



Legislative Status of Civil and Commercial Orbital Safety



Federal Aviation
Administration

Current Status

- No federal agency currently has statutory jurisdiction to authorize non-traditional activities in outer space.
- The U.S. currently utilizes a regulatory approach that is specific to activities as authorized within the jurisdiction of various agencies:
 - FAA – Commercial Space Transportation
 - NOAA – Land Remote Sensing
 - FCC – Spectrum use
 - DoD – Space Situational Awareness Collision Avoidance Services
 - NASA – Space Exploration and Research
- As the industry evolves and the utilization of space grows, so too must our safety frameworks change to keep up.

Congressional Stakeholders

- House Committee on Science, Space, and Technology
 - “Outer Space, including exploration and control thereof”
- House Committee on Transportation and Infrastructure
 - “Related transportation regulatory agencies”
- House Committee on Armed Services
 - “The Department of Defense generally, including the departments of the Army, Navy, and Air Force, generally.
- Senate Committee on Commerce, Science, and Transportation
 - “Matters relating to...transportation”
- Senate Committee on Armed Services
 - “Aeronautical and space activities peculiar to or primarily associated with the development of weapons systems or military operations.”

National Space Transportation Policy

- The National Space Transportation Policy (NSTP) and federal law directs the Secretary of Transportation, and by delegation the FAA's Office of Commercial Space Transportation (FAA AST), to “encourage, facilitate, and promote U.S. commercial space transportation activities.” Additionally, the NSTP directs FAA:
 - to “address orbital debris mitigation practices for U.S.-licensed commercial launches, to include launch vehicle components such as upper stages, through its licensing procedures; and
 - to ensure that the regulatory environment for licensing commercial space transportation activities is timely and responsive, and addresses current market and industry developments.

CSLCA (Public Law 114-90)

- In the Commercial Space Launch Competitiveness Act (Public Law 114-90), Congress declared that “an improved framework may be necessary for space traffic management of United States Government assets and United States private sector assets in outer space and orbital debris mitigation.”
- Section 110 of the CSLCA directed the Secretary of Transportation to:
 - “study the feasibility of processing and releasing safety-related space situational awareness data and information to any entity consistent with national security interests and public safety obligations of the United States.”

Legislative Activity

- The Secretary of Transportation released the Section 110 report, in concurrence with the Secretary of Defense, to the appropriate Congressional Committees.
- Congressman Bridenstine introduced the American Space Renaissance Act (ASRA) which includes two provisions on Space Situational Awareness (SSA) and Space Traffic Management (STM).
- Additional legislative activity may be needed in the future for enhanced on-orbit safety frameworks and safety services.