



DEPUTY SECRETARY OF DEFENSE
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MEMORANDUM FOR SECRETARIES OF THE MILITARY DEPARTMENTS
CHAIRMAN OF THE JOINT CHIEFS OF STAFF
UNDER SECRETARIES OF DEFENSE
DEPUTY CHIEF MANAGEMENT OFFICER
DIRECTOR, COST ASSESSMENT AND PROGRAM
EVALUATION
DIRECTOR, OPERATIONAL TEST AND EVALUATION
GENERAL COUNSEL OF THE DEPARTMENT OF DEFENSE
INSPECTOR GENERAL OF THE DEPARTMENT OF DEFENSE
ASSISTANT SECRETARIES OF DEFENSE
ASSISTANTS TO THE SECRETARY OF DEFENSE
DIRECTOR, ADMINISTRATION AND MANAGEMENT
DIRECTOR, NET ASSESSMENT
DIRECTORS OF THE DEFENSE AGENCIES
DIRECTORS OF THE DoD FIELD ACTIVITIES

SUBJECT: Directive-Type Memorandum (DTM) 11-008, "Use of Excess Ballistic Missiles for Space Launch"

References: See Attachment 1

Purpose. This DTM establishes DoD policy, assigns responsibilities, and outlines procedures for converting excess U.S. Government (USG) ballistic missile assets to launch space payloads, in accordance with section 50134 of title 51, United States Code (U.S.C.) (Reference (a)) and National Security Presidential Directive 40 (Reference (b)). This DTM is effective upon its publication to the DoD Issuances Website; it shall be incorporated into DoD Instruction (DoDI) 3100.12 (Reference (c)). This DTM shall expire effective January 3, 2014.

Applicability. This DTM applies to OSD, the Military Departments, the Office of the Chairman of the Joint Chiefs of Staff and the Joint Staff, the Combatant Commands, the Office of the Inspector General of the Department of Defense, the Defense Agencies, the DoD Field Activities, and all other organizational entities within the DoD (hereinafter referred to collectively as the "DoD Components").

Policy. It is DoD policy to prevent the proliferation of missile technology and limit the adverse impact of the use of excess ballistic missiles on U.S. space transportation capabilities. Excess U.S. ballistic missile assets shall be converted for use as space transportation vehicles only in accordance with References (a) and (b).

- USG agencies may use an excess ballistic missile to launch a payload into orbit on a case-by-case basis, when:
 - The use of such missile results in a cost savings to the USG when compared to the cost of acquiring space transportation services from U.S. commercial providers.
 - The payload being launched supports the sponsoring agency's mission, and the modified excess ballistic missile asset meets all mission requirements, including performance, schedule, and risk requirements.
 - The use of such missile is consistent with U.S. obligations under treaties and other international agreements in accordance with DoD Directive 2060.1 (Reference (d)).
 - The use of such missile is approved by the Secretary of Defense.
- Use of excess ballistic missile assets shall be certified to the Committee on Armed Services and the Committee on Science of the House of Representatives, and to the Committee on Armed Services and the Committee on Commerce, Science, and Transportation of the Senate, at least 30 days before the planned conversion in accordance with Reference (a).
- Acquisition of space launch services using converted excess ballistic missile assets shall ensure required competition at the prime and subcontract level necessary to sustain and enhance the U.S. space launch industry base, and limit the impact on the U.S. space transportation industry. Impact on the U.S. space transportation industry shall consider the broader launch industrial base and viable established and emerging launch providers.

Responsibilities. See Attachment 2.

Procedures. See Attachment 3.

Releasability. This DTM is approved for public release and is available on the Internet from the DoD Issuances Website at <http://www.dtic.mil/whs/directives>.

A handwritten signature in black ink, appearing to read "W. R. ...".

Attachments:
As stated

ATTACHMENT 1

REFERENCES

- (a) Section 50134 of title 51, United States Code
- (b) National Security Presidential Directive-40, "U.S. Space Transportation Policy," December 21, 2004
- (c) DoD Instruction 3100.12, "Space Support," September 14, 2000
- (d) DoD Directive 2060.1, "Implementation of, and Compliance with, Arms Control Agreements," January 9, 2001
- (e) DoD Instruction 5025.01, "DoD Directives Program," October 28, 2007
- (f) Committee on National Security Systems Policy-12, "National Information Assurance Policy for Space Systems Used to Support National Security Missions," March 20, 2007
- (g) Section 2304 of title 10, United States Code

ATTACHMENT 2

RESPONSIBILITIES

1. UNDER SECRETARY OF DEFENSE FOR POLICY (USD(P)). The USD(P) shall:
 - a. Develop, coordinate, and establish policy, in accordance with DoDI 5025.01 (Reference (e)), for matters regarding conversion of excess ballistic missile assets for space launch and oversee DoD implementation of References (a) and (b).
 - b. Coordinate requests for the proposed conversion of excess ballistic missile assets to launch space payloads with the Under Secretary of Defense for Acquisition, Technology, and Logistics (USD(AT&L)), Assistant Secretary of Defense for Networks and Information Integration/DoD Chief Information Officer (ASD(NII)/DoD CIO), General Counsel of the DoD (GC, DoD), the Chairman of the Joint Chiefs of Staff, and, as appropriate, the Secretaries of the Military Departments.
 - c. Forward coordinated requests to use excess ballistic missiles for space launches to the Secretary of Defense.
 - d. For requests to launch non-DoD payloads using excess ballistic missiles that are approved by the Secretary of Defense, coordinate with the Assistant Secretary of Defense for Legislative Affairs (ASD(LA)) and the requesting agency to ensure appropriate notification to the Committee on Armed Services and the Committee on Science of the House of Representatives, and to the Committee on Armed Services and the Committee on Commerce, Science, and Transportation of the Senate, at least 30 days prior to the planned conversion in accordance with Reference (a).
2. USD(AT&L). The USD(AT&L) shall review and coordinate on requests for proposed use of excess ballistic missiles to launch space payloads to ensure that such requests:
 - a. Are consistent with international treaty obligations in accordance with Reference (d).
 - b. Contain valid cost comparison data to justify cost savings to the USG when compared to the cost of acquiring space transportation services from U.S. commercial providers.
 - c. Address potential impacts on the U.S. space transportation industry and industrial base.
 - d. Meet the proposing agency's mission requirements and can be supported by space launch range infrastructure, including compliance with the requirements in Committee on National Security Systems Policy-12 (Reference (f)).

3. HEADS OF THE DoD COMPONENTS. The Heads of the DoD Components shall:

a. Request approval to use excess ballistic missiles to launch DoD space payloads in accordance with Attachment 3 of this DTM.

b. Certify that such use is consistent with References (a) and (b).

c. Forward certification for approved use to Congress 30 days prior to the planned conversion in accordance with Reference (a).

d. Develop public affairs (PA) guidance for all Component activities for proposed use of excess ballistic missiles to launch space payloads.

ATTACHMENT 3

PROCEDURES

1. EVALUATION FOR USE. The factors in this section shall be considered when evaluating the potential use of excess ballistic missile assets to launch space payloads.

a. Mission requirements of the agency, including performance, schedule, and risk requirements. This shall include consideration of all viable U.S. launch vehicles based, at a minimum, on the following factors:

- (1) Quality and maturity of design.
- (2) Test history.
- (3) Launch history.
- (4) Sponsoring agency selection criteria.
- (5) Sponsoring agency risk tolerance for cost, schedule, and technical impacts.

b. Cost savings to the Federal Government when compared to the cost of acquiring space transportation services from U.S. commercial providers. Cost savings will be based on total mission costs to meet sponsoring agency's selection criteria.

c. Impact on the U.S. space launch industry and industrial base including overall impact on both the selected provider and the non-selected provider(s) at the prime and subcontract level.

d. Consistency with U.S. international obligations.

2. PREPARING REQUESTS. Requests to use excess ballistic missiles to launch space payloads shall address compliance with References (a) and (b) and include:

a. A mission or project overview with justification that the proposed use of excess ballistic missiles to launch space payloads supports the sponsoring agency's mission.

(1) Include a description of the mission launch requirements addressing performance, schedule, and risk considerations.

(2) Explain the decision timeline and factors involved in selecting the launch vehicle in order to meet the desired mission schedule.

b. An assessment of the excess ballistic missile use being consistent with U.S. obligations under treaties and other international agreements to which the United States is a

party, including the Missile Technology Control Regime guidelines, the New Strategic Arms Reduction Treaty, and the Intermediate-Range Nuclear Forces Treaty.

c. An assessment and certification that the proposed use:

(1) Results in a total mission cost savings to the USG when compared to the cost of acquiring space transportation services from U.S. commercial launch services that would also meet mission requirements, including performance, schedule, and risk.

(a) The request shall include the results of a market survey of the U.S. commercial launch vehicles available for consideration when the launch vehicle decision needs to be made, and a business case and suitability analysis of the available, alternative U.S. launch vehicles. The request shall include a detailed cost analysis of each alternative considered and compared to the use of excess ballistic missiles.

(b) The request shall include a summary of the acquisition strategy or contracting approach and consider available acquisition strategies consistent with section 2304 of title 10, U.S.C. (Reference (g)).

(2) Limits the impact on the U.S. space transportation industry. Requests shall include an assessment of the impact on the U.S. commercial launch industry caused by selecting the excess ballistic missile variant for the launch vehicle.

d. PA guidance, which shall include how to respond to inquiries on the proposed use of an excess ballistic missile asset including mission, industry impact, and treaty compliance.

3. PROCESSING REQUESTS. Requests shall be submitted to the USD(P) as soon as possible but no later than 120 days before the planned conversion.

a. Requests shall be coordinated with the USD(AT&L), ASD(NII)/DoD CIO, GC, DoD, the Chairman of the Joint Chiefs of Staff and, as appropriate, the Secretaries of the Military Departments.

b. Coordinated requests shall be submitted to the Secretary of Defense for approval within 60 days of receipt from the requesting Military Department or Defense Agency but no later than 60 days prior to the planned conversion.

4. REPORTING. At least 30 days prior to the planned conversion, the requesting Military Department or Defense Agency, in coordination with the ASD(LA), shall forward certification of approved use to the Committee on Armed Services and the Committee on Science of the House of Representatives, and to the Committee on Armed Services and the Committee on Commerce, Science, and Transportation of the Senate, in accordance with Reference (a).

GLOSSARY

ABBREVIATIONS AND ACRONYMS

ASD(LA)	Assistant Secretary of Defense for Legislative Affairs
ASD(NII)/DoD CIO	Assistant Secretary of Defense for Networks and Information Integration/DoD Chief Information Officer
DoDI	DoD Instruction
DTM	Directive-Type Memorandum
GC, DoD	General Counsel of the DoD
PA	public affairs
U.S.C.	United States Code
USD(AT&L)	Under Secretary of Defense for Acquisition, Technology, and Logistics
USD(P)	Under Secretary of Defense for Policy
USG	United States Government