

Space Law, Regulation and Policy Update

Good Afternoon!

While the signing of the Defense and Transportation-Housing and Urban Development (HUD) appropriations bills last week ended a brief partial government shutdown, funding is never far the top of the to-do list, with the clock ticking on the administration's \$1.5B 2027 budget request for the DoD (aka DoW). Beyond Washington, Russian satellites are making space leaders nervous, with EU security leaders publicly complaining about recent proximity operations by Russian satellites, lessons learned from the early days of the war in Ukraine, and Space Command inviting industry to participate in classified wargames addressing space-based Russian nuclear weapons.

All this and more in this edition of Akin's Space Law, Regulation and Policy Update.

Akin Spotlight

If you're attending Space Beach Law Lab this month (or will be in the Long Beach area), we hope you'll join us for cocktails, space talk and fun on Tuesday, Feb 24. Click [here](#) to RSVP.

On The Hill

Articles and Quotes

[Final FY2026 Defense, FAA Bills Signed into Law \(Space Policy Online\)](#)

The fiscal year (FY) 2026 Defense and Transportation-Housing and Urban Development (HUD) appropriations bills were signed into law on February 3, ending a brief partial government shutdown. The legislation funds the U.S. Space Force and the Federal Aviation Administration (FAA) Office of Commercial Space Transportation, while the Homeland Security bill remains unresolved under a two-week continuing resolution due to disputes over funding for Immigration and Customs Enforcement (ICE). The House approved the final package by a narrow 217-214 vote after the Senate separated Homeland Security funding from the broader package, and Donald

Trump signed the bill immediately. The Transportation-HUD measure provides \$41.755 million for the FAA Office of Commercial Space Transportation, slightly below the request, while the Space Force receives \$26.135 billion in base appropriations, with an additional \$13.843 billion provided through the reconciliation bill, bringing its total FY2026 funding to nearly \$40 billion.

Senate Committee Delays Consideration of Bill To Streamline FCC Satellite

Licensing (SpaceNews)

A Senate Commerce Committee markup of the Satellite and Telecommunications Streamlining Act (SAT Streamlining Act; [S. 3639](#)) was delayed on February 3 after concerns were raised about provisions that would automatically approve satellite license applications if the Federal Communications Commission (FCC) failed to act within a set deadline. The bipartisan bill, introduced in January by Sen. Ted Cruz (R-TX) and Sen. Peter Welch (D-VT), would require the FCC to rule on satellite and ground station applications within one year, with limited extensions, in an effort to speed deployment of new satellite systems. During the session, Ranking Member Sen. Maria Cantwell (D-WA) objected to the bill's "deemed granted" provision, warning it could allow large satellite constellations to be approved without sufficient review. Cruz defended the provision as necessary to address regulatory backlogs and maintain U.S. competitiveness, particularly with China. Cantwell offered an amendment to remove the automatic approval language, but the committee lacked a quorum to vote on either the amendment or the bill, delaying action. The absence of a quorum also postponed consideration of the ORBITS Act ([S. 1898](#)), a separate measure aimed at supporting active orbital debris removal and improving space traffic coordination.

Congress is Considering a NASA Authorization Bill—Again (Payload Space)

The House Science, Space, and Technology (SST) Committee was scheduled to mark up the NASA Reauthorization Act of 2026 ([H.R. 7273](#)) on February 4, renewing Congress's effort to pass an authorization bill setting priorities for NASA. H.R. 7273 was introduced on January 30 by SST Committee Chair Rep. Brian Babin (R-TX) and outlines policy direction for NASA programs including the Artemis Moon return architecture, long-term crew access to low Earth orbit, orbital debris research and development, lunar communications and power capabilities, scientific research cost controls, and expanded use of commercial satellite data for Earth science. Authorization bills provide strategic guidance but do not allocate funding, and recent attempts to pass standalone NASA authorizations have stalled despite bipartisan interest. Congress last enacted a NASA authorization in 2022 as part of the CHIPS and Science Act ([P.L. 117-167](#)), while the most recent standalone authorization became law in 2017 ([P.L. 115-10](#)). The committee markup represents an initial step in a process that would still require passage by both chambers of Congress.

Introduced Legislation & Legislative Updates

Rep. Brian Babin (R-TX) [introduced](#) the NASA Reauthorization Act of 2026 ([H.R. 7273](#)), which reauthorizes NASA. The House Committee on Science, Space, and Technology approved the

legislation by a vote of 37-0.

Sen. Maria Cantwell (D-WA) introduced the FAA SMS Compliance Review Act of 2026 (S. 3700) which establishes an expert review panel to make recommendations for a comprehensive agency-wide safety management system at the FAA.

Rep. Mike Lawler (R-NY) introduced the Quantum Workforce Development Readiness Act (H.R. 7292) which amends the National Quantum Initiative Act to require a biennial report on the progress of the Subcommittee on Quantum Information Science of the National Science and Technology Council in implementing the national workforce strategic plan.

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

Recent and Upcoming Congressional Hearings

(January 28, 2026 - February 13, 2026)

On January 28, the Senate Armed Services Committee (SASC) held a hearing to examine the Department's cyber force generation plan and the associated implementation plan.

On January 28, the Senate Select Committee on Intelligence (SSCI) held a closed briefing on intelligence matters.

On January 29, SSCI held hearing on the nomination of Lieutenant General Joshua M. Rudd to be Director of the National Security Agency.

On February 3, SASC held a hearing to examine strategic competition in an unconstrained, post-New START Treaty environment.

On February 3, the Senate Committee on Commerce, Science, and Transportation (CST) held an executive session to consider nominations and legislation.

On February 4, the House Committee on Science, Space, and Technology (SST) held a full committee markup of the NASA Reauthorization Act of 2026 (H.R. 7273).

On February 4, SSCI held a closed briefing on intelligence matters.

On February 10, the House Committee on Homeland Security will hold an oversight hearing.

In the White House/Executive Branch

Articles and Quotes

New ‘America First Arms Transfer Strategy’ to Create a List of Priority Weapons to Sell (Breaking Defense)

On February 6, President Donald Trump signed a new executive order establishing an “America First Arms Transfer Strategy” accompanied by the release of a White House fact sheet detailing the policy’s goals and implementation framework. The order directs the United States to align foreign arms transfers more closely with domestic production priorities by using defense sales to expand U.S. manufacturing capacity, strengthen supply chains, and support reindustrialization of the defense industrial base. It instructs the Department of Defense (DoD), the Department of State and the Department of Commerce to develop a prioritized sales catalog of U.S. weapons systems, streamline end-use monitoring and transfer processes, publish aggregate performance metrics on defense sales, and establish a Promoting American Military Sales Task Force to oversee implementation. The strategy also states that arms transfers should prioritize partners that invest in their own defense and play a critical role in U.S. national security planning, with the stated objective of accelerating delivery timelines, reducing backlogs, and leveraging annual defense sales to reinforce U.S. industrial capacity while supporting allied burden-sharing. The framework could extend to space-related defense systems by shaping foreign military sales of satellites, space-enabled communications, missile warning, and space domain awareness capabilities as part of broader efforts to scale U.S. production and strengthen allied interoperability

Next Up in Pentagon’s Push for Defense Industry Reforms: Space (Air & Space Forces Magazine)

Defense Secretary Pete Hegseth used a February 2 visit to Blue Origin’s Rocket Factory in Florida to highlight the Pentagon’s next phase of defense acquisition reform focused on space capabilities and industrial base competition. Speaking as part of his “Arsenal of Freedom” tour, Hegseth emphasized the need for greater competition, speed and scalability in military space systems as reliance on commercial providers grows, particularly in launch and satellite production. The visit underscored Pentagon concerns about overdependence on a single provider and its interest in sustaining multiple viable suppliers for national security space missions, including the National Security Space Launch program. Hegseth’s remarks aligned with broader DoD efforts to promote commercial solutions and diversified sourcing, while reinforcing the strategic importance of space capabilities to military operations and deterrence. The trip also included engagements with NASA facilities and leadership, reflecting the intersection of military, civil and commercial roles in U.S. space activities.

Clock Is Ticking on DOD’s \$1.5T Dream (Politico)

The Trump administration has yet to submit its fiscal year 2027 budget request to Congress, complicating efforts to pursue President Donald Trump’s stated goal of a \$1.5 trillion defense budget. By law, the White House was expected to deliver a budget outline in early February, but officials indicated the submission will likely come later in the spring, following delays tied to unfinished FY2026 appropriations and a partial shutdown affecting the DoD. Lawmakers and

former defense officials warned that a late or incomplete budget request would hinder congressional hearings, appropriations work and decisions on whether increased defense spending would flow through the regular budget process or a separate reconciliation bill. The scale of the proposed increase, roughly a 50% jump from FY2026, has raised questions about offsets, timing, and feasibility, particularly as detailed plans for proposed reconciliation funding have not yet been released. Absent a formal budget request, congressional committees are proceeding with limited visibility into administration priorities as early FY2027 defense posture hearings begin.

US Space Command To Bring Commercial Firms Into Classified Wargame on Nuclear Threats in Space (SpaceNews)

U.S. Space Command announced plans to include commercial space companies for the first time in classified tabletop wargames examining responses to nuclear threats in space, reflecting the growing reliance of military operations on privately owned space infrastructure. Gen. Stephen Whiting said the quarterly exercises, beginning in March, will focus initially on scenarios involving the potential deployment or detonation of weapons of mass destruction in orbit, prompted in part by reports that Russia may be pursuing a space-based nuclear capability. The wargames will explore the operational, economic and security consequences of such an event, including radiation and electromagnetic effects that could damage or disable large numbers of satellites across low Earth orbit. While the 1967 Outer Space Treaty prohibits placing nuclear weapons or other weapons of mass destruction in orbit, Whiting emphasized the need to plan for destabilizing contingencies in partnership with commercial operators, given the central role of space systems in the U.S. economy and national security.

NASA Plans On-Pad Leak Repair for Grounded Artemis II Moon Rocket Before Possible March Launch (CBS News)

NASA plans to repair a hydrogen fuel leak directly on the launch pad after it disrupted a critical dress rehearsal for the Artemis II mission, delaying the first crewed flight of the Space Launch System around the Moon until at least March. Engineers believe the leak, which is located in an umbilical connection at the base of the rocket, can be fixed without rolling the vehicle back to the assembly building, followed by another full fueling test before committing to launch. Although the rocket was nearly fully fueled during the aborted countdown, a pressure spike forced an automated shutdown, underscoring lingering challenges of working with supercold, highly flammable liquid hydrogen. NASA officials said the test achieved its purpose by revealing issues before astronauts fly, while the four-member Artemis II crew has resumed training ahead of a possible March launch window.

Federal Agency Space News

Federal Aviation Administration

Transportation Secretary Sean Duffy & FAA Administrator Bryan Bedford Unveil New Agency Structure to Enhance Safety, Embrace Innovation, & Increase Transparency (January 27, 2026)

National Aeronautics and Space Administration

[Artemis II Wet Dress Rehearsal: NASA Discusses Initial Results](#) (February 3, 2026)

[NASA Armstrong Contributions Propel Artemis, Deep Space Innovation](#) (February 4, 2026)

[NASA Heat Shield Tech Contributes to America's Space Industry](#) (February 4, 2026)

U.S. Air Force

[Air Force Advances Standoff Cruise Missile Program With Live-Fire Test](#) (January 30, 2026)

U.S. Department of Commerce

[Call for Interest: US-Italy Commercial Space Roundtable](#) (January 29, 2026)

U.S Department of Defense

[Office of Space Commerce: NASA Seeks Feedback on Civil Space Technology](#)

[Shortfalls](#) (February 3, 2026)

[War Department Boards Merge to Form New Science, Technology and Innovation Board \(STIB\)](#) (January 29, 2026)

[JIATF 401 Publishes New Guidance for Physical Protection of Critical Infrastructure](#) (January 30, 2026)

[Department of War Launches LYNX to Help Businesses Enter and Compete in Defense Markets](#) (January 30, 2026)

[War Department Announces Vendors Invited to Compete in Phase I of the Drone Dominance Program](#) (February 3, 2026)

U.S. Space Force

[Space Force Activates Component Command To NORTHCOM](#) (January 30, 2026)

[USSF Field Commands Successfully Launch GPS III Space Vehicle 09 Into Orbit](#) (January 29, 2026)

International

Articles & Quotes

[UK Space Agency CEO Stepping Down As Agency Folds Into Government](#) (*SpaceNews*)
U.K. Space Agency (UKSA) CEO Paul Bate will step down at the end of March as the agency is

integrated into the British government's Department for Science, Innovation and Technology, ending its status as a standalone body. The transition, scheduled to take effect in April, is part of a broader government restructuring intended to streamline decision-making and improve coordination across civil, defense and industrial space activities, with recruitment underway for a new director role. UKSA, established in 2010 to coordinate national civil space policy, regulation and investment, said it helped catalyze at least £2.2 billion in investment and revenue for the U.K. space sector in the 2024-2025 financial year. While government officials argue the move will improve efficiency, a recent parliamentary report and industry groups have raised concerns that folding the agency into a central department could reduce operational independence, blur accountability and limit transparency as space policy and budgets are absorbed into broader government structures.

Russian Spy Spacecraft Have Intercepted Europe's Key Satellites, Officials Believe (*Financial Times*)

European security and intelligence officials believe two Russian spacecraft, known as Luch-1 and Luch-2, have intercepted communications from at least a dozen European geostationary satellites through repeated close-proximity maneuvers in orbit, raising concerns about the security of civilian and government space infrastructure. According to officials and satellite-tracking data, the Russian vehicles have loitered near key European satellites for weeks or months at a time over the past three years, positioning themselves within communication beams to collect signals intelligence, including potentially unencrypted command links used to control satellite positioning. Analysts and military officials warned that access to such data could enable future interference, including spoofed commands to alter satellite orbits, disrupt service or cause satellites to malfunction. The targeted satellites, operated by North Atlantic Treaty Organization (NATO)-linked and commercial providers such as Intelsat, support television broadcasting as well as sensitive government and limited military communications across Europe, Africa and the Middle East. European officials described the activity as part of a broader pattern of Russian hybrid operations extending into space, with Germany's defense minister Boris Pistorius warning that satellite networks represent a critical vulnerability for modern societies.

China Unveils Flying Aircraft Carrier (*The Telegraph*)

China released a concept video outlining plans for a futuristic airborne "space aircraft carrier," known as Luanniao, that state media claim could deploy unmanned fighter jets capable of operating near the edge of Earth's atmosphere. The proposed platform, part of the broader Nantianmen Project led by Aviation Industry Corporation of China, is described as a large triangular craft designed to carry up to 88 unmanned Xuan Nu fighters and operate at altitudes of around 30 kilometers, with potential missile-launch capabilities. Chinese officials suggested the system could become operational within 20 to 30 years, positioning it as a future component of the country's expanding air and space ambitions alongside projects such as advanced fighters and lunar missions including Chang'e program. Defense analysts, however, expressed skepticism, noting that key technologies required for sustained atmospheric or near-space operations, propulsion, fuel capacity and survivability do not currently exist, and characterized the announcement as aspirational rather than a near-term military capability.

Ukraine's Satellite Wake-Up Call for Europe (*The Parliament*)

Ukraine's experience in the early stages of its war with Russia has intensified European concern over the continent's limited space-based intelligence capabilities, highlighting the reliance of modern military operations on timely satellite data. Ukrainian officials found that Russia entered the conflict with access to hundreds of militarily useful satellites, while Ukraine initially had only one, prompting Kyiv to rapidly secure imagery from commercial and allied constellations already in orbit. European policymakers have drawn lessons from Ukraine's use of commercial synthetic aperture radar satellites, which provided near-real-time, all-weather intelligence supporting targeting and operational planning, and from reports that Russian spacecraft may have intercepted communications from European satellites. In Brussels, these developments have reinforced calls for collective investment in space intelligence under European Union (EU) defense initiatives, with growing interest in a federated satellite model that would link nationally owned systems into a shared framework while preserving national control, as Europe seeks to reduce dependence on U.S. intelligence assets and close what officials describe as a critical strategic gap.

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)

Unmanned Aircraft System (UAS) Detection and Analysis Services

National Aeronautics and Space Administration

Close Date: February 9, 2026

TERRA, AQUA, and AURA (TAA) Missions

National Aeronautics and Space Administration

Close Date: February 12, 2026

Spaceport Development Program

Department of Defense

Close Date: February 13, 2026

Strategic SATCOM Space Segment

Department of Defense

Close Date: February 14, 2026

NASA Headquarters Earth Independent Operations (EIO) Partnerships in Anomaly

National Aeronautics and Space Administration

Close Date: February 18, 2026

Space Domain Awareness (SDA)

Department of Defense

Close Date: February 20, 2026

Space- and Ground-Based Environmental Monitoring (EM) Commercial Data and Services

Department of Defense

Close Date: February 20, 2026

Lunar Surface Wi-Fi Transceiver

National Aeronautics and Space Administration

Close Date: February 26, 2026

Ultra-Low Power Bistable Display for Lunar Surface EVA Operations

National Aeronautics and Space Administration

Close Date: February 26, 2026

Private Sector Participation in Domestic and International Events on Spaceflight Safety,

Responsible Practices, and Commercial Space

U.S. Department of State

Close Date: December 31, 2026

Requests for Proposals (RFPs)

NRESS III

National Aeronautics and Space Administration

Close Date: February 17, 2026

Engineering Services and Science Capability Augmentation (ESSCA) II

National Aeronautics and Space Administration

Close Date: March 11, 2026

Notices of Proposed Rulemakings (NPRMs)

No new proposed rules.

Upcoming Space Events

Defense and Intelligence Space Conference (DISC)

NSSA

February 9-11, 2026

2026 SmallSat Symposium

SmallSat

February 10-12, 2026

2026 Space Traffic Conference

IAA

February 18-19, 2026

spaceNEXT Conference

spaceNEXT

February 18-20, 2026

Warfare Symposium

AFA

February 23-25, 2026

Beyond Earth Symposium

Beyond Earth Institute

February 24-25, 2026

2026 Space Beach Law Lab Conference

Space Beach Law Lab

February 24-26, 2026

ASCENDxTEXAS

AIAA

February 25-26, 2026

11th National Space Policy Secretariat Symposium

Cabinet Office's Space Development Strategy Promotion Secretariat

February 27, 2026

Space-Comm Europe 2026

Space-Comm Europe

March 4-5, 2026

12th Joint Space Operations Summit

DSI

March 4-5, 2026

Goddard Space Science Symposium

AAS

March 12-13, 2026

2026 Defense Forum

AIAA

March 17-20, 2026

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Questions?

If you have any questions, please contact:

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