



November 23, 2009

Mr. Martin J. Stanford  
Deputy Secretary-General  
International Institute for the Unification of Private Law (UNIDROIT)  
Via Panisperna 28  
00184 Rome, Italy

*Via e-mail at: [mjstanford@unidroit.org](mailto:mjstanford@unidroit.org)*

Re: Proposed Draft Space Assets Protocol to the Cape Town Convention

Dear Mr. Stanford:

Thank you for your letter of November 6, 2009. For the reasons stated in our letter dated November 3, 2009, the Satellite Industry Association (SIA)<sup>1</sup> firmly opposes the creation of a Space Assets Protocol. After extensive consultation and internal discussion, we have concluded that there is simply no need for such a Protocol. Moreover, the Protocol's adoption may have negative and costly consequences on our members and the U.S. and international satellite industry in general.

You have asked us to enumerate areas where the draft Protocol is deficient. Such expressions of concern have been conveyed several times over the past years and, as a group, we now have concluded that both the text and the construct of the draft Protocol are incurable. Despite the many years exploring this project, we believe that the Protocol fails to achieve its goal of commercial viability. As stated in our previous letter, we remain convinced that the Protocol risks actually deterring the ability of the satellite industry to secure necessary financing by creating conflicts with existing law and by adding an unnecessary layer of administrative burden.

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<sup>1</sup> SIA is a consensus-based trade association which serves as the unified voice of the U.S. satellite industry on policy, regulatory, and legislative issues affecting the satellite business. SIA represents the leading global satellite operators, service providers, manufacturers, launch services providers, integrators, ground equipment suppliers, and satellite radio and television. SIA Executive Members include: Arrowhead Global Solutions, Inc.; Artel Inc.; The Boeing Company; DataPath, Inc.; The DIRECTV Group; Hughes Network Systems LLC; ICO Global Communications; Integral Systems, Inc.; Intelsat, Ltd.; Iridium Satellite LLC; Lockheed Martin Corp.; Loral Space & Communications Inc.; Mobile Satellite Ventures LP; Northrop Grumman Corporation; SES Americom, Inc.; and TerreStar Networks Inc. Associate Members include: ATK Inc.; Comtech EF Data Corp.; EchoStar Corporation; EMC Inc.; Eutelsat Inc.; Inmarsat Inc.; Marshall Communications Corp.; New Skies Satellites, Inc.; Spacecom Ltd.; Spacenet Inc.; Stratos Global Corp.; SWE-DISH Satellite Systems; Telesat Corp., XTAR, LLC and WildBlue Communications, Inc.

Again, we urge you to reevaluate the need for the Protocol, consider its potential deleterious effect on the satellite industry worldwide, and stop all efforts to create the Protocol.

With Regards,

A handwritten signature in black ink that reads "Patricia Cooper". The signature is written in a cursive, flowing style.

Patricia Cooper  
President  
Satellite Industry Association

cc: Ambassador Philip L. Verveer  
Deputy Assistant Secretary of State and U.S. Coordinator for International  
Communications and Information Policy  
U.S. State Department

Mr. Ken Hodgkins  
Director, Office of Space and Advanced Technology  
U.S. State Department

Mr. Hal Burman  
Executive Director, Office of Legal Adviser  
U.S. State Department