also be examined.
2. Policies concerning the availability of data acquired by remote sensing from space need to be developed. NOAA supports the principle of non-discriminatory dissemination of data from government civil satellites. However, questions arise as to how this principle can or should be applied to private sector activities. In particular, the way in which a United States commercial sensor is launched, i.e., by U.S. government launch vehicle, private launch vehicle or a foreign government launch vehicle, poses differing problems for ensuring non-discriminatory dissemination.
3. NOAA has a general concern with respect to both Federal and commercial use of launch services. The cost of Federal launch services is projected to increase rapidly over the next several years. In order to stimulate the maximum use of space, the government should consider the lowest cost solutions which are in the national interest. It may be that expendable launch vehicles (ELV's) will be the least costly for smaller payloads operating from the Western Test Range and/or where launch call-up requirements are short.



4. The private sector is now developing launch capabilities which over time may be competitive with government launch services. Accordingly, the space policy should address all launch options for government payloads, public and private, and articulate national policy with respect to the options.
5. Policies with respect to private domestic rocket launches and private use of foreign launch services also should be established. Under the 1967 Outer Space Treaty and the 1973 Liability Convention, the U.S. government is absolutely liable to other States and their citizens for any damage caused by a space object launched from its territory or launched abroad regardless if owned by private enterprise. The U.S. government should ensure that the public does not have to incur financial liability for damage caused by private enterprise. For private domestic launches, the U.S. must consider the health and safety risks to its citizenry from unsafe launches.

We appreciate the opportunity to provide you with our input and stand ready to assist you in any way we can.

Sincerely yours,


David S. Johnson
Assistant Administrator
for Satellites

Enclosures (2)

SECTION I

National Space Policy Implications

for

NOAA

of

PD/NSC -37, -42, -54

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National Space Policy Implications

for

NOAA

of

PD/NSC-54

(November 16, 1979)

Policy Statement 2: Land Programs. The National Oceanic and Atmospheric Administration (NOAA) of the Department of Commerce is assigned the management responsibility for civil operational land remote sensing activities in addition to its ongoing atmospheric and oceanic responsibilities. Initially, the operational land remote sensing system from space will be based on LANDSAT technology. Commerce's initial responsibilities--in coordination with other appropriate agencies--will be to develop a time-phased transition plan covering: (1) a Program Board (discussed below); (2) organization for management and regulation; (3) system financing including pricing policies for the users sharing of costs; (4) technical programs; (5) establishment of private and international participation; (6) identification of facilities (including the EROS data center), hardware, and personnel that should be transferred; and (7) identification of actions such as executive orders and legislation required. Commerce will submit to OMB a preliminary implementation plan by December 15, 1979, covering any required FY 1981 budget adjustments and a final transition plan by June 1, 1980. (U)

NOAA Position: The Department of Commerce completed the transition plan entitled "Transition Plan for Civil Operational Land Remote Sensing from Space (June 1980)."

In addition, the Department has constituted a Landsat Program Board, held two rounds of public meetings with all sectors of the user community, developed a working agreement with the EROS data center, produced draft Landsat legislation and is now staffing a Landsat Remote Sensing Satellite Advisory Committee and working with NASA on preparations for the operational takeover of the Landsat D system.

Policy Statement 2.a: Federal Management Mechanism. Commerce will establish and chair a Program Board for continuing federal coordination and regulation with representatives from the involved federal organizations (e.g., Defense, Interior, Agriculture, Transportation, Energy, State, NASA, CIA, AID, EPA, and EOP). Organizations such as the National Governors' Association and National Conference of State Legislatures will be asked to participate as necessary. The Board will forward recommendations on unresolved policy issues to the Policy Review Committee (Space) for consideration and action. (U)

NOAA Position: Commerce has established and chairs a Landsat Program Board with the appropriate Federal agency membership. This management mechanism is proceeding as planned. Organizations such as the National Governor's Association and National Conference of State Legislatures are being included on a 15-member Land Remote Sensing Satellite Advisory Committee, reporting to the Secretary of Commerce.

Policy Statement 2.b: Private Sector Involvement. Our goal is the eventual operation by the private sector of our civil land remote sensing activities. Commerce will budget for further work in FY 1981 to seek ways to enhance private sector opportunities (e.g., joint venture with industry, a quasi-government corporation, leasing, etc.). Commerce will be the contact for private industry on this matter and with the Program Board will analyze any proposals received prior to submitting policy issues to the Policy Review Committee (Space) for consideration and action. (U)

NOAA Position: NOAA concurs with the goal of eventual operation of civil land remote sensing activities by the private sector. Consistent with ensuring a continued supply of data to the Federal users and promoting a revenue climate conducive to private sector assumption of civil land remote sensing from space, NOAA supports the principle of transfer to the private sector at the earliest feasible time.

Policy Statement 2.c: International Participation. The United States will generally support non-discriminatory direct readout to foreign ground stations to continue our present policy and to provide data to foreign users under specified conditions. Pricing policies must be developed that are consistent for foreign and domestic users. We will promote development of complementary nationally operated satellite systems so as to limit U.S. program costs, but protect against unwarranted technology transfer. (U)

NOAA Position: NOAA concurs with the policy of non-discriminatory direct readout to foreign ground stations. This is a continuation of the policy established early in the Landsat program and that which is currently followed by NASA. We also concur with the policy of providing specified data to foreign users per their requests.

NOAA is in the process of developing pricing policies which are in keeping with our national policy and which are consistent for both foreign and domestic users.

Policy Statement 3: Weather Programs. Defense and Commerce will maintain and coordinate dual polar orbiting meteorological programs. We will continue procurement of current satellite systems with Defense and Commerce each operating separate satellites to meet the differing needs of the military and civil sectors. When any new polar orbiting satellites are justified they will be jointly developed and procured by Defense, Commerce and NASA to maximize technology-sharing and to minimize cost. An appropriate coordination mechanism will be established to assure effective cooperation and to prevent duplication. (U)

NOAA Position: NOAA supports the policy of separate civil (DOC) and military (DOD) polar orbiting meteorological satellite programs. NOAA believes that the requirement to have an "open" civil system which will allow foreign participation such as the TIROS/NOAA system (ARGOS-France and SSU-U.K.) is in keeping with the U.S. policy on the peaceful uses of space.

NOAA also concurs with the policy of joint development and procurement of any new polar orbiting satellites with DOC, DOD and NASA. Several coordinating mechanisms have been established to assure effective cooperation and to prevent duplication. These mechanisms include:

1. POOMSCOB - Polar Orbiting Meteorological Satellite Coordinating Board

This board includes members from DOC, DOD and NASA.

2. DNSPRB - DOC/NASA Satellite Program Review Board

Includes members from DOC and NASA only.

3. SC/OES - Subcommittee on Operational Environmental Satellites

This includes members from DOC/NOAA, NASA and DOD. It is a subcommittee of the Federal Coordinator for Meteorological Services and Supporting Research.

Policy Statement 4: Ocean Programs. If a decision is made to develop oceanographic satellites, joint Defense/Commerce/NASA development, acquisition and management will be pursued. A Committee will be established, with the above representation expanded to include State, CIA, and NSF. The Committee will forward recommendations on policy issues to the Policy Review Committee (Space) for consideration and action. (U)

NOAA Position: NOAA concurs with the policy of joint DOD/DOC/NASA development, acquisition, and management of new oceanographic satellites such as the previously proposed NOSS. However, since the cancellation of the NOSS program and in view of current budget conditions, it is more likely that the oceanographic data requirements will be met by adding appropriate ocean-related instruments to existing polar orbiting spacecraft buses such as TIROS/NOAA and DMSP. Thus, NOAA believes that the policy of cooperation and coordination regarding oceanographic remote sensing that was initiated among NASA, DOC/NOAA, and DOD/Navy with the NOSS program should be continued in future planning for oceanographic remote sensing. In these times of fiscal restraint, the utilization of existing spacecraft buses and ground command and control systems will more likely enable the flight of ocean dedicated instruments in operational configurations.

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