

Akin

Space Law, Regulation and Policy Update



October 04, 2024

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Good Afternoon!

It has been another busy two weeks in space law and policy! SpaceX delivered a new crew (including the first Space Force Guardian in orbit) and two empty seats to the ISS. Meanwhile, back on earth, the U.S. Congress keeps the government funded (for a while), NASA voiced concerns about the aging space station's health and the agency's lack of redundant systems, and the FCC opened up more spectrum for Starlink and other non-geostationary satellite (NGSO) operators. At the UN General Assembly in New York, leaders took steps to stave off a space arms race and strengthen international frameworks governing outer space. Meanwhile, at another international conference, Russia let world know it sees commercial sats used in military operations as "legitimate targets."

All this and more in this edition of the Space Law, Regulation and Policy Update.

IAC Milan

Akin will be at the International Astronautical Congress (IAC) 2024 and we would love to meet with you in Milan. If you'd like to schedule a meeting with Akin, please email [Michael Mineiro](#). If you're not attending IAC but would still like to meet with the Akin team, email Michael and we will schedule a virtual meeting.

On The Hill

Articles and Quotes

[Congress Clears CR, Heads Home with To-Do List Largely Untouched \(Space Policy Online\)](#)

On Thursday, September 26, the House and Senate passed a Continuing Resolution ([H.R. 9747](#)) to prevent a government shutdown until December 20 of this year. The bill continues existing levels of funding for departments and agencies in the discretionary federal budget, including agencies such as Department of Defense (DoD), NASA (the National Aeronautics and Space Administration) and The National Oceanic and Atmospheric Administration (NOAA). None of the FY25 appropriations bills have passed Congress, including the Commerce-Justice-Science bill that funds NASA and NOAA. Legislators now have until the end of the year to debate, amend and pass the appropriations bills to avoid a shutdown.

House Passes NASA Authorization Bill (SpaceNews)

On September 23, the House passed the NASA Authorization Act of 2024 (**H.R. 8958**), which maintains NASA's focus on human spaceflight and science, notably through maintaining authorization of the Artemis program. The bill also backs several ongoing NASA initiatives like the Commercial Lunar Payload Services program and commercial spacesuit development. It mandates NASA to deliver reports to Congress on several topics of interest, including the Space Launch System and Human Landing System projects. The bill was introduced in the Senate on September 24.

AIA Calls on Congress to Move Beyond Short-Term Funding Following Passage of Continuing Resolution (Aerospace Industries Association)

In a September 25 press release, the Aerospace Industries Association (AIA) commended Congress for passing a Continuing Resolution but urged lawmakers to move beyond short-term funding measures for future fiscal years. The report highlighted that temporary budget solutions create uncertainty and disrupt long-term planning for the aerospace and defense sectors and called for the passage of full-year appropriations to provide stability and support the industry's contributions to national security and technological advancement.

Introduced Legislation

On Thursday, September 26, President Joe Biden signed the *Launch Communications Act* (**S. 1648**) into law. The now law mandates the Federal Communications Commission (FCC) to finalize rules regarding the allocation of spectrum frequencies for commercial space launches and reentries. The law is expected to both ease and accelerate the process of gaining federal approval for deploying low-Earth orbit (LEO) satellites.

On Monday, September 23, the House voted 366-21 to pass the *NASA Reauthorization Act of 2024* (**H.R. 8959**) which aims to authorize the space agency's ongoing activities. The bill would also direct NASA to provide several reports to Congress, including on non-NASA demand for the Space Launch System (SLS) and on alternative approaches to Human Landing System projects. The bill was introduced in the Senate on September 24 and referred to the committee on Commerce, Science, and Transportation.

On Monday, September 23, the House passed the *Accessing Satellite Data to Enable New Discoveries (ASCEND) Act* (**H.R. 6219**) by voice vote. The bill would formally authorize NASA's Commercial SmallSat Data Acquisition Program in which the agency purchases commercial satellite imagery for use in an array of scientific research. The legislation was introduced in the Senate on September 24 and referred to the committee on Commerce, Science, and Transportation.

On Friday, September 20, Senate Armed Services Committee (SASC) Chair Jack Reed (D-RI) and Ranking Member Roger Wicker (R-MS) filed a managers package to the SASC-passed version of the fiscal year 2025 *National Defense Authorization Act* (NDAA; **S. 4638**). The bipartisan package (**SA 3290**) contains 93 amendments and, along with S. 4638 and any additional amendments considered on the Senate floor, will be part of conference negotiations with the House. The House passed their version (**H.R. 9070**) of the NDAA in June.

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

Recent and Upcoming Congressional Hearings

There are no upcoming congressional hearings.

In The Executive Branch



Articles and Quotes

NASA IG Worries About Lack of Redundancy for ISS Operations, Longer Term Issues (*Space Policy Online*)

NASA's Office of Inspector General (OIG) has expressed concerns over the lack of redundancy in crew and cargo transportation for the International Space Station (ISS). Currently, SpaceX is the only United States (U.S.) provider capable of delivering supplies and crew through its Falcon 9, as delays with Boeing's Starliner and Northrop Grumman's new Antares rocket leave NASA overly dependent. The OIG also raised issues regarding ISS structural integrity, international cooperation for deorbit plans and the need for commercial space stations.

Space Force Wants a Market for Commercial Satellites That Can Maneuver in Orbit (*Air and Space Forces*)

The U.S. Space Force is seeking to establish a marketplace for commercial satellites capable of maneuvering in geosynchronous orbit, according to Col. Richard Kniseley from the Space Systems Command. This initiative, named "Maneuverable GEO," aims to create a pool of vendors for satellite-based services across multiple mission areas, including communications and environmental monitoring. The Space Force's goal is to leverage existing commercial capabilities, enhancing agility, and responsiveness in military operations. A contract for this program is expected to be awarded in 2025.

FCC Releases More Radio Waves for NGSO Broadband (*SpaceNews*)

On September 26, the FCC approved new rules to allocate more spectrum for non-geostationary satellite operators like Starlink. The decision grants access to frequencies in the 17.3-17.7 GHz band, enhancing broadband services provided via satellite. The move is intended to improve internet access in underserved areas, while requiring operators to share the spectrum with geostationary satellites under certain conditions. The new rules align with international agreements from the World Radiocommunication Conference.

NOAA Kicks Off TraCSS Space Situational Awareness System (*Space Policy Online*)

NOAA's Office of Space Commerce has begun beta testing its TraCSS system, which provides space situational awareness data to commercial satellite operators. This system aims to replace the Department of Defense's Space-Track system by the end of 2025 due to the increasing strain on DoD's resources from the rapid growth in satellites and debris. TraCSS, as part of an agile development process, will evolve to meet global data standards and improve satellite collision warnings, supporting safe and sustainable space operations.

Top 'Safety Risk' for the ISS is a Leak That Has Been Ongoing for 5 Years, NASA Audit Finds (*Space.com*)

A recent NASA Inspector General report revealed concerns about a leak in the ISS that has persisted since 2019. The leak rate has significantly increased, prompting discussions between NASA and Russian officials about risk mitigation strategies. Currently classified as high risk, the leak is emanating from a small Russian module, potentially affecting the ISS's operations. NASA has stated it would like to extend the ISS operations to 2030 before

transitioning to a private space station operation, but no agreement has been finalized with Russia past 2028.

Federal Agency Space News

Department of Defense

[Office of Strategic Capital Announces First Notice of Funding Availability to Secure the U.S. Industrial Base](#) (September 30, 2024)

[U.S. Spacecom Commander Outlines Role of Partnerships Amid Growing Threats](#) (September 26, 2024)

[Joint Press Statement for the 25th Korea-U.S. Integrated Defense Dialogue](#) (September 24, 2024)

National Aeronautics and Space Administration

[NASA's SpaceX Crew-8 Concludes Space Station Scientific Mission](#) (October 1, 2024)

[Liftoff! NASA's SpaceX Crew-9 Launches to International Space Station](#) (September 28, 2024)

[US, Republic of Korea Sign Statement to Advance Aerospace Cooperation](#) (September 23, 2024)

[NASA Expands Small Business, Industry Engagement Resources](#) (September 23, 2024)

U.S. Space Force

[US Space Command Begins Dual-track Operations of Spaceflight Safety Services with Office of Space Commerce](#) (October 1, 2024)

[First USSF Guardian Launches into Space with NASA Missions](#) (September 28, 2024)

[DAF Leaders Reaffirm Commitment to Optimization for Great Power Competition](#) (September 20, 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)

[Request for Information for OSAM-1 Partnerships](#)

National Aeronautics and Space Administration
Close Date: Sep 30, 2024

[Space Systems Processing Facility \(SSPF\)](#)

National Aeronautics and Space Administration
Close Date: Oct 11, 2024

[Cryogenic Active Cooling for Human Exploration \(CACHE\)](#)

National Aeronautics and Space Administration
Close Date: Oct 15, 2024

[Apophis 2029 Innovation \(A29I\) Using the Janus Spacecraft \(A29I-Janus\)](#)

National Aeronautics and Space Administration

Close Date: Oct 28, 2024

[NASA SpinSat](#)

National Aeronautics and Space Administration

Close Date: Dec 16, 2024

Requests for Proposals (RFPs)

[Design and Analysis for a High Altitude Parachute for Large Payloads](#)

National Aeronautics and Space Administration

Close Date: Oct 7, 2024

[Final Request for Proposal - Test Facility Operations, Maintenance, and Engineering III \(TFOME III\)](#)

National Aeronautics and Space Administration

Close Date: Oct 7, 2024

[Next Generation Scalable Data Engineering, Operations, And Informatics Support for Open Science \(Next Gen\)](#)

National Aeronautics and Space Administration

Close Date: Oct 16, 2024

[Next Space Technologies for Exploration Partnerships \(NextSTEP-2\) Broad Agency Announcement \(BAA\) Appendix R: Lunar Logistics and Mobility Studies](#)

National Aeronautics and Space Administration

Close Date: Oct 22, 2024

[ROSES 2024: F.13 Lunar Terrain Vehicle Instruments](#)

National Aeronautics and Space Administration

Close Date: Oct 23, 2024

[NASA Open Innovation Services 3 \(NOIS3\)](#)

National Aeronautics and Space Administration

Close Date: Nov 1, 2024

[7-SEWP VI Final RFP \(6th Generation of Solutions for Enterprise-Wide Procurements\)](#)

National Aeronautics and Space Administration

Close Date: Dec 18, 2024

[Defense Sciences Office \(DSO\) Office-wide BAA](#)

Department of Defense

Close Date: Sep 26, 2025

Notices of Proposed Rulemakings (NPRMs)

[Defense Federal Acquisition Regulation Supplement: DoD Cost or Pricing Data Requirements \(DFARS Case 2022-D004\)](#)

Department of Defense

Close Date: Nov 25, 2024



Articles and Quotes

United Nations Adopts Ground-Breaking Pact for the Future to Transform Global Governance (United Nations)

On September 22, the United Nations (UN) adopted the Pact for the Future, a portion of which focused on international cooperation in outer space governance. The agreement outlines clear commitments to preventing an arms race in outer space (PAROS) and ensuring safe, sustainable and accessible exploration of space. The pact comes at a time of heightened sector competition between the U.S., China, and Russia, all permanent members of the UN Security Council.

Russia Threatens Space Strikes on Western Satellites at UN Peace Forum (Forbes)

At 2024 UN Outer Space Security Conference, Russian official Sergey Belousko issued strong warnings regarding the involvement of Western commercial satellites in military operations, particularly in relation to the ongoing conflict in Ukraine. He described such satellites as legitimate targets for retaliation if they are perceived as interfering with Russian actions. The remarks underscore Russia's potential wartime use of counterspace weaponry to target Western space operations that have mostly provided humanitarian aid to Ukraine.

U.S. Faces Stiff Competition from China in Satellite Remote Sensing (SpaceNews)

On October 1, a report from the Center for Strategic and International Studies and other national security think tanks revealed intensified competition between the U.S. and China in commercial satellite remote sensing. While the U.S. maintains leadership in synthetic aperture radar (SAR) imaging, China has made significant advancements in electro-optical (EO) and multispectral systems, winning five out of 11 performance categories. The report highlights the need for U.S. regulatory reforms and increased government purchases of commercial data to ensure future competitiveness against rapidly advancing Chinese technology.

Upcoming Space Events



World Space Week

World Space Week Association
October 4-10, 2024

2024 Division of Planetary Sciences Meeting

American Astronomical Society
October 6-10, 2024

Aeronautics and Space Engineering Board Fall Meeting

National Academies
October 8-9, 2024

NASA Advisory Council Science Committee Meeting

National Aeronautics and Space Administration

October 8-10, 2024

IAASS Conference: Building a Safe, Secure, and Sustainable Space

International Association for the Advancement of Space Safety

October 8-10, 2024

Women in Aerospace Awards Dinner

Women in Aerospace

October 10, 2024

International Astronomical Congress 2024

International Astronomical Federation

October 14-18, 2024

Planetary Science Research Program Town Hall

National Aeronautics and Space Administration

October 15, 2024

MSBR Luncheon with NOAA'S Elsayed Talaat

Maryland Space Business Roundtable

October 15, 2024

International Security Space Week

National Security Space Association

October 15-17, 2024

Silicon Valley Space Week

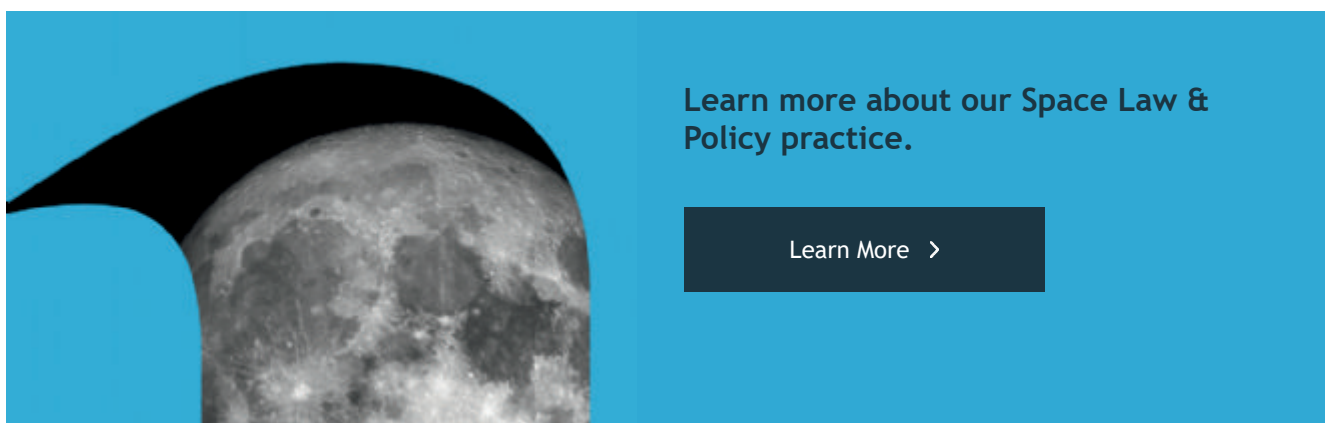
Satellite Innovation and MilSat Symposium

October 21-24, 2024

2024 Von Braun Space Exploration Symposium

American Astronautical Society

October 28-30, 2024



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Questions?

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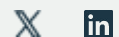


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