

# United States Senate

WASHINGTON, DC 20510

September 5, 2013

The Honorable Charles Bolden  
Administrator  
National Aeronautics and Space Administration  
300 E Street, SW  
Washington, DC 20546

Dear Administrator Bolden:

We write to you with concerns about plans to lease Kennedy Space Center's Launch Complex 39A (LC-39A) exclusively to one company. This strategic asset is vital to NASA's mission, and we urge you to reconsider the current path.

We are concerned about not only leasing the pad to one user but also about the terms of the lease. The taxpayers have invested nearly \$1 billion into LC-39A, yet the lease requires only minimal costs to be borne by the selected company, clearly not a fiscally responsible way to handle such a vital public asset.

Aside from the serious fiscal concerns, blocking use of the pad to all but one company would essentially give that company a monopoly, stifling competition in space launches and therefore raising costs. An exclusive lease would provide a major advantage to one company in bidding for international launches, which as you know are planned many years in advance. Even a supposedly "short" five-year lease would advantage the selected company greatly.

The Announcement for Proposals (AFP) leaves many unresolved questions. We focus here on the actual use of the pad. The AFP contains very vague language on termination but with no benchmarks or requirements for the tenant to prepare to conduct an actual launch or to specific, date-connected goals for site preparation. Will NASA require the potential tenant to face financial penalties for failing to prepare for an actual launch, especially given that other potential users would be excluded from using LC-39A? What will be required for the chosen tenant to show the financial capability, without taxpayer support, to complete any launches? And will NASA reserve the right to reopen the lease facility if milestones are not met by a specific date?

Please provide the rationale for how an exclusive user approach would make the fullest commercial use of LC 39A as required in the AFP and how this would most benefit the Nation, the SLS program, and the promotion of commercial spaceflight. Also, please explain why Pad

LC39-A's annual maintenance cost of \$1.2 million has become such an urgent matter when the potential economic impact of multiple users on this pad would greatly exceed that cost.

Finally, regarding NASA's Space Launch System (SLS), giving exclusive use of LC-39A to one company would mean there would be no backup pad for SLS. Reserving LC-39A to one entity only could result in fewer launches at a critical time for our national space priorities for both private and NASA launches.

We look forward to your providing answers to our questions before the awarding of any lease, and we strongly urge you to consider withdrawing this AFP and issuing instead one which requires any leaseholder to allow additional companies to use LC-39A. Thank you for your attention to this important matter.

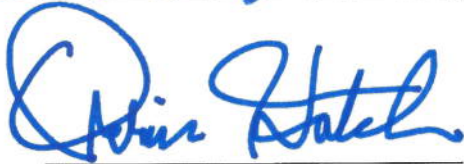
Sincerely,

  
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