

Akin™

# Space Law, Regulation and Policy Update

November 01, 2024

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## Good Afternoon!

*The past couple of weeks have been much busier on the ground than in orbit - or at least it seems that way - with big space policy announcements around the globe. The U.S. government released the first significant update to U.S. export controls rules related to space technology since 2014 (read our analysis [here](#)), ESA announced measures to help the struggling European space industry, and China pushes hard for a lunar outpost (and accuses foreign intelligence services of trying to steal its secrets). All that and more in this edition of Akin's Space Law, Regulation and Policy Update.*

CONFERS GSSF&E, November 13-14

Akin attorneys [Steve Rowings](#) and [Chase Hamilton](#) will speak at the 7th annual CONFERS Global Satellite Servicing Forum & Exhibition on November 13 & 14. If you'd like to schedule a meeting during the conference or would like to schedule a virtual meeting, please email Steve Rowings [here](#).

## On The Hill

### Articles and Quotes

#### **Republican Senator Presses FAA to Speed Rocket Launch License Reviews (Reuters)**

On Friday, October 25, Sen. Jerry Moran (R-KS) sent a letter to the Federal Aviation Administration (FAA) urging the agency to quicken its license review process for commercial rocket launches. Moran, the Ranking Member of the Senate Commerce aviation subcommittee, requested that the FAA Office of Commercial Space Transportation (AST) improve upon its “transparency, accountability, and pace of execution” when processing launch licenses. The letter asserts that the significant and increasing involvement of private sector space actors in national security and National Aeronautics and Space Administration (NASA) missions is threatened by AST's slow regulatory pace.

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### Introduced Legislation & Legislative Updates

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

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# Recent and Upcoming Congressional Hearings

(Nov 1 - Nov 15, 2024)

There are no upcoming congressional hearings. Both chambers return from recess on Tuesday, November 12.

## In the White House/Executive Branch



### Articles and Quotes

#### **Aerospace Report Recommends Greater DoD Support of Commercial Space Capabilities (*SpaceNews*)**

On October 24, the Center for Space Policy and Strategy (CSPS) released their Space Agenda 2025, which asserts that the Defense Department (DoD) should increase support for the commercial space sector. The Space Agenda, meant to inform the upcoming administration on key space policy topics, recommends that the DoD further support the revenues of commercial space actors, many of which cannot be supported solely by the commercial market. CSPS maintains that “anchor tenancy”, or the DoD assuming a larger financing role for space companies in imaging, remote sensing and other critical areas can save the federal government money whilst supporting the U.S. industrial base.

#### **Space in the 2024 Elections (*The Planetary Society*)**

U.S. space policy has not been a headlining issue this election cycle, though both Former President Donald Trump and Vice President Kamala Harris have history with American space exploration. In his first presidential term, Trump reestablished the National Space Council after a 24-year hiatus, a council that subsequently is chaired by Harris in the Biden administration. The Planetary Society outlines the candidates’ policy differences on NASA, planetary defense, commercial space and space diplomacy, and reflects on what the next administration’s space agenda may look like.

#### **NASA Astronaut Hospitalized After Return from Space Station (Reuters)**

After a nearly eight-month mission on the International Space Station, three NASA astronauts and one Russian cosmonaut were taken to a medical facility following their return to Earth aboard SpaceX’s Crew Dragon. The crew, consisting of NASA astronauts Matthew Dominick, Michael Barratt and Jeanette Epps, along with Russian cosmonaut Alexander Grebenkin, underwent medical evaluations as a normal precaution. One of the crew members, unnamed by NASA, remains hospitalized with an unstated condition. The splashdown of the Crew Dragon marks its fifth flight, now totaling 702 days in orbit across all missions.

#### **Astropolitics is Impacting the US Presidential Election (Australian Institute of International Affairs)**

The 2024 U.S. presidential election is seeing substantial astropolitical influence, driven by Elon Musk’s active support for Former President Donald Trump’s campaign. Musk’s involvement, consisting of highly publicized endorsements, town halls and donations, may serve to further integrate space-based politics into state interactions and competition. The influence of Musk on the Trump campaign has piqued the interest of astropolitical theorists, most of whom do not account for the potential influence of nonstate actors in national space policies.

## **New Space Export Control Rules Offer Regulatory Relief (Office of Space Commerce)**

On October 17, the Departments of Commerce (DoC) and State published a series of rules on space export controls. The DoC's Bureau of Industry and Security (BIS) released a **final rule**, an **interim rule** and a **proposed rule**, while the Directorate of Defense Trade Controls (DDTC) of the State Department issued a companion **proposed rule**. Generally, the rules remove license requirements for spacecraft and related items for Australia, Canada and the United Kingdom, modify space industry license requirements, and propose several space-related license exceptions.

## **Space Force Component Eyes More Exercises in Indo-Pacific (Air and Space Forces)**

The U.S. Space Forces Indo-Pacific Command (SPACFOR-INDOPAC) is expanding its exercises and partnerships across the Indo-Pacific region. Brig. Gen. Anthony Mastalir, the command's leader, emphasized the shift from bilateral to multilateral engagements to counter threats from China, Russia and North Korea. SPACFOR-INDOPAC has participated in exercises with allies Australia and Japan and plans to establish a sub-component in Japan by the end of 2024, following a successful setup in South Korea. Meanwhile, U.S. officials have noted heightened collaboration among China, Russia and North Korea since the Russian invasion of Ukraine.

## **Federal Agency Space News**

### **Department of Defense**

**DoD Releases National Defense Industrial Strategy Implementation Plan** (October 29, 2024)

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

**NASA Provides Update on Artemis III Moon Landing Regions** (October 28, 2024)

**NASA Welcomes Chile as Newest Artemis Accords Signatory** (October 25, 2024)

**Back on Earth: NASA's SpaceX Crew-8 Mission Splashes Down Off Florida** (October 25, 2024)

**NASA Chief AI Officer on the Federal Executive Forum: How Agencies Are Strategizing About AI** (October 24, 2024)

**Statement from NASA's Janet Petro on FY23 Economic Impact Report** (October 24, 2024)

**NASA Welcomes Republic of Cyprus as 46th Artemis Accords Signatory** (October 23, 2024)

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

**S4S Ensures Safety of Spaceflight, Return of NASA's SpaceX Crew-8** (October 25, 2024)

**Space Force Sourcing Conference Helps Drive Capability Development, Readiness** (October 25, 2024)

**Space Systems Command Releases Command Plan Outlining Organizational Priorities** (October 23, 2024)

**Working with Indo-Pacific Allies Key to Maintaining Rules-Based Order, Space Force Leader Says** (October 23, 2024)

## Articles & Quotes

### **With Dreams of a Lunar Outpost, China Takes New Risks in Space Race with U.S. (Wall Street Journal)**

China is accelerating its lunar ambitions, aiming to establish a lunar outpost by 2030. The country is taking risks inconsistent with its historical strategies to compete with the U.S. in the space race, increasing its rate of novel missions and launches. U.S. officials fear that upon achieving global space power status, China may utilize tactics in space to advance territorial claims on Earth and attempt to lay claim to lunar resources. China still has several hurdles to clear on its path to the Moon, including the payload capacity of its Long March-10 rocket.

### **ESA Plans Measures to Help European Space Industry (SpaceNews)**

The European Space Agency (ESA) is proposing steps to support the European space industry, which has been under significant financial pressure. ESA Director General Josef Aschbacher announced plans to increase downpayments on new contracts from the current 10-15% to as much as 35%, depending on the project. Additionally, ESA will allow companies to provide “partial deliverables” for contract milestones, aiming to improve companies’ cash flow. These policies target recent financial strains in the European commercial space sector, exemplified by Airbus’ \$1 billion loss in June on its space program.

### **China Says Foreign Spies Trying to Steal Space Program Secrets (Reuters)**

On October 24, the Chinese state security ministry asserted that foreign intelligence operatives have been attempting to steal secrets from the nation’s space program, marking heightened tensions in the global space race. The ministry further stated its view that space has become a new “battleground for military struggle.” The Russian-allied program did not accuse any specific countries of the espionage.

***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)

### **Scalable Science Data Exploration Dashboard**

National Aeronautics and Space Administration

Close Date: Nov 4, 2024

### **Hydrosphere, Biosphere, & Geophysics (HBG) Support Services II**

National Aeronautics and Space Administration

Close Date: Nov 5, 2024

### **Flight Crew Training**

National Aeronautics and Space Administration

Close Date: Nov 7, 2024

### **Exploration Upper Stage Engine (EUSE) Follow-on**

National Aeronautics and Space Administration

Close Date: Nov 8, 2024

### **NASA AFRC Hypersonic Test Planning Service**

National Aeronautics and Space Administration

Close Date: Nov 18, 2024

### **Clearance of Renewed Approval of Information Collection: “Generic Clearance for Customer Interactions”**

Federal Aviation Administration

Close Date: Dec 23, 2024

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

### **NASA Open Innovation Services 3 (NOIS3)**

National Aeronautics and Space Administration

Close Date: Nov 8, 2024

### **Commercial and Military Satellite Communications Operations Support (COSMOS)**

Department of Defense

Close Date: Nov 18, 2024

### **Global Modeling & Assimilation Support (GLOMAS)**

National Aeronautics and Space Administration

Close Date: Nov 25, 2024

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

National Aeronautics and Space Administration

Close Date: Dec 9, 2024

### **Atmosphere Support (ATMOS)**

National Aeronautics and Space Administration

Close Date: Dec 12, 2024

### **ROSES 2024: A.61 Injected Smoke and Pyrocumulonimbus Experiment Science Team**

National Aeronautics and Space Administration

Close Date: Jan 24, 2025

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

### **Federal Acquisition Regulation: List of Domestically Nonavailable Articles**

National Aeronautics and Space Administration

Close Date: Dec 23, 2024



## **New Worlds 2024**

The Earthlight Foundation

November 1-2, 2024

## **Navigating GPS Vulnerabilities: Implications for US Economic and National Security**

Hudson Institute

November 4, 2024

## **Schriever Spacepower Series: Lt Gen Douglas A. Schiess**

Mitchell Institute

November 6, 2024

## **Mars Exploration Program Analysis Group**

National Aeronautics and Space Administration

November 6-7, 2024

## **Space Domain Awareness Forum**

National Security Space Association

November 7, 2024

## **Astrophysics Advisory Committee**

National Aeronautics and Space Administration

November 7-8, 2024

## **Committee on Astronomy and Astrophysics**

National Academies

November 7-8, 2024

## **Reinventing Space 2024**

British Interplanetary Society

November 11-13, 2024

## **Space Weather and National Security Breakfast**

National Security Space Association

November 12, 2024

## **Luncheon with CISA's Chris Cannizzaro**

Maryland Space Business Roundtable

November 12, 2024

## **Beyond Earth Symposium 2024**

Beyond Earth Institute

November 12-13, 2024

## **7<sup>th</sup> Annual Global Satellite Servicing Forum**

Consortium for Execution of Rendezvous and Servicing Operators

November 13-14, 2024

## **Lunar Surface Innovation Consortium Meeting**

Lunar Surface Innovation Consortium

November 13-15, 2024

## i-SAIRAS 2024

CSIRO

November 19-21, 2024

## International Workshop on Space Resources

Secure World Foundation

November 21-22, 2024

## Space Debris and Sustainability Conference

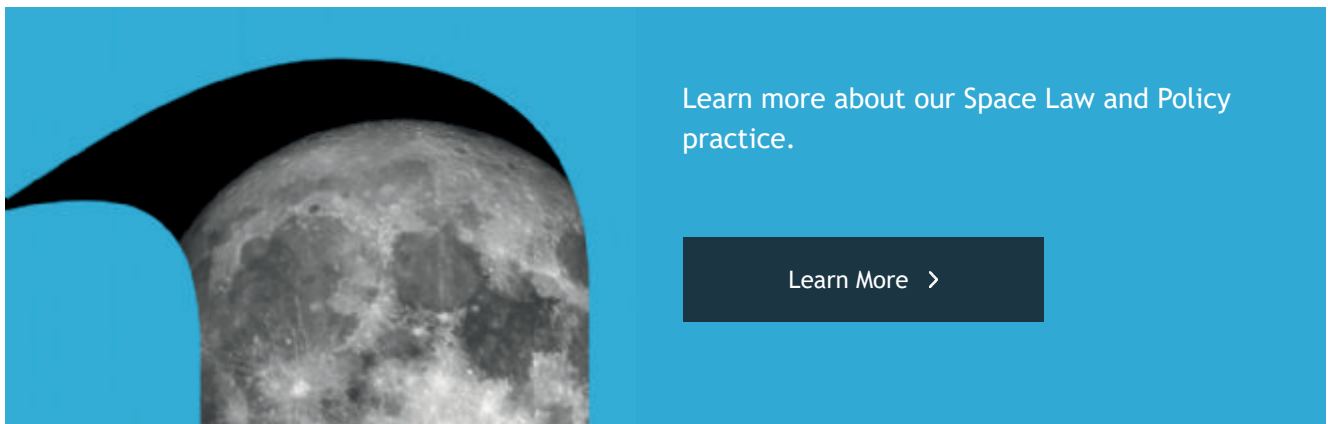
International Academy of Astronautics

December 2-4, 2024

## American Society for Gravitational and Space Research

ASGR

December 3-7, 2024



Learn more about our Space Law and Policy practice.

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### Questions?

If you have any questions, please contact:

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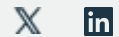
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