



## Space Law, Regulation and Policy Update

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Good Afternoon!

*If it felt like this was a week of seconds, it wasn't just you pining for a break over the holidays. President Trump signed the "Ensuring American Space Superiority" executive order, his second EO focused on space policy, and Jared Isaacman was confirmed as NASA Administrator after having his nomination withdrawn earlier this year.*

*Outside the beltway, Canada announced that it would ease restrictions on private capital investment in its defense sector, Russia said the Baikonur launchpad should be back online in February, and the Secretary of the Air Force warned that homegrown innovation - rather than the copying of American technology - is driving the rapid advance of China's space capabilities.*

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

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### Akin Spotlight

Akin's [Trump Executive Order Tracker](#) provides a high-level overview of executive orders published by the new administration. These orders cut across dozens of industries and topics. The Tracker is updated as orders and Akin's in-depth analysis of specific orders are published.

Please visit Akin's [Trump Executive Order Overview](#) to view a matrix of the orders.

## On The Hill

### Articles and Quotes

[Senate Passes NDAA in 77-20 Vote, Sending \\$900 Billion Defense Policy Bill To Trump](#) (CBS News)

On December 17, the Senate passed the \$900 billion National Defense Authorization Act (NDAA) by a vote of 77-20, sending the annual defense policy bill to President Trump's desk. The legislation includes a 3.8% pay raise for service members, prohibits diversity, equity and inclusion

(DEI) programs at the Pentagon and codifies more than a dozen Trump executive orders, including the use of troops at the southern border and support for the “Golden Dome” missile defense shield. The NDAA authorizes \$400 million in Ukraine aid for FY26-27, repeals the 1991 and 2002 Iraq war authorizations and lifts sanctions on Syria under the Caesar Act. It also includes controversial provisions related to D.C. airspace following a recent fatal helicopter crash, though lawmakers may revisit this language in future appropriations bills.

### **Second-time NASA Nominee Confirmed To Lead Space Agency** *(Politico)*

On December 17, the Senate confirmed Jared Isaacman as the National Aeronautics and Space Administration (NASA) Administrator in a 67-30 vote, marking a rare second-chance appointment after President Trump initially withdrew his nomination in May due to tensions with SpaceX CEO Elon Musk. Isaacman, a billionaire entrepreneur and private astronaut, distanced himself from Musk and emphasized his commitment to the Artemis moon program and urgency in countering China’s space advances. His confirmation provides stable leadership for NASA amid budget uncertainty and workforce attrition, as the agency works to advance human lunar missions and plan for the post-International Space Station (ISS) future.

### **There’s a Divide Within the Space Force. Congress Is Forcing the Service To Address It** *(Defense One)*

Despite efforts to unify the service since its 2019 establishment, the U.S. Space Force remains sharply divided between its operations and acquisition communities—a problem that lawmakers and insiders say has worsened over the past year. The 2026 NDAA now mandates parity in training and assigning operations and acquisition officers, aiming to correct what House Armed Services leaders called a dangerous imbalance. The divide, rooted in legacy structures from Air Force Space Command, has led to cultural and organizational tensions, exacerbated by leadership changes, civilian workforce cuts and delays in key space programs. While the service has introduced new training courses and internal reforms to bridge the gap, Congress is demanding greater accountability and curriculum updates through reporting requirements that extend through 2030. Lawmakers and former officials warn that unless this structural divide is resolved, it could undermine the Space Force’s ability to meet its long-term mission.

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## **Introduced Legislation & Legislative Updates**

On December 16, the Senate considered the National Defense Authorization Act for Fiscal Year 2026 (**S. 1071**).

Sen. Gary Peters (D-MI) **introduced** the Satellite Cybersecurity Act (**S. 3404**), which requires a report on Federal support for the cybersecurity of commercial satellite systems.

Rep. Tom Kean (R-NJ) **introduced** the Drone Safety Enhancement Act (**H.R. 6647**), which provides for collaboration between NASA and the Federal Aviation Administration (FAA) relating

to research on unmanned aircraft systems and advanced air mobility.

Rep. Valerie Foushee (D-NC) **introduced** the Space Resources Institute Act (**H.R. 6638**), which requires a report on merits and options for establishing an institute relating to space resources.

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

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## Recent and Upcoming Congressional Hearings

(December 8, 2025 - January 5, 2026)

On December 8, the Senate Committee on Commerce, Science, & Transportation (CST) held an **executive session** to consider nominations.

On December 10, the House Committee on Science, Space, and Technology (SST) held a **hearing** titled “The Genesis Mission: Prioritizing American Science and Technology Leadership.”

On December 11, the Senate Committee on Armed Services (SASC) held a **hearing** to receive testimony on the Administration’s deployment of the National Guard across the United States.

On December 16, the Senate Select Committee on Intelligence (SSCI) held a closed **briefing** on intelligence matters.

On December 16, the House Permanent Select Committee on Intelligence (HPSCI) held a closed **deposition**.

On December 17, SSCI held a closed **briefing** on intelligence matters.

On December 17, the House Homeland Security Subcommittee on Cybersecurity and Infrastructure Protection held a **hearing** titled “The Quantum, AI, and Cloud Landscape: Examining Opportunities, Vulnerabilities, and the Future of Cybersecurity.”

On December 17, the Senate CST Subcommittee on Aviation Safety, Operations, and Innovation held a **hearing** to examine FAA’s plan for ATC modernization, focusing on evaluating progress, ensuring accountability and results.

On December 18, the House SST Subcommittee on Investigations and Oversight held a **hearing** titled “Research Security: Examining the Implementation of the CHIPS and Science Act and NSPM-33.”

On December 18, HPSCI held a closed **hearing** titled “Examining the Intelligence Community’s use of Commercial Information.”

## In the White House/Executive Branch

### Articles and Quotes

#### President Trump Signs Executive Order To ‘Ensure American Space Superiority’ (The White House)

On December 18, President Trump signed a sweeping executive order on national space policy titled “Ensuring American Space Superiority.” The order outlines a bold “America First” vision to reassert U.S. leadership across civil, commercial and national security space sectors. Key provisions include returning astronauts to the Moon by 2028 and establishing the first elements of a permanent lunar outpost by 2030. The directive also calls for deployment of space-based nuclear power systems, procurement reform, supply chain strengthening and commercial replacement of the International Space Station (ISS) by 2030. It sets new investment targets, seeks to increase launch cadence, and directs the Pentagon to demonstrate next-generation missile defense systems by 2028. The order emphasizes coordination across NASA, Department of Defense (DoD) and Commerce, and urges greater integration of commercial technologies into the national security space architecture. It follows previous Trump-era space directives and builds on earlier executive actions promoting competition, nuclear power, and space resource utilization.

#### White House Orders Moon Landing By 2028 (*Politico*)

President Trump’s Ensuring American Space Superiority executive order formally unveiled a national strategy that sets 2028 as the target date for returning U.S. astronauts to the moon and 2030 for establishing the first elements of a permanent lunar base. The directive also eliminates the National Space Council, established under the Biden administration, and consolidates Trump-era space priorities. Released just one day after Jared Isaacman was confirmed as NASA administrator, the order outlines a mandate to drive \$50 billion in commercial investment, build a lunar outpost, and develop next-generation space-based missile defense systems. The policy highlights growing urgency in countering Chinese and Russian space threats, including the potential deployment of nuclear weapons in orbit.

#### ‘Mission Authorization’ - E.O. 14335 (Office of Space Commerce)

On December 3, 2025, the U.S. Department of Commerce’s Office of Space Commerce (OSC) held a stakeholder briefing on “Mission Authorization,” the first in a series of engagements to discuss how the U.S. might implement Executive Order 14335’s directive for a new regulatory pathway for novel space activities that don’t clearly fit existing licensing frameworks. The draft concept OSC presented proposes a single opt-in “space commerce certification” process whereby industry applicants would make defined commitments to protect national interests, OSC would conduct basic due diligence and circulate applications to the interagency on firm timelines, and upon certification that would be accepted by agencies such as the FAA and Federal Communications Commission as satisfying portions of their review requirements with the goal of streamlining and unifying what is now a parallel, multi-agency process. OSC is actively seeking feedback from stakeholders on this draft approach as it continues to refine the concept ahead of senior political

sign-off and potential submission to the White House.

#### **Trump Prepares Executive Order Targeting Defense Contractors** *(Punchbowl News)*

The Trump administration is preparing an executive order that could restrict stock buybacks, dividends, and executive compensation for major defense contractors, building on broader efforts to rein in the dominance of traditional defense primes. The anticipated move has sparked concern across the defense sector about potential effects on investment and capital access. Industry officials warn the directive could depress company valuations and disincentivize private investment. At the same time, the administration and Congress are pursuing parallel reforms through the NDAA and public pressure to push contractors toward more internal research and development (R&D) spending and greater efficiency. Lawmakers such as Sen. Warren and Rep. Deluzio have also called for tighter oversight of defense industry practices and expressed interest in partnering with the Trump administration on reforms.

#### **Space Force Wants Lower-Cost, Commercial Capabilities for Silent Barker Replacement** *(Air & Space Forces Magazine)*

The U.S. Space Force is planning to shift toward smaller, lower-cost and commercially developed surveillance satellites as it prepares a follow-on to the Silent Barker program. According to Space Systems Command, the successor will build on lessons from the RG-XX effort to replace the Geosynchronous Space Situational Awareness Program (GSSAP), prioritizing wide-field-of-view sensors on more distributed, affordable platforms. The service is inviting industry input on refuelable designs and novel sensor configurations, though officials stress that the emphasis will be on acquisition innovation rather than dramatic changes in mission capability. Unlike Silent Barker, which was co-developed with the National Reconnaissance Office, the new effort will be led solely by the Space Force.

## **Federal Agency Space News**

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

**NASA Works with Boeing, Other Collaborators Toward More Efficient Global Flights** (December 11, 2025)

**NASA Continues MAVEN Spacecraft Recontact Efforts** (December 15, 2025)

**NASA Ignites New Golden Age of Exploration, Innovation in 2025** (December 16, 2025)

**NASA Langley Research Center: 2025 Year in Review** (December 17, 2025)

### **U.S. Department of Commerce**

**USG Seeks Private Sector Participation in a ‘Discussion Group on Space Situational Awareness’** (December 15, 2025)

OSC Seeks Stakeholder Feedback on Draft 'Mission Authorization' Concept (December 17, 2025)

U.S. Department of Defense

Hegseth, Senior Leaders Attend Spacecom Relocation Ceremony (December 12, 2025)

Scarlet Dragon Links Military, Industry to Test Artificial Intelligence for Warfighters (December 17, 2025)

U.S. Space Force

CMSSF Highlights Evolving Warfighter Demands, Space Threats at Spacepower 2025 (December 12, 2025)

Space Force Reinforces Combat Culture, Talent Development (December 12, 2025)

## International

### Articles & Quotes

Canada Opens Door To Defense Capital (*Politico*)

Canada is ramping up defense spending and taking major steps to attract private capital into its long-neglected domestic defense industrial base. Prime Minister Mark Carney's government aims to boost defense investment to 2% of gross domestic product (GDP) by 2026 and 5% by 2035, while also seeking up to C\$500 billion in private capital for national security and infrastructure projects. The Business Development Bank of Canada is moving to ease restrictions that have traditionally blocked venture investment in weapons firms. A defense-industrial strategy is expected by year's end, with officials emphasizing venture capital and dual-use tech development, especially in artificial intelligence (AI), uncrewed systems and Arctic infrastructure, as Ottawa tries to foster national champions and reduce reliance on foreign primes. The article also notes a broader U.S. trend toward government equity investment in strategic minerals, like zinc, as part of defense-industrial policy.

US, France Conduct Joint Space Domain Awareness Operation (*Air & Space Forces Magazine*)

U.S. Space Command has completed a second joint space domain awareness operation with France under Multinational Force Operation Olympic Defender (MNF-OOD), further cementing bilateral cooperation in space maneuver and resilience. SPACECOM Commander Gen. Stephen Whiting described the mission as a demonstration of "responsible dynamic space operations" amid daily threats to U.S. satellites. This builds on a prior U.S.-France rendezvous and proximity operation in 2024, as well as a similar 2025 mission with the U.K.-France's Space Command

emphasized the operation as a deterrent against adversaries, while Whiting noted 2026 will be the “year of integration,” as SPACECOM strengthens multinational collaboration in space warfare.

#### **Russia Targets Late February for Return of Baikonur Launchpad** *(Bloomberg)*

Russia’s state space agency Roscosmos is aiming to restore the Baikonur Cosmodrome’s damaged crew launchpad by late February 2026 following a mishap during a November rocket launch to the ISS. Over 130 specialists are working in two shifts to install a new service cabin, with structural work underway and autonomous tests planned once assembly is complete. The launchpad is Russia’s only site for crewed missions, and repairs must be finalized before further human spaceflights can resume. Separately, Roscosmos delayed a Proton-M rocket launch due to a localized issue but said the postponement would not impact the scientific schedule.

#### **US Air Force Secretary Warns China’s Space Gains Are Driven By More Than Copying** *(SpaceNews)*

Speaking at the Spacepower Conference, Air Force Secretary Troy Meink warned that China’s advances in space and missile technology are not merely the result of copying U.S. systems, but reflect significant independent innovation and an increasingly sophisticated industrial base. He cited China’s rapidly improving launch infrastructure, accelerating production capacity, and expanding missile inventory, including hypersonic and anti-satellite capabilities, as evidence that Beijing is closing the gap across multiple domains. Meink emphasized the need for the United States to move faster and adopt more agile procurement and production models, noting that the traditional assumption that China was “just stealing” U.S. technology no longer holds. He reinforced the Pentagon’s view of China as the United States’ principal pacing threat, urging industry and government to respond accordingly.

*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)**

### **Innovative Solutions for FAA Application and Database Modernization**

**Federal Aviation Administration**

Close Date: January 7, 2026

### **In Space Manufacturing-Advanced Space Technologies for Resilient Operations (ISM-ASTRO)**

**National Aeronautics and Space Administration**

Close Date: January 16, 2026

### **Mounted Assured Positioning, Navigation, and Timing System (MAPS) GEN II Production and Sustainment IDIQ**

**Department of Defense**

Close Date: January 19, 2026

### **NASA Headquarters Earth Independent Operations (EIO) Partnerships in Anomaly**

**National Aeronautics and Space Administration**

Close Date: January 26, 2026

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

**Enhanced Use Lease for Commercial Data Centers**

**Department of Defense**

Close Date: January 15, 2026

**Intelligence, Surveillance and Reconnaissance (ISR) Systems and Information Operations (IO) from Seabed to Space (S2ISR)**

**Department of Defense**

Close Date: January 31, 2026

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

**Space Modernization for the 21st Century**

**Federal Communications Commission**

Close Date: January 20, 2026

## **Upcoming Space Events**

**The 247th American Astronomical Society Meeting**

**AAS**

January 4-8, 2026

**Annual Meeting of the Lunar Exploration Analysis Group**

**NASA**

January 6-8, 2026

**SciTech Forum**

**AIAA**

January 12-16, 2026

**Small Bodies Assessment Group (SBAG)**

**NASA**

January 13-14, 2026

**American Meteorological Society (AMS) Annual Meeting**

**AMS**

January 25-29, 2026

Lunar Surface Science Workshop (LSSW)

NASA SSERVI

January 27-28, 2026

Commercial Space Week

Spacecom

January 27-30, 2026

Space Congress 2026

Spacecom

January 28-30, 2026

Defense and Intelligence Space Conference

NSSA

February 9-11, 2026

2026 Space Traffic Conference

IAA

February 18-19, 2026

Warfare Symposium

AFA

February 23-25, 2025

ASCENDxTEXAS

AIAA

February 25-26, 2025

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## Questions?

If you have any questions, please contact:

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