

Akin

Space Law, Regulation and Policy Update



February 09, 2024

[Subscribe](#) | [Share](#)   

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

Congressional letter asks White House to reverse MSR spending cuts ***(SpaceNews)***

Members of the California congressional delegation sent a letter to Shalanda Young, director of the White House Office of Management and Budget, requesting the administration reverse cuts the National Aeronautics and Space Administration (NASA) has imposed on the Mars Sample Return (MSR) program. The letter notes that MSR's lead center, the Jet Propulsion Lab (JPL), is located in California and warns of job losses. The letter states, "This short-sighted and misguided decision will cost hundreds of jobs and a decade of lost science, and it flies in the face of Congressional authority."

Congressional budget gridlock leads to stunning NASA layoffs ***(Washington Post)***

On February 6, NASA's Jet Propulsion Laboratory, announced it is laying off about 530 people—roughly 8% of its workforce—citing funding uncertainties and Congress' failure to pass a year-long budget to fund NASA. In a memo to employees, JPL director Laurie Leshin wrote "While we still do not have an FY24 appropriation or the final word from Congress on our Mars Sample Return (MSR) budget allocation, we are now in a position where we must take further significant action to reduce our spending, which will result in layoffs of JPL employees and an additional release of contractors."

Rep. Chu Reacts to Jet Propulsion Laboratory Layoffs Announcement ***(Rep. Judy Chu)***

"I'm extremely disappointed with the impending JPL layoffs announced today, and my thoughts are with the workers who will be impacted and their families. These cuts will devastate workers and Southern California in the short-term, and they hurt the long-term viability of not just our Mars Exploration Program but also many years of scientific discovery to come. I'm not done, however, helping lead the fight with my California colleagues in

Congress to reverse NASA's premature and misguided budget cuts to the Mars Sample Return Mission. I'm hopeful in the coming weeks we can work to broker a deal with the Administration and Congress to restore funding to the levels necessary to rehire workers and promote the kinds of scientific discovery JPL has been on the frontlines of for decades."

Cornyn, Colleagues Introduce Bill to Manage Space Traffic in Low-Earth Orbit (Sen. John Cornyn)

"Building our knowledge of objects orbiting in space and their surrounding environments will help us mitigate the risks associated with space exploration and commercial space development," said Sen. Cornyn. "The SAFE Orbit Act would require the Office of Space Commerce to collect and share relevant data to strengthen our space situational awareness and space traffic coordination efforts."

Introduced Legislation

Sen. John Cornyn introduced the Situational Awareness of Flying Elements in (SAFE) Orbit Act ([S. 3658](#)), 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.

Sen. Marco Rubio (R-FL) introduced the Space National Guard Establishment Act of 2024 ([S. 3697](#)) to establish the Space National Guard.

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

Recent and Upcoming Congressional Hearings

February 5 - February 16, 2024

Senate

No relevant recent or upcoming Senate hearings.

House of Representatives

The State of American Aviation and the Federal Aviation Administration

House Transportation and Infrastructure Subcommittee on Aviation

Tuesday, February 6, 2024 at 10:00 AM ET

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

In The Executive Branch



Articles and Quotes

FCC reaffirms orbital debris mitigation rules (SpaceNews)

On January 25, the five Federal Communications Commission (FCC) commissioners voted unanimously to approve an order on reconsideration of rules adopted related to the regulatory environment for orbital debris mitigation.

Space industry urged to take a broader view of sustainability (SpaceNews)

Richard DalBello, director of the Office of Space Commerce within the Commerce Department, stated that the space industry should use a broader definition of space sustainability, noting that there is a need for a set of “internationally accepted” actions to address issues including orbital debris to satellite interference.

Office of Space Commerce seeks SpaceX’s constellation coordination expertise (SpaceNews)

The Department of Commerce’s Office of Space Commerce recently entered into a research partnership with SpaceX to explore how the company’s automated satellite collision avoidance software could support a civil space traffic coordination system.

U.S. Space Force wary of China’s expanding spy satellite fleet (SpaceNews)

Chief Master Sgt. Ron Lerch of the Space Systems Command’s intelligence directorate stated that the U.S. Space Force is following China’s recent remote-sensing satellite missions and doubts that they actually serve mostly civilian and commercial purposes.

Startups call for streamlined US regulations for emerging space capabilities (SpaceNews)

Industry executives warned at the SpaceCom conference in Orlando, Florida, that the U.S. space regulatory system must catch up to the industry’s progress or risk falling behind other countries in emerging space capabilities.

NASA compiling lessons learned from Artemis 1 (SpaceNews)

Weeks after delaying upcoming Artemis missions and facing questioning about the delays from members of Congress, NASA officials indicated that the agency is working to collect lessons learned from the Artemis 1 mission from both technical and programmatic perspectives in order to apply them to the broader Artemis campaign.

FCC Releases Proposed Rulemaking Addressing Space Innovation (Akin)

The FCC announced a vote on its draft version of a proposed rule regarding a licensing framework for in-space servicing, assembly and manufacturing (ISAM) capabilities, tentatively scheduled for the Open Commission meeting on February 15. The proposal includes changes to the Commission’s rules, such as defining what constitutes an ISAM space station, creating a framework for ISAM space station operators to pursue FCC licensing under Part 25 of the Commission’s rules and clarifying how the FCC’s space station license requirements such as orbital debris mitigation could apply to ISAM operators.

Federal Agency Space News

U.S. Space Force

Space Force Guardian set to launch to International Space Station on NASA mission
(January 31, 2024)

Space Systems Command formally welcomes new commander (February 2, 2024)

Department of Defense

U.S. Southern Command Urges Space Conference Attendees to ‘Think Big’ (February 6, 2024)

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)

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

Notices of Proposed Rulemakings (NPRMs)

Allocation of Spectrum for Non-Federal Space Launch Operations

Federal Communications Commission

Close Date: March 4, 2024



Articles and Quotes

ESA sees strong interest in commercial cargo program (SpaceNews)

The European Space Agency reported seeing high levels of industry interest in its new LEO Carto Return Service program announced in December 2023. The program seeks to support the development of commercial cargo vehicles in order to eventually provide service to the International Space Station.

Space wars: Europe's master plan to counter Elon Musk's Starlink (Politico)

The European Union is considering methods to curb the supremacy of SpaceX's Starlink satellite system over fears of relying on a U.S.-based private company for national security. According to reports, the EU wishes to sign billion-dollar contracts by the end of March to build and operate the IRIS² satellite system.

Europe sets up space finance taskforce (SpaceNews)

The European Commission, European Space Agency and European Investment Bank signed a tripartite agreement in late January to streamline the process for private space companies to get financing from investment funds and other financial resources.

China's Chang'e-7 moon mission to target Shackleton crater (SpaceNews)

China's 2026 moon mission will target landing on the rim of the Shackleton crater, where NASA is also considering landing its Artemis 3 mission. The mission will be important to China's ambitions to establish an international lunar base in the 2030s.

Upcoming Space Events



Webinar: Unlocking the Solar System with Space Nuclear Technology.

Beyond Earth Institute

Friday, February 9, 2024 at 2:00 PM ET

International Space Convention 2024

ISC

February 12 - 16, 2024

Traffic Coordination System for Space (TraCSS) Listening Session

Office of Space Commerce

Tuesday, February 13, 2024 at 3:30 PM ET

WSBR February Luncheon with Richard DalBello

Washington Space Business Roundtable

Wednesday, February 14, 2024 at 12:00 PM ET

The 26th Annual FAA Commercial Space Transportation Conference

Commercial Spaceflight Federation and the Federal Aviation Administration's Office of
Commercial Space Transportation
February 21 - 22, 2024

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



Learn more about our Space Law & Policy practice.

[Learn More >](#)

Questions?

If you have any questions, please contact:

Authors



Michael C. Mineiro
Space Policy and Regulation
[Email](#)
+1 202.887.4068



Thomas J. McCarthy
International Trade
[Email](#)
+1 202.887.4047



Jennifer L. Richter
Telecom, Media and Technology
[Email](#)
+1 202.887.4524



Hans C. Rickhoff
Lobbying & Public Policy
[Email](#)
+1 202.887.4145



Lamar Smith
Lobbying & Public Policy
[Email](#)
+1 202.887.4031

Contributors



Chase Hamilton
International Trade
[Email](#)
+1 202.887.4018



Brooke Davies
International Trade
[Email](#)
+41 22.888.2041

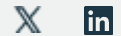


Sharanya Sriram
*Telecom, Media and
Technology*
[Email](#)
+1 202.887.4278



Caroline Shrock
Lobbying & Public Policy
[Email](#)
+1 202.416.5110

akingump.com



© 2024 Akin Gump Strauss Hauer & Feld LLP. All rights reserved. Attorney advertising. This document is distributed for informational use only; it does not constitute legal advice and should not be used as such. Prior results do not guarantee a similar outcome. Receipt of this information does not create an attorney-client relationship. Do not act upon this information without seeking professional counsel. All content is presented by Akin and cannot be copied or rebroadcasted without express written consent. Akin is the practicing name of Akin Gump LLP, a New York limited liability partnership authorized and regulated by the Solicitors Regulation Authority under number 267321. A list of the partners is available for inspection at Eighth Floor, Ten Bishops Square, London E1 6EG. For more information about Akin Gump LLP, Akin Gump Strauss Hauer & Feld LLP and other associated entities under which the Akin network operates worldwide, please see our [Legal Notices](#) page.

[Update Your Preferences](#) | [Subscribe](#) | [Unsubscribe](#) | [Forward to a Friend](#) | [Legal Notices](#) | [Privacy Policy](#)

This email was sent by: 2001 K Street, N.W., Washington, DC 20006-1037