

**Akin**

# Space Law, Regulation and Policy Update



September 06, 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:*

### 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

#### **[Ranking Members Lofgren and Sorensen Statement on NASA Decision to Return Starliner to Earth Uncrewed](#) (House Committee on Science, Space, & Technology)**

On Saturday, August 24, House Committee on Science, Space, & Technology Ranking Member Lofgren (D-CA) and Space and Aeronautics Subcommittee Ranking Member Eric Sorensen (D-IL) released a statement commending the National Aeronautics and Space Administration (NASA) and Boeing for prioritizing safety after it was announced that the Starliner is to return uncrewed. The two also voiced a commitment to investigating the circumstances of the issue, its impact on the International Space Station (ISS), and its implications of public-private-partnership on NASA human spaceflight moving forward.

### Introduced Legislation

No legislative space updates.

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

# Recent and Upcoming Congressional Hearings

September 9 - September 20, 2024

The House Committee on Science, Space and Technology will hold a Space and Aeronautics Subcommittee meeting on Tuesday, September 10 at 10 a.m. The meeting will examine the current regulatory framework for commercial space activities, explore the effect of regulations on commercial space sector growth, and discuss possibilities for improving government oversight of commercial space activities.

## In The Executive Branch



## Articles and Quotes

### **Supreme Court Case Could Affect Orbital Debris Mitigation Rules (SpaceNews)**

The Supreme court's recent overturning of the "Chevron deference", the notion that federal agencies have significant latitude in interpreting legal ambiguities within laws they are tasked with enforcing, calls into question the authority of the Federal Communications Commission (FCC) to regulate on orbital debris mitigation. The FCC historically has argued that its authority to regulate orbital debris derives from the Communications Act of 1934, an explanation that may fall short in a post-Chevron legal environment. This comes soon after a 2022 new FCC rule that requires operators to deorbit satellites within five years of mission completion, as compared to the previous 25-year mark.

### **NASA IG Issues Another Harsh Report on NASA Management of Mobile Launcher-2 (Space Policy Online)**

On August 27, NASA's Office of Inspector General (IG) issued a report critical of the agency's management of Mobile Launcher-2 (ML-2), a structure needed to haul Space Launch System rockets for the Artemis program. NASA estimates the cost will be three times the amount originally planned for and four years late, though the Office of Inspector General (OIG) argued it will likely be even later and costlier, blaming both the agency and ML-2 prime contractor Bechtel for mismanagement of the program.

### **U.S. Military Space Domain Awareness Lags Behind Expectations (SpaceNews)**

A former deputy commander of U.S. Space Command, retired Space Force general John Shaw, asserted on August 26 that the United States (U.S.) is struggling to innovate in the crucial area of space domain awareness (SDA). Shaw argued that U.S. SDA capabilities, which encompass the monitoring, tracking and identification of objects in Earth's orbit, fall short of the predictive and analytical capabilities necessitated by an increasingly congested and contested space environment. SDA's poor development can be partially attributed to technical challenges and the slow transition of responsibility for cataloging space objects from the Department of Defense (DoD) to the Office of Space Commerce.

### **Trump's Campaign Has Earthly Problems. But He's Focusing on Outer Space. (Politico)**

Former President Donald Trump stated on August 26 that if elected, he will push to establish a Space National Guard, a proposal the Biden administration opposes. In a speech to the National Guard Association of the United States, Trump touted the creation of the Space Force as one of his "proudest achievements" and argued that the service needs its own localized component. The approach is supported by National Guard leaders, lawmakers and leaders from both parties in states with space missions, all of whom argue that the Space

Force can draw heavily on part-time personnel with technical experience from their full-time jobs. The Biden administration argues that the creation would be costly and unnecessary.

### **SpaceX to Bring NASA Astronauts Back Next Year (*The Wall Street Journal*)**

On Saturday, August 24, NASA Administrator Bill Nelson announced that the two astronauts stuck at the International Space Station will be returning via SpaceX's Crew Dragon, not the Boeing Starliner that brought them. The decision comes weeks after the Starliner, which will now return unoccupied, endured several failing thrusters and helium leaks. Boeing officials have voiced their disappointment in the decision, which is expected to raise questions on Starliner's future.

### **US Space Command Boss Wants China to Pick Up the Phone When It Creates Space Debris (*Air and Space Forces*)**

After a recent Chinese Long March 6A upper stage failure left potentially over 900 debris fragments in low earth orbit (LEO), the head of the U.S. Space Command voiced his concerns about open communications from China regarding debris creation. Gen. Stephen Whiting asserted that the U.S. had to detect the debris, from the Long March launch and others, on its own. Whiting called for transparent dialogue from China regarding the creation of space debris to mitigate risks of collisions, essential in an LEO that is seeing both increasing satellite and debris presence.

### **Securing US Space Assets is Busting the Air Force Budget, Kendall Says (*Defense News*)**

Air Force Secretary, Frank Kendall, said that Space Force's budget, now \$30 billion, needs to eventually "double or triple" to be able to secure the satellite and ground systems necessary for operational imperatives. The Space Force has seen a steady increase of funding over the last five years, though budget documents show that its funding will remain relatively flat for the next five years. Experts argue that without a boost in funding, the Space Force will not be able to take on new missions nor respond to current demands. A congressional budget increase for the branch seems unlikely.

## **Federal Agency Space News**

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

**NASA Decides to Bring Starliner Spacecraft Back to Earth Without Crew** (August 24, 2024)

**NASA Seeks Input for Astrobees Free-flying Space Robots** (August 26, 2024)

**NASA, Blue Origin Invite Media to New Glenn Launch of Mars Mission** (August 26, 2024)

**NASA Invites Public Input on Low Earth Orbit Microgravity Strategy** (August 26, 2024)

**NASA, Boeing Optimizing Vehicle Assembly Building High Bay for Future SLS Stage Production** (August 27, 2024)

**NASA Sets Coverage for Starliner News Conference, Return to Earth** (August 30, 2024)

**CORRECTION: NASA's SpaceX Crew-9 Changes Ahead of September Launch** (August 30, 2024)

**NASA Invites Media to View Launch of Jupiter Moon Mission** (September 3, 2024)

### **U.S. Space Force**

[Delta 6 Welcomes New Commander](#) (August 26, 2024)

['Postured for Success:' USSPACECOM Leaders Reflect on Five Years of Spacepower](#)  
(August 29, 2024)

[SW25: Space Planning for Future Operations](#) (September 3, 2024)

*Check out below for comment opportunities, requests for proposals, notices of proposed rulemaking and a look at the week ahead in space events:*

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## Comment Opportunities (RFIs)

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

National Aeronautics and Space Administration

Close Date: Sep 30, 2024

### [TEM 13 Industry-Government Strategic Engagement Sessions](#)

Department of Defense

Close Date: Sep 30, 2024

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

National Aeronautics and Space Administration

Close Date: Oct 1, 2024

### [NASA SSC LN2 Specification Change](#)

National Aeronautics and Space Administration

Close Date: Oct 9, 2024

### [Reports Requested for Contracts With an Estimated Value Greater Than \\$500,000](#)

National Aeronautics and Space Administration

Close Date: Oct 22, 2024

### [Claims and Appeals](#)

Department of Defense, General Services Administration, National Aeronautics and Space Administration

Close Date: Oct 28, 2024

### [Requests for Comments; Clearance of Renewed Approval of Information Collection: Aircraft Registration](#)

Federal Aviation Administration

Close Date: Oct 29, 2024

## Requests for Proposals (RFPs)

### [Announcement for Partnership Proposals \(AFPP\) For One or More Partnership Agreements Related to University Capstone Projects](#)

National Aeronautics and Space Administration

Close Date: Sep 20, 2024

### [Space Systems and Hardware Integration for Novel Experiments \(SSHINE\)](#)

Department of Defense  
Close Date: Sep 30, 2024

### Environmental Test and Integration Services (ETIS) IV

National Aeronautics and Space Administration  
Close Date: Oct 3, 2024

### Space Systems Command (SSC) Resilient Missile Warning, Tracking, & Defense (SNR) Medium Earth Orbit (MEO) Epoch 2 (E2) Request For Prototype Proposal (RPP)—Epoch 2 SVs

Department of Defense  
Close Date: Oct 11, 2024

### NASA Space Technology Graduate Research Opportunities - Fall 2025

National Aeronautics and Space Administration  
Close Date: Nov 1, 2024

### Atmosphere Support (ATMOS) Special Notice

National Aeronautics and Space Administration  
Close Date: Dec 1, 2024

### Global Modeling & Assimilation Support (GLOMAS) Special Notice

National Aeronautics and Space Administration  
Close Date: Dec 1, 2024

### (JSC) Announcement For Proposals (AFP) For Lease of Underutilized Building 49, Vibration and Acoustic Test Facility

National Aeronautics and Space Administration  
Close Date: Mar 6, 2025

### ROSES 2024: A.60 Earth Action: Ecological Conservation

National Aeronautics and Space Administration  
Close Date: Mar 14, 2025

### Contract for Organizing Spaceflight Mission Operations and Systems (COSMOS)

National Aeronautics and Space Administration  
Close Date: TBD

## Notices of Proposed Rulemakings (NPRMs)

*No updates on NPRMs since last newsletter.*

International



## Articles and Quotes

Steps to Prevent Arms Race in Outer Space Agreed by UN Expert Body. (Yahoo Finance)

On August 16, 2024, the United Nations (UN) Group of Governmental Experts (GGE) on the Prevention of an Arms Race in Outer Space (GGE-PAROS) reached consensus on actions to be taken regarding threats and challenges in outer space in a final report. In previous GGE-PAROS meetings, consensus has been blocked by disagreements amongst China, Russia and the U.S. Victoria Samson, chief director of space security and stability at the Secure World Foundation, applauded the consensus as a diplomatic success, but also noted that current geopolitical tensions necessitate recurring international discussions on PAROS. After the report was published, China released a statement vowing to play a more constructive role in the global governance of outer space.

### **China to Launch Mars Sample Return Mission in 2028, will Follow Planetary Protection Guidelines (SpaceNews)**

China plans to launch its Tianwen-3 Mars sample return mission in 2028. The mission will consist of two launches using Long March 5 rockets to send a lander, ascent vehicle, orbiter and return module. Tianwen-3 aims to search for life and will select landing sites with astrobiological potential. The mission will adhere to planetary protection guidelines to avoid contamination of Mars and Earth. China also plans to collaborate internationally on research and data sharing related to Mars samples.

### **Senegal Among new Members of China's ILRS Moon Base Project (SpaceNews)**

Senegal has joined China's International Lunar Research Station (ILRS) project, signing an agreement during the Tiandu Deep Space Exploration conference. China aims to establish a robotic lunar station by 2035, with future plans for long-term human habitation. Senegal, which launched its first nanosatellite in August, joins Russia, Venezuela, Belarus, Pakistan, Azerbaijan, South Africa, Egypt, Nicaragua, Thailand, Serbia and Kazakhstan as national-level ILRS participants.

### **Readying the Americas for Future Communication Technologies (ITU News)**

The most recent Regional Radiocommunication Seminar held by the International Telecommunication Union (ITU) detailed the necessary steps for optimizing radio spectrum use in the Americas. The seminar highlighted the necessity of regulatory harmony and solid investing practices amongst American governments, private sector and international organizations to support the growth of satellite systems in the region. The Americas represent a growing market for radio spectrum and satellite technologies. The Radiocommunications seminars, held every two years in six world regions, help governments and industry make full use of ITU resources to drive sustainable socio-economic development.

### **From Earth to Uchū: The Evolution of Japan's Space Security Policy and a Blueprint for Strengthening the U.S.-Japan Space Security Partnership (Center for Strategic and International Studies)**

The Center for Strategic and International Studies (CSIS) released a report on August 23, 2024, detailing the history of Japanese space security programs and the nation's current space security partnership with the U.S. The report further discusses candidate areas for strengthening the U.S.-Japan space security partnership, including within architectures, organizations and industry sectors. Space capabilities are becoming essential for Japanese national security as the nation grapples with an increasingly tense security dynamic driven by growing Chinese and North Korean military activity and defense budgets.

## **Upcoming Space Events**

**Starliner CFT Post-Landing News Conference**

National Aeronautics and Space Administration  
September 7, 2024

### **International Space Elevator Consortium Conference 2024**

International Space Elevator Consortium  
September 7-8, 2024

### **Europlanet Science Congress 2024 (EPSC 2024)**

Europlanet Society  
September 8-13, 2024

### **Report Release: NASA at a Crossroads - Maintaining Workforce, Infrastructure and Tech Preeminence**

National Academies  
September 10, 2024

### **Global Aerospace Summit 2024**

U.S. Chamber of Commerce  
September 10-11, 2024

### **Space Sustainability Forum 2024**

International Telecommunication Union  
September 10-11, 2024

### **Outer Space Security Conference 2024**

U.N. Institute for Disarmament Research  
September 10-11, 2024

### **OPAG Town Hall Meeting**

National Aeronautics and Space Administration  
September 11, 2024

### **Space-Comm Expo Scotland**

United Kingdom Space Agency  
September 11-12, 2024

### **NOAA Space Weather Advisory Group Meeting**

National Oceanic and Atmospheric Administration  
September 13, 2024

### **AFA National Convention**

Air and Space Forces Association  
September 14-15, 2024

### **Air, Space & Cyber Conference 2024**

Air and Space Forces Association  
September 16-18, 2024

### **2024 AMOS Conference**

Maui Economic Development Board  
September 17-20, 2024

### **Space Logistics Conference**

**18th ESPI Autumn Conference**

European Space Policy Institute  
October 1-2, 2024

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

International Association for the Advancement of Space Safety  
October 8-10, 2024

**International Astronomical Congress 2024**

International Astronautical Federation  
October 14-18, 2024



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**Questions?**

If you have any questions, please contact:

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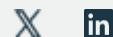


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