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Update on U.S. In Space Authorization and Supervision Policy Development

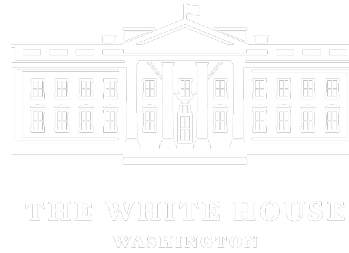
Friday 24 March 2023
Agenda Item 7, National legislation

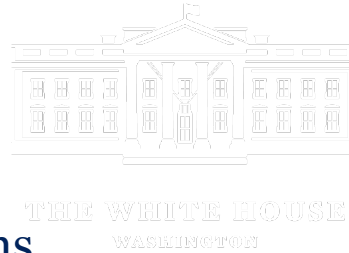
DRAFT / PRE-DECISIONAL

62nd Legal Subcommittee

Agenda

- Context
- Challenges
- Objective
- Process
 - Interagency
 - Public engagement
- Status





Context

- Outer Space Treaty Article VI obligations
- 2021 U.S. Space Priorities Framework highlights importance of regulatory clarity and certainty, particularly of roles and responsibilities.
- Aligns with (and furthers implementation of) LTS Guidelines A.1, A.2, A.3 and possibly others
- U.S. regulatory system:
 - Department of Commerce (private remote sensing systems)
 - Department of Transportation (launch & reentry)
 - Federal Communications Commission (non-government spectrum)





Challenges

- The United States authorizes and supervises U.S. private sector activities in outer space, but lacks regulation **specific to** such activities that are **novel**.
 - Novel = activities that fall outside the three main buckets
- Lack of clarity re: roles and responsibilities
- Augmenting existing, or establishing new, roles and responsibilities may require legislation as well as additional resources to implement.
- Future space activities may be sufficiently different from current ones. Therefore, a rigid regulatory framework could be detrimental in adapting to these new activities.
- Consideration of how in space activities impact the sustainability of the space environment as part of their regulation.
- Multiple countries have emerging commercial space sectors that include novel space activities, and some of these countries are starting to outline regulatory frameworks for in-space operations. There are benefits to regulatory interoperability.



Objective



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- At 9 September 2022 National Space Council (NSpC) meeting, Vice President Harris requested U.S. departments and agencies to provide a proposal for the authorization and supervision of novel private sector activities that will:
 - develop a clear and predictable framework of rules; and
 - include how we will ensure that space operations are sustainable and safe.
- Vice President Harris directed NSpC to engage with private sector stakeholders at the Commercial Space Sector event held at the Chabot Space & Science Center.



Process



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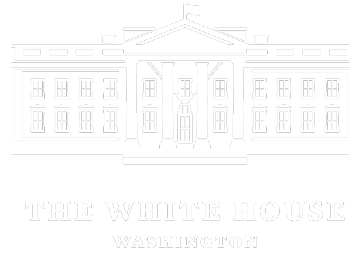
- NSpC convened multiple interagency meetings with robust participation across the government.
- NSpC held three (3) Federal Register-noticed public listening sessions
 - 535 attendees, 61 public statements, 43 written statements in online docket
 - Stakeholders from academia, industry, professional organizations, subject matter experts, think tanks, and other non-governmental organizations



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Status

- Deliberations are ongoing.





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