

Akin™

Space Law, Regulation and Policy Update

December 01, 2023

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Good Afternoon!

This is Akin's weekly policy newsletter on space policy and regulatory developments, providing information on major space headlines and forthcoming space-related events and hearings:

On The Hill

Articles and Quotes

Exclusive: 'Act now' to keep US competitive in space race, senators say (CNN)

Senators Kyrsten Sinema (I-AZ) and Eric Schmitt (R-MO), the Chair and Ranking Member of the Senate Commerce, Science, and Transportation, Space and Science Subcommittee, sent a letter to the Federal Aviation Administration (FAA) and the Office of Commercial Space Transportation urging them to accelerate the approval of commercial space launches or risk allowing adversaries to gain a competitive advantage in the new space race.

Rubio, Scott: Space Launch License Delays Hamper U.S. Space Industry and National Security (Sen. Rubio)

Senators Marco Rubio (R-FL) and Rick Scott (R-FL) sent a letter to Transportation Secretary Pete Buttigieg regarding the FAA's space launch licensing delays. In the letter, the senators wrote, "We recognize the critical importance of public safety when it comes to space launches, but the current delays are stifling industry when the U.S. most needs continued success in space to compete with Russia and China."

Lawmakers 'mystified' after NASA scales back Mars collection program (POLITICO)

Six members of the California congressional delegation—Sen. Alex Padilla (D), Sen. Laphonza Butler (D), Rep. Adam Schiff (D), Rep. Judy Chu (D), Rep. Mike Garcia (R), and Rep. Young Kim (R)—sent a letter to National Aeronautics and Space Administration (NASA) Administrator Bill Nelson urging the agency to reverse its decision to cut funding to the Mars Sample Return program.

Industry group opposes White House mission authorization proposal (SpaceNews)

The Commercial Spaceflight Federation (CSF) sent a letter to the chairs and ranking members of the House Science Committee and Senate Commerce Committee expressing

opposition to the White House’s legislative proposal for regulating novel space activities. In the letter, the group expressed concerns about the potential for “duplicative and conflicting” requirements.

Introduced Legislation

Rep. Tom Kean (R-NJ) introduced a bill to promote space situational awareness and space traffic coordination and to modify the functions and leadership of the Office of Space Commerce, and for other purposes ([H.R. 6385](#)).

Sen. Gary Peters (D-MI) introduced the Commercial Space Activity Advisory Committee Act ([S. 3342](#)) to establish the Commercial Space Activity Advisory Committee within the Office of Space Commerce.

On November 29, the House Science, Space, and Technology Committee reconvened to vote on the Commercial Space Act of 2023 ([H.R. 6131](#)). The bill was reported to the House floor, as amended, by a party line vote of 21-17.

Please find our Space Legislation Tracker [here](#).

Recent and Upcoming Congressional Hearings

November 20 - December 6, 2023

Senate

[Meeting of Conferees on H.R. 2670, the National Defense Authorization Act for Fiscal Year 2024](#)

NDAAC Conference

Wednesday, November 29 at 9:30 AM EST

House of Representatives

[Markup of H.R. 6131, the Commercial Space Act of 2023 Part 2](#)

House Science, Space, and Technology Committee

Wednesday, November 29 at 1:30 PM EST

In The Executive Branch



Articles and Quotes

[White House proposes transportation, commerce agencies handle new space regulations \(Reuters\)](#)

The Biden administration released its proposed plan for mission authorization for novel space activities. The White House’s legislative [proposal](#) would split regulatory responsibility for space activity between the Department of Commerce and Department of Transportation.

[NASA Administrator to Travel to India, UAE; Discuss Space Cooperation \(NASA\)](#)

NASA Administrator Bill Nelson will travel to India and the United Arab Emirates (UAE) for a series of meetings beginning on November 27, 2023. During his travels, which coincide with the 2023 United Nations Climate Change Conference (COP28) conference in Dubai, Nelson will meet with space officials in both countries to ensure cooperation on space innovation and research.

Pentagon looks to commercial space for an edge (SpaceNews)

Deputy Defense Secretary Kathleen Hicks is overseeing the development of the Department of Defense’s first Commercial Space Integration Strategy in collaboration with the Assistant Secretary of Defense for Space Policy, John Plumb. The strategy will seek to integrate commercial space solutions “during competition, crisis and conflict.”

U.S. delegation stokes optimism on wireless and satellite goals at WRC-23 (SpaceNews)

At the opening of the 2023 World Radiocommunication Conference (WRC-23) hosted by the International Telecommunication Union (ITU), members of the U.S. delegation stated that their top priorities are to ensure access to spectrum for next-generation technologies and to boost U.S. growth in the space economy.

NASA acknowledges possibility of short-term post-ISS gap (SpaceNews)

Phil McAlister, the director of NASA’s commercial space division, stated that it would not be “the end of the world” if there were a short-term gap between the International Space Station (ISS) and commercial space stations.

Federal Agency Space News

State Department

G7 Foreign Ministers’ Statement on the Launch Using Ballistic Missile Technology by North Korea

(November 22, 2023)

Joint Statement from the United States of America and the Kingdom of Saudi Arabia on Intent to Cooperate in the Exploration and Use of Outer Space for Peaceful Purposes

(November 28, 2023)

Check out below for comment opportunities, requests for proposals, notices of proposed rulemaking and a look at the week ahead in space events:

Comment Opportunities (RFIs)

Future Proliferated Warfighter Space Architecture Optical Communications Waveforms

DoD Space Development Agency

Close Date: December 8, 2023

Supporting Geospatial Support Services

National Aeronautics and Space Administration

Close Date: December 8, 2023

Request for Information for NASA’s Space Technology Mission Directorate Lunar Infrastructure Foundational Technologies-1 (LIFT-1)

Improving the Usability of the Research Opportunities in Space and Earth Science (ROSES) NASA Research Announcement (NRA)

National Aeronautics and Space

Administration

Close Date: December 18, 2023

National Aeronautics and Space

Administration

Close Date: January 24, 2024

**Space Technology Advanced
Research-Fast-Tracking Innovative
Software and Hardware (STAR-FISH).
Advanced Research Announcement
(ARA)**

Department of Defense

Close Date: April 23, 2025

Requests for Proposals (RFPs)

United States Deorbit Vehicle

National Aeronautics and Space Administration

Close Date: December 14, 2023

National Security Space Launch (NSSL) Phase 3 Lane 2 Request for Proposal

Department of Defense

Close Date: December 16, 2023

Research Opportunities in Space and Earth Sciences (ROSES) 2023

National Aeronautics and Space Administration

Close Date: February 6, 2024

Notices of Proposed Rulemakings (NPRMs)

Policy on the Definition of Aeronautical Activities

Federal Aviation Administration

Close Date: December 15, 2023

Mitigation Methods for Launch Vehicle Upper Stages on the Creation of Orbital Debris

Federal Aviation Administration

Close Date: December 26, 2023

International



Articles and Quotes

Space: Council approves conclusions on the EU space strategy for security and defence (European Council)

The Council of the European Union (EU) approved **conclusions** on the first EU Space Strategy for Security and Defence and reaffirmed their commitment to address space threats, space security and international cooperation and collaboration in space.

North Korea: Kim Jong Un celebrates 'space power' after spy satellite launch (BBC)

Following their first successful satellite launch, North Korea's leader Kim Jong Un congratulated his scientists for launching a spy satellite, calling it a "new era of space power."

North Korea received Russian aid for satellite launch -South Korea lawmakers (Reuters)

South Korean parliamentary intelligence committee members stated that their intelligence suggests that Russia helped North Korea launch its spy satellite.

Top diplomats of US, Japan, South Korea discuss North Korea satellite launch (Reuters)

U.S. Secretary of State Antony Blinken, South Korea Foreign Minister Park Jin and Japan Foreign Minister Kamikawa Yoko held a call to discuss North Korea's recent launch of a spy satellite. According to the State Department, the three leaders "strongly condemned the (Nov. 21) launch for its destabilizing effect on the region."

Japan space agency hit with cyberattack, rocket and satellite info not accessed (Reuters)

A spokesperson for the Japan Aerospace Exploration Agency (JAXA) said the agency was hit with a cyberattack but the hackers were unable to access any important information for rocket and satellite operations. The investigation into the cyberattack is ongoing.

Japan to set up \$6.7bn JAXA fund to develop space industry (Nikkei Asia)

Japan's cabinet approved a bill to set up a 1 trillion yen (\$6.7 billion) fund for the JAXA space agency to support private sector investment in the Japanese space industry.

Upcoming Space Events

World Radiocommunication Conference 2023 (WRC-23)

International Telecommunication Union
November 20 - December 15, 2023

Users' Advisory Group

National Space Council
Friday, December 1, 2023 at 11:00 AM EST

Polycentricity in Space Governance and "Is Outer Space a Commons?"

Secure World Foundation
Friday, December 1, 2023 at 12:00 PM EST

10th Annual Space Resiliency Summit

Defense Strategies Institute
December 6 - 7, 2023

Defence Space Conference 2023

U.K. Space Command
December 12, 2023

Global Space Summit

Space Enterprise Council

Wednesday, December 13, 2023 at 12:00 PM EST

18th Annual Eilene M. Galloway IISL Symposium Critical Issues in Space Law

International Institute of Space Law

Wednesday, December 13, 2023 at 8:00 AM - 5:00 PM EST

World Space Forum 2023

U.N. Office for Outer Space Affairs

December 12 - 14, 2023

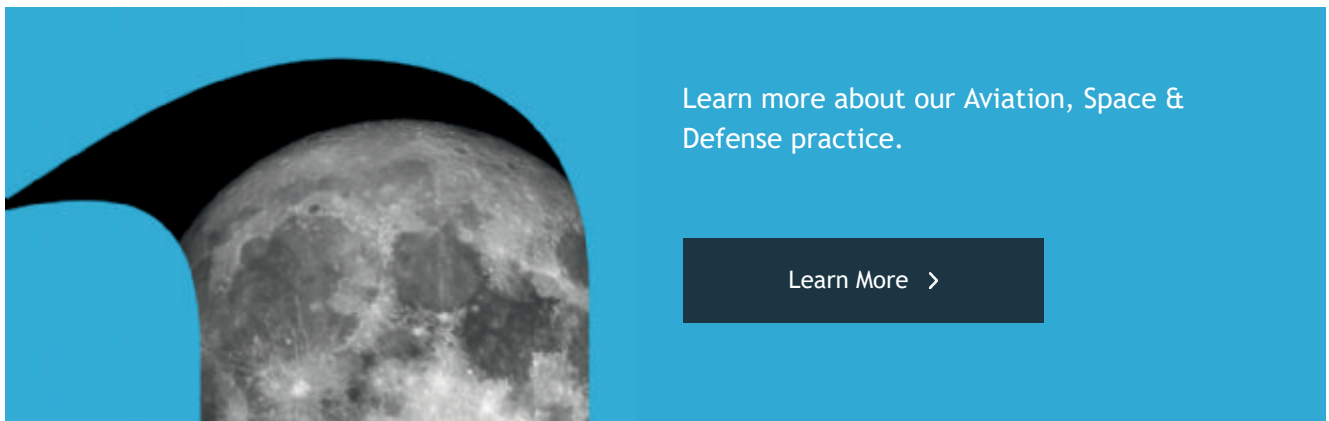
19th Annual DoD Commercial SATCOM Workshop

Satellite Industry Association/U.S. Space Command

December 12 - 14, 2023

Space Beach Law Lab

February 27 - 29, 2024



Questions?

If you have any questions, please contact:

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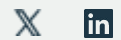


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