

SYMPOSIUM ON COMMERCIAL SPACEFLIGHT SAFETY ISSUES (D6)
Enabling safe commercial spaceflight: vehicles and spaceports (3)

Author: Ms. Therese Jones
RAND, United States

Mr. Ken Davidian
Federal Aviation Administration Office of Commercial Space Transportation (FAA/AST), United States

PROMOTION VS. SAFETY IN U.S. REGULATORY AGENCIES: LOOKING TO THE PAST TO
ENVISION FAA AST'S FUTURE ROLE TO ENCOURAGE, FACILITATE, AND PROMOTE
COMMERCIAL SPACE

Abstract

The Federal Aviation Administration's Office of Commercial Space Transportation (FAA AST) was established in 1984 with dual and arguably competing mandates to both regulate and promote commercial spaceflight. AST is not alone in this potential conflict of mission; approximately two dozen U.S. federal agencies currently have similar dual regulatory/promotional mandates. Historically, many government agencies with such dual mandates have eventually either eliminated their promotional mission or divided into two separate federal agencies focused on either promotion or regulation; the FAA as a wider agency lost its promotional mandate in 1996, and the Atomic Energy Commission's promotional role was given to the Department of Energy, while its regulatory role was placed under the authority of the newly created Nuclear Regulatory Commission in 1975. While many examples of dual mandates of federal regulatory agencies exist, scarce literature discusses the impact of potentially conflicting mandates across federal agencies, or how such mandates evolve alongside both organizational change and the state of the industry. In this paper, we characterize the dual and potentially conflicting regulatory and promotional missions of both present and historical federal agencies, and perform a comparative analysis to inform a discussion of the future of AST. We evaluate how the balance of promotional and regulatory functions has changed over time in these agencies, and how these agencies interact with their industrial counterparts. In addition, we look at the calls for change in regulatory/promotional authority to determine what agency characteristics are more or less aligned with the viability of a dual mandate; for instance, agencies that are primarily focused on financial transactions may have less of a perceived conflict than agencies whose regulatory functions are primarily to protect human lives. Based on the evolution of other federal agencies with dual missions, we speculate several possible futures of AST agency structure that may lessen any conflict between its promotional and regulatory roles.