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United States Novel Space Activities Authorization and Supervision Framework

23 April 2024
Agenda Item 6
63rd Legal Subcommittee
Mr. Derek Hanson

Agenda

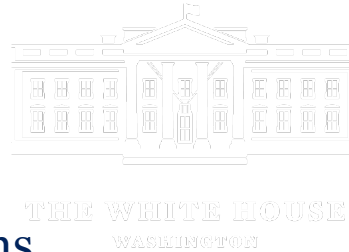
- Context
- Challenges
- Objective
- Process
 - Interagency
 - Public engagement
- Result



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Context



- Outer Space Treaty Article VI obligations
- Public policy considerations (national security, safety, space sustainability, national interest, economic opportunity including workforce development)
- 2021 U.S. Space Priorities Framework highlights importance of regulatory clarity and certainty, particularly of roles and responsibilities
- 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 that explicitly refers to novel activities
 - Novel = activities that are not explicitly referenced in three main buckets
- Lack of clarity re: roles and responsibilities of U.S. regulatory agencies
- Augmenting existing, or establishing new, roles and responsibilities should be achieved through 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

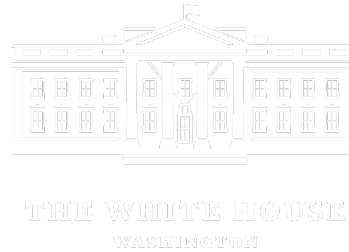


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- At 9 September 2022 National Space Council (NSpC) meeting, Vice President Harris requested U.S. departments and agencies to provide a proposal for the authorization and supervision of novel private sector activities that will:
 - develop a clear 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.



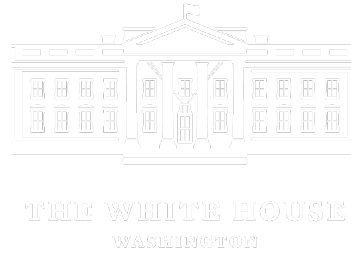
Process



- NSpC convened multiple interagency meetings with robust participation across the government.
- NSpC held three 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



Result



- NSpC presented its [draft legislative proposal](#) with [sectional analysis](#) to the U.S. Congress on 15 November 2023.
- Vice President Harris announced the [United States Novel Space Activities Authorization and Supervision Framework](#) at the Administration's 3rd National Space Council meeting on 20 December 2024.



Implementation of LTS Guidelines



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- LTS Guideline A.1 Adopt, revise and amend, as necessary, national regulatory frameworks for outer space activities.
- LTS Guideline A.2 Consider a number of elements when developing, revising or amending, as necessary, national regulatory frameworks for outer space activities.
- LTS Guideline A.3 Supervise national space activities.
- LTS Guideline A.5 Enhance the practice of registering space objects.
- LTS Guideline B.3 Promote the collection, sharing and dissemination of space debris monitoring information.
- LTS Guideline B.4 Perform conjunction assessment during all orbital phases of controlled flight.





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