

COMMERCIAL SPACE OPERATIONS SUPPORT AGREEMENT (CSOSA) –  
Allocation of Risks and Insurance

(a) The following Articles shall apply with respect to the performance of this Subcontract involving commercial launch activities, not covered by a Department of Transportation license, which are being conducted at facilities owned or controlled by the Government.

(b) Definitions. For the purposes of these Articles the following definitions shall apply:

(1) Damage – Bodily injury to or death of any person, damage to or loss of any property, real or personal, loss of revenue or profits or other direct, indirect or consequential damages therefrom. Such damage shall include that caused by a release of or exposure to a hazardous substance, as that term is defined in the Comprehensive Environmental Response, Compensation, and Liability Act.

(2) Liability – Any legal or equitable obligation, debt, or duty to any person, including, but not limited to (i) obligations pursuant to any Government treaty or imposed by any judgment by a court or other body of competent jurisdiction, (ii) administrative costs, (iii) litigation costs, including, but not limited to, attorney fees, and (iv) settlement payments. Liability includes legal obligations that are the result of an accident or environmental incident, legal obligations pursuant to any Government treaty, and any judgment by a court of competent jurisdiction.