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# AEROSPACE

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Space security debates continued in the international fora. Russia and China's draft Treaty on the Prevention on the Placement of Weapons in Space remained tabled at the deadlocked United Nations Conference on Disarmament. In July, the European Union invited more than 100 countries to negotiate the terms of a draft **International Code of Conduct on Outer Space Activities**. The meeting was convened at the United Nations headquarters in New York. The discussions quickly bogged down and were reclassified by its chair as a "consultation" after a number of attendees took issue with rules of procedure and forum, and whether there was any mandate for negotiation. The meeting ended with the diplomats agreeing to disagree, politely squabbling about the forum and issues to be discussed.

In January, **SpaceX dropped a lawsuit** it filed in 2014 against the U.S. Air Force after the service awarded a sole-source contract to United Launch Alliance to boost military payloads. SpaceX had argued that the award should have been competitively bid. The company dropped the suit after the Air Force agreed to help complete the military certification of SpaceX's launch vehicles and open future launches to competitive bids.

In July, the NTSB issued its findings on the October 2014 in-flight breakup of **Virgin Galactic's SpaceShipTwo**. Investigators concluded that co-pilot Michael Alsbury, who died in the accident, prematurely unlocked the craft's feathering system, which moves the craft's tail wings in order to slow the craft for its return.

Drones continued to make headlines. While some commercial entities sought public-relations advantage with campaigns built around the technology, numerous commercial passenger, cargo, police, fire and rescue pilots have begun to complain about in-air incidents and near-misses at an exponentially increasing rate, with concerns growing about interference with safe aircraft operations. Some fire-fighting operations have been suspended due to the interference. The FAA proposed

new rules for small unmanned aerial systems, which would allow for routine use of craft during daylight hours within line of sight of the operator. Then in May, **FAA Administrator Michael Huerta** indicated that the agency was considering proposing rules that would allow for beyond-line-of-sight operation of drones in the national airspace. The FAA has continued to grant Section 333 exemptions on a case-by-case basis allowing a variety of commercial operations in U.S. airspace. In early August, it announced that more than 1,000 exemptions had been issued.

In the commercial space sector, a broader discussion unfolded this year regarding governmental authorization of commercial space activities. This was precipitated by a December 2014 determination by the FAA informing Bigelow Aerospace that the agency would work

## Wrangling over space security

by P.J. Blount and Christopher M. Hearsey

*The Legal Aspects Technical Committee fosters an understanding of legal areas unique to aerospace.*



University of Mississippi students address the panel at the Manfred Lachs Space Law Moot Court Competition in Washington, D.C. Space security has proven to be a contentious issue at the United Nations.

to protect private sector assets on the moon and provide a safe environment for **Bigelow** and other companies to operate without fear of harmful interference from authorized entities. The determination was issued in response to a "payload review request" made by Bigelow Aerospace related to its plans to place a space habitat system on the moon. Subsequently, the FAA's Commercial Space Transportation Advisory Committee endorsed the FAA's role in helping to define a zone of non-interference for commercial space operators.