

Akin

Space Law, Regulation and Policy Update



September 20, 2024

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Good Afternoon!

It's been a busy two weeks in space. Starliner returned from the ISS, humans traveled the furthest from Earth since the Apollo missions and conducted the first spacewalk by private citizens, and China launched its 1,000th satellite into orbit. Back on Earth, a report detailed how an aging and budget-constrained NASA may be unsustainable, and the FAA committed to reviewing the Part 450 licensing process after industry criticized the complex and slow-moving launch and reentry licensing process.

We dive into all that and more, as well the latest legislative news, comment and procurement opportunities and notices of proposed rulemaking in this edition of Akin's 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, Industry Criticize FAA Launch Licensing Regulations \(SpaceNews\)](#)

At a September 10 **hearing** of the House Science, Space, and Technology Subcommittee on Space and Aeronautics, members of Congress and industry officials criticized the Federal Aviation Administration (FAA) for launch licensing regulations that harm innovation. Critics of the regulations, which went into practice in March 2021, assert that it is excessively difficult for space companies to obtain launch and reentry licenses under Part 450 of the code. Industry officials testifying complained about lengthy pre-application processes, back-and-forth communications with the FAA and long wait times. FAA Associate Administrator for Commercial Space Transportation Kevin Coleman stated that he hopes to have an aerospace rulemaking committee to evaluate Part 450 by the fall.

[Ranking Members Lofgren and Sorensen Statement on NASEM Report Assessing the Future of NASA \(House Committee on Science, Space, & Technology\)](#)

On Friday, September 13, House Committee on Science, Space, and Technology Ranking Member Lofgren (D-CA) and Space and Aeronautics Subcommittee Ranking Member Eric

Sorensen (D-IL) released a statement reflecting on a [recent report](#) by the National Academies of Science, Engineering, and Medicine (NASEM). The two commended the report for identifying critical organizational gaps that necessitate attention from both National Aeronautics and Space Administration (NASA) and Congress. The statement cites the significance of maintaining NASA as the “preeminent federal organization for cutting-edge technology and exploration.”

Introduced Legislation

The *Intelligence Authorization Act for Fiscal Year 2025* ([H.R. 8512](#)) was reported out of the House Permanent Select Committee on Intelligence on Wednesday, September 11. The bill, along with being the annual authorization code of the U.S. intelligence community, underscores the importance of robust satellite and weapons acquisitions practices by the Space Force and National Reconnaissance Office. The bill has been placed on the Union Calendar for vote on the House floor. Please see bill text [here](#).

Reps. Don Beyer (D-VA) and Doug Lamborn (R-CO) introduced the *Methane Monitoring Science Act of 2024* ([H.R. 9513](#)) on Tuesday, September 10. The bill would mandate the development of a comprehensive strategy for monitoring methane emission led by NASA and the National Academies. The bill aims to assess and enhance current methane monitoring capabilities, focusing on both space and ground-based sensors and would authorize \$1.8 million for NASA to lead these activities. Please see the bill text [here](#) and press release [here](#).

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

Recent and Upcoming Congressional Hearings

September 23 - October 4, 2024

The Senate Homeland Security and Governmental Affairs Permanent Subcommittee on Investigations will hold a [hearing](#) on Wednesday, September 25, at 2 PM. The hearing, titled “FAA Oversight of Boeing’s Broken Safety Culture” will address present and future FAA responses to recent critiques of Boeing’s quality control.

In The Executive Branch



Articles and Quotes

[Billionaire and Engineer Conduct First Private Spacewalk in SpaceX Mission \(Reuters\)](#)

On September 12, two astronauts on the SpaceX Polaris Dawn mission conducted the first ever private spacewalk in orbit. NASA Administrator Bill Nelson applauded the achievement, citing it as a mark of progress for commercial space and the U.S. space economy. Spacewalks had previously been accomplished only by astronauts from national space programs. Jared Isaacman, billionaire and Polaris mission funder, and Sarah Gillis, a SpaceX engineer, each spent around 10 minutes outside the Crew Dragon vehicle testing the functionality of their spacesuits.

Underfunded, Aging NASA May Be on Unsustainable Path, Report Warns (Washington Post)

A **report** published by NASEM on September 10 details critical infrastructure and budgetary challenges that jeopardize the future of NASA. The report, ordered by Congress under the *CHIPS and Science Act of 2022*, states that NASA has failed to plot a strategic long-term course and has opted instead to prioritize expensive short-term goals. It further asserts that NASA's flatlined budget endangers its reputation as the world's premier space agency and calls for increased Congressional funding.

U.S. GPS Modernization Faces Delays, Technical Challenges: GAO Report (SpaceNews)

A new Government Accountability Office (GAO) **report**, published September 9, provided mixed feedback on U.S. global positioning system (GPS) modernization efforts. The report stated that the Space Force is facing several technical challenges in next-generation GPS systems that have pushed back delivery of 24 M-code satellites. M-code, a more secure and jam-resistant signal, is crucial for military initiatives through the 2030s. The report also flags several issues in the development of microchips and cards essential for processing M-code signals.

Starliner Astronauts Say NASA Ran Short of Time to Test Boeing Craft (Wall Street Journal)

The astronauts who flew on Boeing's Starliner to the International Space Station (ISS) for a scheduled eight-day trip, now stuck in space until February, stated on September 13 that they ran out of time to test the spacecraft before NASA had to make a decision regarding their return. The astronauts, who will now return on a SpaceX vehicle, said that they could have procured the data necessary to make their return on Starliner if not for the constraints of the ISS schedule.

Space Futures Command Could Still Be a Year Away (Air and Space Forces)

Space Force leaders are still analyzing how best to structure the Space Futures Command, which could be a year away from implementation. **Announced in February**, the command will forecast future space threats and conduct wargames to best understand the satellite needs of the Space Force both now and in the near future. On September 17, Space Force Chief of Space Operations Gen. B. Chance Saltzman announced that the fundamentals of the command are in their formative stages, controlled by a small task force.

Federal Agency Space News

Department of Defense

DoD Delegation Concludes Military Talks With China (September 16, 2024)

National Aeronautics and Space Administration

NASA, Boeing Welcome Starliner Spacecraft to Earth, Close Mission (September 7, 2024)

Printed Engines Propel the Next Industrial Revolution (September 12, 2024)

NASA to Develop Lunar Time Standard for Exploration Initiatives (September 12, 2024)

U.S. Space Force

Kendall Highlights Accomplishments, Urgency to Finish Transitioning to Great Power Competition (September 16, 2024)

Check out below for comment opportunities, requests for proposals, notices of proposed

Comment Opportunities (RFIs)

Earth Science Data and Information System (ESDIS) Next (ENX) RFI

National Aeronautics and Space Administration

Close Date: Sep 26, 2024

Request for Information for OSAM-1 Partnerships

National Aeronautics and Space Administration

Close Date: Sep 30, 2024

Laser Interferometer Space Antenna (LISA) Optical Telescope Assembly (OTA)

National Aeronautics and Space Administration

Close Date: Oct 4, 2024

Cryogenic Active Cooling for Human Exploration (CACHE)

National Aeronautics and Space Administration

Close Date: Oct 6, 2024

Name of Information Collection: Crew Health and Performance Exploration Analog Crew Application

National Aeronautics and Space Administration

Close Date: November 18, 2024

Applying NASA Capabilities to Address Water Management Needs in the Missouri River Basin to Support Water Resources Management

National Aeronautics and Space Administration

Close Date: Jan 16, 2025

Requests for Proposals (RFPs)

NASA Launch Services II 2024 On-Ramp

National Aeronautics and Space Administration

Close Date: Sep 30, 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

Spaceport Operations and Center Services (SOCS)

National Aeronautics and Space Administration

Close Date: Nov 8, 2024

ROSES 2024: A.55 Decadal Survey Incubation Program: Science and Technology

Notices of Proposed Rulemakings (NPRMs)

Transactions Other Than Contracts, Grants, or Cooperative Agreements for Prototype Projects

Department of Defense
Close Date: Nov 4, 2024

International

Articles and Quotes

Iran Says it Successfully Launched a Satellite in Its Program Criticized by West Over Missile Fears (Associated Press)

On September 14, Iran successfully launched a satellite into orbit contributing to Western fears of an advancing Iranian ballistic missile program. Originally reported by state-run media, the launch has been confirmed by independent scientists and constitutes the second launch of its kind for the nation. Prompted by the launch, the U.S. State Department voiced its continuing concern regarding expanding Iranian space programs, stating that they likely contribute to the advancement of the nation's longer-range missile system capabilities. The launch comes amid heightened tensions in the Middle East over the war in Gaza and soon after Tehran launched an unprecedented missile and drone strike on Israel.

USAF Intel Boss: China Now Has 1,000 Satellites on Orbit (Air and Space Forces)

On Monday, September 16, the Space Force's chief intelligence officer announced that China has recently launched their 1,000th satellite into orbit, epitomizing China's rapidly accelerating space program. Maj. Gen. Gregory Gagnon has stated that China's acceleration in space development has necessitated changes in space monitoring, a process that now requires active involvement. As China expands its satellite constellations, achieving space domain awareness only grows more difficult.

Upcoming Space Events

Space Capitol Forum 2024

Payload
September 24, 2024

Committee on Solar and Space Physics Fall Meeting

National Academies
September 24-26, 2024

China and India's Beyond Earth Human Spaceflight Programs

Beyond Earth Institute

September 25, 2024

Space Logistics Conference

SAE Media Group

September 26-27, 2024

Continuing Challenges in Military and Commercial Space Law

University of Nebraska College of Law

September 27, 2024

Cosmic Governance: Charting the Future of International Space Law

American University International Law Review

September 27, 2024

2024 Yvonne C. Brill Lecture & Reception

American Institute of Aeronautics and Astronautics

October 1, 2024

Gold Rush: The 2024 Commercial Remote Sensing Global Rankings

Center for Strategic and International Studies

October 1, 2024

18th ESPI Autumn Conference

European Space Policy Institute

October 1-2, 2024

Advisory Council Meeting

National Aeronautics and Space Administration

October 1-2, 2024

Aeronautics and Space Engineering Board Fall Meeting

National Academies

October 8-9, 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 Astronomical Federation

October 14-18, 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

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Questions?

If you have any questions, please contact:

Authors



Michael C. Mineiro
Space Policy and Regulation
[Email](#)
+1 202.887.4068



Thomas J. McCarthy
International Trade
[Email](#)
+1 202.887.4047



Carlos M. Bermudez
Corporate
[Email](#)
+1 310.728.3320



Jennifer L. Richter
Telecom, Media & Technology
[Email](#)
+1 202.887.4524



Hans C. Rickhoff
Lobbying & Public Policy
[Email](#)
+1 202.887.4145



Steve A. Rowings
Telecom, Media & Technology
[Email](#)
+1 202.887.4412



Marta A. Thompson
Government Contracts
[Email](#)
+1 202.887.4055



Lamar Smith
Lobbying & Public Policy
[Email](#)
+1 202.887.4031

Contributors



Chase Hamilton
International Trade
[Email](#)
+1 202.887.4018



Sharanya Sriram
Telecom, Media & Technology
[Email](#)
+1 202.887.4278



Brandon Brodwater
Lobbying & Public Policy
[Email](#)
+1 202.416.5127

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