

Akin™

# Space Law, Regulation and Policy Update



December 15, 2023

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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

#### **Lawmakers unveil 2024 defense authorization bill with space priorities** *(SpaceNews)*

The Senate and House Armed Services Committees unveiled the fiscal year (FY) 2024 National Defense Authorization Act (NDAA) conference agreement on December 6, 2023. The NDAA includes several space policy provisions for both the military and commercial space sectors.

#### **House committee calls for reset on China-U.S. economic relations** *(Washington Post)*

The House Select Committee on the Chinese Communist Party released a report on Tuesday detailing their legislative recommendations for U.S. policy on China. The **53-page report** includes policy recommendations to counter China's Belt and Road Initiative, through which they have expanded their space industry. The Committee suggests that Congress should require the executive branch to take actions to establish controls on critical and emerging technologies including space-based technologies. They also included a recommendation that Congress fund National Aeronautics and Space Administration (NASA) and Department of Defense programs that are critical to countering China's space ambitions.

#### **House committee debates space mining***(SpaceNews)*

In a hearing on space mining held this week in the House Committee on Natural Resources Subcommittee on Oversight and Investigations, members and witnesses debated whether space mining is viable; if the committee has jurisdiction to examine it; and how the government should proceed to prevent China becoming dominant in the nascent field.

#### **Senators question White House mission authorization proposal***(SpaceNews)*

Sen. Kyrsten Sinema (I-AZ) and other senators expressed reservations about the White House's new mission authorization proposal at a December 13 hearing of the Senate

## Introduced Legislation

NDAA conferees completed their negotiations and released the long-awaited **Conference Report**. Now, the NDAA is scheduled to be considered on the House floor under suspension of the rules, and on December 13, the Senate passed the fiscal year (FY) 2024 defense policy bill.

On December 5, the House passed the Department of Energy (DOE) and NASA Interagency Research Coordination Act (**H.R. 2988**), a bill to coordinate research and development efforts between the DOE and NASA.

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

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## Recent and Upcoming Congressional Hearings

December 6 - 22, 2023

### Senate

**Government Promotion of Safety and Innovation in the New Space Economy**

Senate Committee on Commerce, Science, & Transportation Subcommittee on Space and Science

Wednesday, December 13 at 2:30 PM ET

### House of Representatives

**The Mineral Supply Chain and the New Space Race**

House Committee on Natural Resources Subcommittee on Oversight and Investigations

Tuesday, December 12 at 10:15 AM ET

## In The Executive Branch



## Articles and Quotes

**GAO report recommends FAA evaluate launch mishap investigation procedures (SpaceNews)**

The Government Accountability Office (GAO) issued a **report** recommending that the Federal Aviation Administration's (FAA) Office of Commercial Space Transportation "comprehensively evaluate" its process for investigating launch mishaps.

**UAG Endorses Single Agency for Mission Authorization (Space Policy Online)**

At the December 1, 2023 **meeting** of the White House National Space Council's Users' Advisory Group, the members of the group recommended that a single agency be designated regulatory jurisdiction over novel space activities.

**U.S. Space Force activates new unit to support operations in Europe and Africa (SpaceNews)**

On December 8, the U.S. Space Forces Europe and Africa was activated. This new unit will be headquartered at Ramstein Air Base in Germany and will support U.S. European Command and U.S. Africa Command's space-based capabilities.

### **Data rights limitations affecting NASA technology development (SpaceNews)**

NASA is struggling to get data from companies working on a key lunar and Mars exploration capability, making it harder for the agency to test different configurations and validate models.

### **Space Development Agency aims high for 2024 after strong 2023 start (SpaceNews)**

The Space Development Agency (SDA) has established a one-launch-per-month schedule for 2024 to continue development of the U.S. Space Force's network of satellites.

## **Federal Agency Space News**

### **Department of Defense**

**Space Development Agency Providing Capability to Warfighters** (December 7, 2023)

**More Nations Meet to Address Space Security** (December 7, 2023)

### **National Aeronautics and Space Administration**

**NASA Administrator Bill Nelson Participates in Space Agencies Leaders' Summit at COP 28**

(December 4, 2023)

### **U.S. Space Force**

**US, UK, Australia announce trilateral Deep Space Advanced Radar Capability initiative**

(December 2, 2023)

**EUCOM, AFRICOM, Space Force activate new service component command**

(December 8, 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)**

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

National Aeronautics and Space Administration

Close Date: December 18, 2023

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

National Aeronautics and Space Administration

Close Date: January 24, 2024

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

## **Advanced Research Announcement (ARA)**

Department of Defense  
Close Date: April 23, 2025

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## **Requests for Proposals (RFPs)**

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

Department of Defense  
Close Date: December 16, 2023

### **Lab-to-Orbit: Accelerating the Development and Testing of Materials for Low Earth Orbit**

Department of Defense  
Close Date: December 20, 2023

### **NASA Academic Mission Services 2 (NAMS-2)**

National Aeronautics and Space Administration  
Close Date: January 22, 2024

### **Research Opportunities in Space and Earth Sciences (ROSES) 2023**

National Aeronautics and Space Administration  
Close Date: February 6, 2024

### **United States Deorbit Vehicle**

National Aeronautics and Space Administration  
Close Date: February 12, 2024

### **NASA Established Program to Stimulate Competitive Research (EPSCoR) Rapid Response Research (R3) Opportunity**

National Aeronautics and Space Administration  
Close Date: February 26, 2024

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

### **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 traffic management: Council adopts conclusions on the current state of play (Council of the EU)**

The Council of the European Union (EU) adopted conclusions to address the growing congestion in orbital space. The conclusions express an urgent need to develop an EU space traffic management approach.

### **Defence Space Conference 2023: unveiling the UK's space strategy (Airforce Technology)**

U.K. officials gathered this week to discuss the country's space industry and ways to ensure the realization of their National Space Strategy.

### **North Korea says interference in its satellites would be declaration of war (Reuters)**

After North Korea launched a network of satellites last month, state media reported that Pyongyang would respond to any interference with its satellite operations with a declaration of war and would eliminate the viability of American spy satellites.

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

On November 30, Angola became the third African nation to sign the Artemis Accords. A Biden administration official stated that "one of the hallmarks of President Biden's administration's policy towards Africa is incorporating our African partners in the most important conversations that affect the future of this very decisive decade in space – space norms," the official said. "And our approach towards how countries behave and operate in outer space is incredibly important, and the Africans have and should be at the table for that conversation."

### **Shanghai to foster commercial space ecosystem (SpaceNews)**

The General Office of the Shanghai Municipal People's Government published the "Shanghai Action Plan to Promote Commercial Aerospace Development and Create a Space Information Industry Highland (2023-2025)," a plan to strengthen and promote a \$28.2 billion commercial space ecosystem by 2025.


### **Egypt joins China's ILRS moon base initiative (SpaceNews)**

The Egyptian Space Agency and China National Space Administration signed a cooperation agreement on the International Lunar Research Station, the China-led lunar base. Additionally, the two agencies signed a memorandum of understanding to cooperate on joint research in lunar and deep space exploration, space science and more.

## **Upcoming Space Events**

### **Space Beach Law Lab**

February 27 - 29, 2024



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## Questions?

If you have any questions, please contact:

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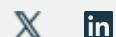


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