

Akin

Space Law, Regulation and Policy Update



April 19, 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

Kendall, Allvin, Saltzman Urge Modernization While Warning Senate of Delayed Budgets (U.S. Space Force)

During a hearing of the Senate Appropriations Defense Subcommittee, Air Force Secretary Frank Kendall, Air Force Chief of Staff Gen. David W. Allvin, and Chief of Space Operations Gen. Chance Saltzman warned the Senate that the Air Force cannot modernize and compete successfully against China with further budget cuts. Gen. Saltzman told the Subcommittee that, "With only 3 percent of the (total defense) budget, the Space Force offers a tremendous value proposition to the nation. Every dollar invested in space brings asymmetric returns, but that means every dollar cut creates asymmetric risk."

Congress Applauds U.S.-Japan Artemis Cooperation (Space Policy Online)

Congress gave Japanese Prime Minister Fumio Kishida a standing ovation when he spoke about plans for a Japanese astronaut to land on the Moon as part of the U.S.-led Artemis program during his address to Congress.

Why the White House and Congress Can't See Eye-To-Eye on Regulating Commercial Space (SpaceNews)

Mission authorization, licensing and overlaps in regulatory authorities are causing Congress and the White House to struggle to decide how to regulate the burgeoning commercial space industry.

Introduced Legislation

Rep. Ted Lieu (D-CA) introduced **H.Res.1129**, a resolution supporting May 3 as "National Space Day" in recognition of the significant positive impact the aerospace community has

and will continue to have on the United States of America.

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

Recent and Upcoming Congressional Hearings

April 8 - April 26, 2024

Senate

Open/Closed: To Receive Testimony on the Posture of the Department of the Air Force in Review of the Defense Authorization Request for Fiscal Year 2025 and the Future Years

Senate Armed Services Committee

Tuesday, April 16 at 9:30 AM ET

House of Representatives

Roundtable: “The Space Race Returns”

House Select Committee on the Chinese Communist Party

Wednesday, April 17 at 9:30 AM ET

Budget Hearing - Fiscal Year 2025 Request for the Department of Defense

House Appropriations Subcommittee on Defense

Wednesday, April 17 at 10:00 AM ET

Budget Hearing - Fiscal Year 2025 Request for Air Force and Space Force Military Construction and Family Housing

House Appropriations Subcommittee on Military Construction, Veterans Affairs, and Related Agencies

Wednesday, April 17 at 2:00 PM ET

Budget Hearing - Fiscal Year 2025 Request for the National Aeronautics and Space Administration

House Appropriations Subcommittee on Commerce, Justice, Science, and Related Agencies

Wednesday, April 17 at 2:00 PM ET

In The Executive Branch



Articles and Quotes

U.S. Government Plans Review of Space Technology Export Controls
(SpaceNews)

The executive secretary of the National Space Council announced an upcoming advanced notice of proposed rule-making to be jointly released by the departments of State and Commerce in mid-June. The agencies will be updating space systems on export control lists for the first time in over a decade.

Space Force Unveils Strategy to Leverage Commercial Tech Innovation
(SpaceNews)

The Space Force released its [Commercial Space Strategy](#) document, which will serve as a guidance for how the Space Force will move forward with the commercial industry to develop the U.S. military's space capabilities. Chief of Space Operations Gen. Chance Saltzman stated that "the Space Force is committed to enhancing its partnerships with the commercial space industry, our allies and other international partners."

Exclusive: White House Directs NASA to Create Time Standard for the Moon (Reuters)

The White House Office of Science and Technology Policy (OSTP) instructed the National Aeronautics and Space Administration (NASA) to establish a unified standard of time for the Moon and other celestial bodies by the end of 2026. The Coordinated Lunar Time (LTC) would provide a time-keeping benchmark for lunar spacecraft and satellites that require extreme precision for their missions.

NASA Seeks 'Hail Mary' for Its Mars Rocks Return Mission (New York Times)

NASA is seeking public input to develop alternative plans for the Mars Sample Return mission. The agency stated that they have determined that they will not be able to complete the mission before 2040 given budget constraints and delays, leading them to seek out innovative possibilities for the mission's revamp.

NASA Picks 3 Companies to Design Autonomous Moon Rovers (The Hill)

NASA selected three commercial space companies—Intuitive Machines, Lunar Outpost and Venturi Astrolab—to develop a Lunar Terrain Vehicle (LTV) for astronauts to use on the lunar surface. The vehicles will be used during the Artemis crewed missions on the Moon and will help astronauts reach areas of the lunar surface that are hard to reach on foot.

FAA: No Current Plans to Tax Commercial Space Launches (SpaceNews)

After the *New York Times* [reported](#) that the Biden administration was proposing to tax companies that perform commercial launches, Kelvin Coleman, the Federal Aviation Administration (FAA) associate administrator for commercial space transportation, told reporters that there are no current plans to seek a tax on commercial launches. "At this point, there is no concrete proposal in the president's budget request. There are conversations, there's things we talked about, but I think there's still a ways to go before we see something concrete in that regard," he stated.

'State of the Space Industrial Base' Highlights Supply Chain and Workforce Challenges (SpaceNews)

On April 8, the U.S. Space Force, the Defense Innovation Unit, NASA and the Air Force Research Laboratory issued its annual collaborative report, the "State of the Space Industrial Base." The report emphasizes the important role of the commercial space industry in ensuring the U.S.'s competitiveness in space and urges the need for the U.S. to adapt and innovate to stay ahead in the space race. Finally, the report identifies major challenges of the space industry, including supply chain vulnerabilities and workforce development struggles.

U.S. Space Command Adopts Multipronged Approach to Prepare for 'a Conflict That Has Never Happened' (SpaceNews)

The U.S. Space Command is seeking to expand international collaboration by inviting Germany, France and New Zealand to join Operation Olympic Defender, a U.S.-led initiative to jointly strengthen defenses and deter hostility. In addition to increasing cooperation, Space Command is prioritizing making its constellations more resilient, defending them against a growing array of threats, protecting the joint force from space-enabled attack and conducting tests and training "that convinces us that these capabilities will work in a conflict which has never happened."

NASA Rolls Out New Space Sustainability Strategy. (SpaceNews)

On April 9, NASA released the first volume of its **Space Sustainability Strategy**, which details the agency's approach to dealing with an increasingly crowded orbital environment. The strategy emphasizes analyzing the problem rather than creating new technologies to solve it.

Pentagon Research Chief Calls for Commercial Radiation-Hardened Electronics (SpaceNews)

Noting that "recent reporting regarding the prospect of Russia launching nuclear warheads on long-range boosters or from orbiting platforms raises additional concerns of nuclear detonations in space," Heidi Shyu, Undersecretary of Defense for Research and Engineering, issued a call for the commercial space industry to develop affordable, radiation-hardened electronics to "ensure the security and resilience of our satellite systems in orbit."

Air Force Seeks to Shift Part-Time Space Units, Reigniting Space Guard Fight (Politico)

The Air Force requested Congress allow it to move its part-time space units out of the Air Force National Guard and into the Space Force. The Air Force's proposal does not create a standalone Space National Guard, which is something that political and Guard leaders from states with space missions have fought to do for several years.

Space Force Challenged by Budget Stagnation (SpaceNews)

In the coming weeks, Congress will be receiving testimony from the Space Force explaining and advocating for their budget proposal for fiscal year 2025. The recently passed fiscal year 2024 appropriations bill handed the Space Force an approximate 5% decrease from its requested topline.

Office of Space Commerce Calls for International Cooperation in Space Situational Awareness (SpaceNews)

The U.S. Office of Space Commerce Director Richard DalBello expressed a desire to see global cooperation and coordination on a space situational awareness system. He stated that it is clear that "the U.S. alone can't solve these problems" because "these problems are bigger than our borders because we are all operating in international space." DalBello envisions "a global, coordinated system of [space situational awareness (SSA)] providers, with a series of regional hubs providing SSA information and services to spacecraft operators. These centers will be supported by networks of international partnerships, and their services will be augmented by a robust global commercial SSA sector."

Federal Agency Space News

National Aeronautics and Space Administration

NASA Leadership Spotlights Space Sustainability at Space Symposium (April 5, 2024)

Commercial Space Frequently Asked Questions (April 7, 2024)

NASA, Japan Advance Space Cooperation, Sign Agreement for Lunar Rover (April 10, 2024)

NASA Sets Path to Return Mars Samples, Seeks Innovative Designs (April 15, 2024)

Department of Defense

Official Says Commercial Space Strategy Is Driven by Imperative to Maintain Warfighting Edge (April 9, 2024)

[ASD Space Policy Keynote Address for the 2024 Space Policy Symposium \(As prepared\)](#)
(April 10, 2024)

U.S. Space Force

[To Maintain Supremacy, Saltzman Unveils Strategy for Tighter, More Immersive Collaboration with Space Industries](#) (April 10, 2024)

[USSF Releases Commercial Space Strategy to Increase Competitive Advantage](#) (April 10, 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)

[Promoting Supply Chain Resilience](#)

Office of the U.S. Trade Representative

Close Date: April 22, 2024

[NASA Hosted Payload Interface Guide \(HPIG\) for Proposers](#)

National Aeronautics and Space Administration

Close Date: April 30, 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)

[Rapid Mission Design Studies for Mars Sample Return](#)

National Aeronautics and Space Administration

Close Date: May 17, 2024

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

National Aeronautics and Space Administration

Close Date: May 15, 2025

Notices of Proposed Rulemakings (NPRMs)

[Space Innovation; Facilitating Capabilities for In-Space Servicing, Assembly, and Manufacturing](#)

Federal Communications Commission

Close Date: April 29, 2024

[Export Control Revisions for Australia, United Kingdom, United States \(AUKUS\) Enhanced Trilateral Security Partnership](#)

Department of Commerce, Bureau of Industry and Security

Close Date: June 3, 2024



Articles and Quotes

[EU to Delay Space Law, Constellation Contract \(SpaceNews\)](#)

At an April 9 meeting of an European Union (EU) parliamentary committee, it was announced that the European Commission is delaying the release of its legislative proposal for an EU space law, as well as a contract for a satellite constellation, until later this summer.

[US Talks with Russia to Discourage Space Anti-Satellite Nuclear Weapons Ongoing \(Politico\)](#)

U.S. officials are using the United Nations to hold talks with Moscow in hopes of persuading Russia to back down from its plans to test launch an anti-satellite nuclear weapon in space.

[China, Thailand Sign Pacts on Outer Space, Lunar Outposts \(Reuters\)](#)

China and Thailand signed pacts earlier this month to cooperate on space exploration and international lunar research stations.

[US-Japan Summit: What Defense Shakeup Involves and Why \(Reuters\)](#)

In a [joint statement](#), U.S. President Joe Biden and Japanese Prime Minister Fumio Kishida laid out plans for a “new era” of strategic cooperation, which includes having a Japanese astronaut land on the moon with NASA’s Artemis program and collaborating on a low-earth orbit detection and tracking satellite constellation. In the statement, the leaders wrote that “our global partnership extends to space, where the United States and Japan are leading the way to explore our solar system and return to the Moon.”

[Switzerland Signs Artemis Accords to Join NASA in Moon Exploration \(Space.com\)](#)

Swiss Federal Councillor Guy Parmelin joined NASA administrator Bill Nelson on April 15 to become the latest country to sign on to the agency’s Artemis Accords for space exploration. Switzerland is the 37th country to sign the Artemis Accords, following the inclusion of Greece and Uruguay in February.

Upcoming Space Events



[The Business of Space Conference: Economics, Commerce, and Sustainability of New Space](#)

University of Alabama in Huntsville
April 21 - 23, 2024

[Meeting](#)

FAA Commercial Space Transportation Advisory Committee (COMSTAC)
Tuesday, April 23 at 9:00 AM ET

[Exploring Mars and the Moon](#)

Brookings

Thursday, May 2 at 2:00 PM ET

Open House Event - Understanding Interagency Review of Satellites Prior to Launch

FCC Space Bureau

Thursday, May 9 at 10:30 AM ET

COSMIC Convergence

Consortium for Space Mobility and ISAM Capabilities

May 15 - 16, 2024



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Questions?

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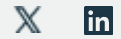
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