

# Akin

## Space Law, Regulation and Policy Update



February 23, 2024

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### Good Afternoon!

*This is Akin's biweekly 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

#### **Intuitive Machines lands on the moon (SpaceNews)**

A robotic lander developed by Intuitive Machines landed safely on the moon on February 22, becoming the first privately developed spacecraft to touch down on the moon and the first American spacecraft to do so in more than half a century.

#### **Intelligence Chairman Defends His Hints About a Russian Space Weapon (New York Times)**

Rep. Mike Turner (R-OH), Chair of the House Intelligence Committee, stated on NBC's "Meet the Press" that he hinted publicly at classified intelligence on Russia's space capabilities because "[the public] needed to know this information." He added, "I was concerned that it appeared that the administration was sleepwalking into an international crisis. But it looks like now they're going to be able to take action."

#### **'All Hell Broke Loose': How Congress Blabbed About Russia's Space Nukes (Politico)**

Rep. Jim Himes (D-CT), who serves as the Ranking Member of the House Intelligence Committee, sat down with Politico reporters to describe the events leading up to and after the release of Chair Turner's statement on the Russian space weapon.

#### **Novel Space Activities Need Regulatory Oversight Clarity, Says Rep. Babin (Communications Daily)**

In a push for support of his Commercial Space Act, House Space and Aeronautics Subcommittee Chairman Brian Babin (R-TX) noted the need for additional clarity about the responsibilities of agencies involved in emerging commercial space applications. Space regulators from other nations also spoke about the need for a regulatory regime that would facilitate reciprocal launch licenses during the annual Federal Aviation Administration (FAA) Commercial Space Transportation Conference in Washington.

### **Mars samples project looms large in final spending talks (Roll Call)**

With the March 8 deadline for the Commerce-Justice-Science appropriations bill rapidly approaching, lawmakers continue debating whether to fund the Mars Sample Return program, and if so, how much funding to provide. Senate Commerce-Justice-Science Appropriations Chair Jeanne Shaheen (D-NH) recently told reporters that “the mission is way over budget,” and “it’s not at all clear what kind of science that will produce for us, so I think given the constraints within the budget, we have to look at putting the money where it’s going to have the most impact.”

### **US space science could fall behind China if private successors to ISS are delayed, Congress warns (Space.com)**

At the February 14 hearing of the House Science Committee’s Space and Aeronautics Subcommittee, lawmakers warned that the United States must ready a replacement for the International Space Station or risk being eclipsed by Chinese research in low Earth orbit.

### **Industry seeks more resources, policy changes to support transition from ISS to commercial space stations (SpaceNews)**

Executives from Axiom Space and Voyager Space, two companies developing commercial space stations, told members of Congress that there must be adequate funding for the commercial Low Earth Orbit destinations (CLD) program and policies that encourage private investments in order to support the decommissioning of the International Space Station (ISS) by 2030.

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## Introduced Legislation

No relevant introduced legislation or legislative updates.

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

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## Recent and Upcoming Congressional Hearings

February 9 - March 1, 2024

### Senate

No relevant recent or upcoming Senate hearings.

### House of Representatives

#### **ISS and Beyond: The Present and Future of American Low-Earth Orbit Activities**

House Science Space and Technology Subcommittee on Space and Aeronautics

Wednesday, February 14, 2024 at 10:00 AM ET

#### **Outpacing China: Expediting the Fielding of Innovation**

House Armed Services Committee

Thursday, February 15, 2024 at 10:00 AM ET



## Articles and Quotes

### **White House confirms it has intelligence on Russia's anti-satellite weapon, but says no immediate threat (SpaceNews)**

After Chair Turner issued a statement on the Russian threat, President Biden's national security communications adviser John Kirby told the press that "the administration did not give a green light for this information to get public yesterday. We were eventually going to get to a point where we were going to be able to share it with the American people. But this is not an imminent threat. It's not an active capability that is yet deployed. And though Russia's pursuit of this particular capability is troubling, there is no immediate threat to anyone's safety."

### **Biden admin was working behind closed doors to dissuade Russia from testing space weapon (Politico)**

In the weeks leading up to the release of information regarding Russia's space weapons, U.S. officials were working through intermediaries to convince Russia to back off the program.

### **FCC Proposes New Framework for Licensing In-Space Servicing (Via Satellite)**

At its most recent meeting on February 15, the Federal Communications Commission (FCC) proposed a licensing framework for in-space servicing, assembly and manufacturing (ISAM) activities. The FCC has yet to release a *Federal Register* webpage for members of the public to submit comments, though one is expected in the imminent future.

### **Space Force continues to tweak plan to partner with commercial industry (SpaceNews)**

On February 13, Space Force Chief Gen. Chance Saltzman told reporters that the Space Force's long-awaited plan for partnering with private space companies is in its final stages; he noted that the Space Force has been collaborating with the Pentagon's space policy office to synchronize the strategy.

### **Statement of Chairwoman Jessica Rosenworcel in the Matter of Space Innovation (FCC)**

"I believe our grandest ambitions for space will depend on developing these ISAM capabilities. Because if we want to expand connectivity on Earth, address global climate change, protect our national security, and support human life on the moon and beyond, we will benefit from ISAM systems. That is why today we are proposing a new framework to license ISAM space stations and ensure they have access to the communications necessary for their effective use. We have developed common sense, flexible rules that provide ISAM operators a clear path forward for their applications for novel use cases so they can develop new services in our skies."

## Federal Agency Space News

### Department of Commerce

**Biden-Harris Administration Announces Preliminary Terms with GlobalFoundries to Strengthen Domestic Legacy Chip Supply for U.S. Auto and Defense Industries** (February 19, 2024)

### Department of Defense

**MDA, SDA Confirm Successful Launch of the Hypersonic and Ballistic Tracking Space Sensor and Tranche 0 Satellites** (February 15, 2024)

[U.S., Partner Nations Strengthen Space Interoperability During Global Sentinel](#) (February 20, 2024)

## Federal Communications Commission

[FCC Proposes In-Space Servicing, Assembly, & Manufacturing Licensing](#) (February 15, 2024)

## National Aeronautics and Space Administration

[Research Opportunities in Space and Earth Sciences \(ROSES\)-2024 Released](#) (February 14, 2024)

## U.S. Space Force

[Air Force, Space Force announce sweeping changes to maintain superiority amid Great Power Competition](#) (February 12, 2024)

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

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## Comment Opportunities (RFIs)

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

National Aeronautics and Space Administration

Close Date: February 23, 2024

[NASA Research and Education Support Services \(NRESS III\)](#)

National Aeronautics and Space Administration

Close Date: March 1, 2024

[License Requirements for Operation of a Launch Site](#)

Federal Aviation Administration

Close Date: March 26, 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)

[NASA Established Program to Stimulate Competitive Research \(EPSCoR\) Rapid Response Research \(R3\) Opportunity](#)

National Aeronautics and Space Administration

Close Date: February 26, 2024

[Exploring Mars Together: Commercial Services Studies](#)

National Aeronautics and Space Administration

Close Date: February 27, 2024

[NASA STTR Program FY2024 Phase I](#)

**National Aeronautics and Space Administration**

Close Date: March 4, 2024

### **United States Deorbit Vehicle**

**National Aeronautics and Space Administration**

Close Date: March 4, 2024

### **Research Opportunities in Space and Earth Sciences 2024 (ROSES-2024)**

**National Aeronautics and Space Administration**

Close Date: May 15, 2024

## **Notices of Proposed Rulemakings (NPRMs)**

### **Allocation of Spectrum for Non-Federal Space Launch Operations**

**Federal Communications Commission**

Close Date: March 4, 2024

### **Mitigation of Orbital Debris in the New Space Age**

**Federal Communications Commission**

Close Date: TBD

## **International**



## **Articles and Quotes**

### **EU Commission gears up to propose an EU-wide space law in Q1 2024** **(European Commission)**

After carrying out an initial targeted consultation late last year, the European Union (EU) Commission is widely expected to release a proposed EU-wide regulation on “new rules for safe, resilient and sustainable space activities” in the coming weeks. The regulation is expected to impose technical requirements on companies doing business in the EU concerning collision avoidance, space debris mitigation, cybersecurity protection and sustainability assessments of space activities, among others.

### **Why Russia won't have its anti-satellite weapon in space anytime soon** **(Politico)**

U.S. intelligence suggests that Russia still needs to complete work on its anti-satellite, nuclear technology-equipped weapon and even then, it remains uncertain if Russia has the ability to successfully launch it into orbit.

### **U.N. committee to take up issue of satellite interference with astronomy** **(SpaceNews)**

At the conclusion of the meeting of the United Nation's Committee on the Peaceful Uses of Outer Space's (COPUOS) scientific and technical subcommittee, the Committee agreed to add an agenda item to its meetings in 2025 through 2029 titled “Dark and quiet skies, astronomy and large constellations: addressing emerging issues and challenges.” The agenda item, which must be approved by the full COPUOS in June, would allow the Committee to study and address concerns related to how satellite constellations can disrupt Earth-based astronomy.

### **Beijing government releases commercial space action plan (SpaceNews)**

Beijing's municipal government released the "Beijing Action Plan for Accelerating the Innovation and Development of the Commercial Space Industry (2024-2028)", an 18-measure policy plan to foster the city's commercial space ecosystem. The plan focuses on mapping the commercial aerospace industry chain and supporting research and development.

### **Japan eyes commercial space market after H3 rocket launch success (Nikkei Asia)**

After the successful first launch of the next-generation H3 rocket, the Japan Aerospace Exploration Agency (JAXA) stated that it will market the H3 rocket program as reliable and accurate as it moves toward more commercial operations to compete with other launch service providers.

### **Greece signs Artemis Accords (SpaceNews)**

On February 9, Greece became the latest country to sign the Artemis Accords. In a State Department ceremony, Greece's foreign minister Giorgos Gerapetritis stated "As humanity embarks on a great adventure, returning to the moon and preparing for traveling beyond the moon, the Artemis Accords serve as a beacon of collaboration and cooperation among nations, paving the way for a sustainable and peaceful exploration of space."

### **Uruguay signs Artemis Accords (SpaceNews)**

A year after announcing plans to establish a national space agency, Uruguay's foreign minister Omar Paganini signed the Artemis Accords on February 15. "We are honored to have the opportunity to introduce space cooperation as a new chapter in the robust bilateral agenda between Uruguay and the U.S.," Paganini said in a statement about the signing, calling it "the beginning of a new bilateral track" of cooperation between the countries.

## **Upcoming Space Events**

### **Space Beach Law Lab**

Long Beach, CA

February 27 - 29, 2024

### **Meeting of the Aerospace Safety Advisory Panel**

National Aeronautics and Space Administration

Wednesday, February 28, 2024 at 11:00 AM ET

### **2024 Space Summit**

Potomac Officers Club

Tuesday, March 5, 2024 at 7:00 AM ET

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## Questions?

If you have any questions, please contact:

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