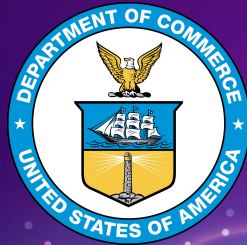


# EO 14335 on Mission Authorization Stakeholder Overview





# Background

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# The E.O. Directive

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## Sec. 5. Reforming Novel Space Activity Authorization.

Within [120 days] ... **the Secretary of Commerce shall propose a process for individualized mission authorizations for activities** that are covered by Article VI of the Outer Space Treaty of 1967, but **not clearly or straightforwardly governed by existing regulatory frameworks, with the goal of expediting and streamlining authorizations to enable American space competitiveness and superiority.**

This proposal must solicit and consider affected agencies' feedback on the authorization process, contain a definitive timeline for the grant or denial of authorization for proposed activities, and include clear and consistent requirements for applicants.

**The Secretary of Commerce shall transmit the proposal to the Assistant to the President for Economic Policy, the Assistant to the President for National Security Affairs, and the Assistant to the President for Science and Technology. Nothing in this section shall be construed to apply to human spaceflight.**

# Licenses or Approvals Required Today



To operate in space, industry often needs up to four (4) licenses and/or approvals from at least three (3) agencies, not counting export control rules.

Currently required:

- A license from the FAA to launch
- An interagency approval led by the FAA of the payload
- A license from OSC for remote sensing payloads, if any
- A license from the FCC for radio frequency usage, including space debris rules

**The current system is duplicative, opaque, and provides no clear path to “yes” for non-traditional space activities.**

# The State of US Space Regulation Today



## II. Spectrum Management

Federal Communications Commission (FCC)

Dept of COMMERCE:  
National Telecommunications and Information Admin (NTIA)

## III. Regulation of Remote Sensing

Dept of COMMERCE:  
Office of Space Commerce (OSC)

## IV. In-Space Activities

FAA  
Payload Review

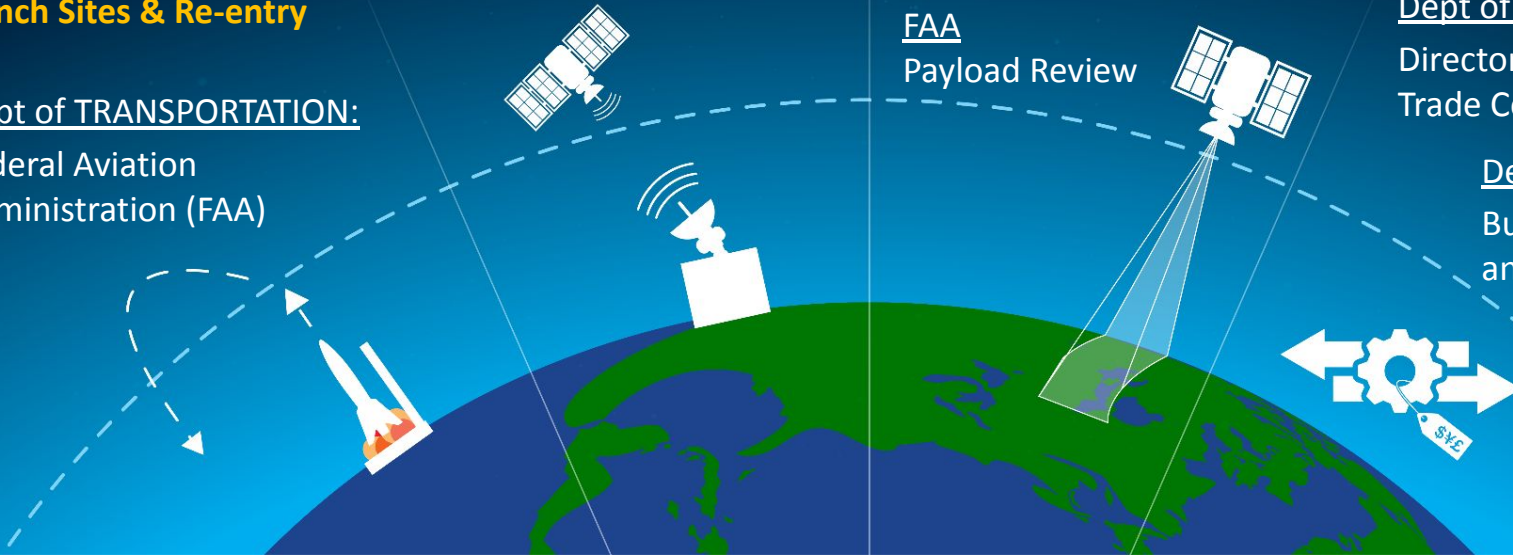
## V. Export Control

Dept of STATE:  
Directorate of Defense Trade Controls (DDTC)

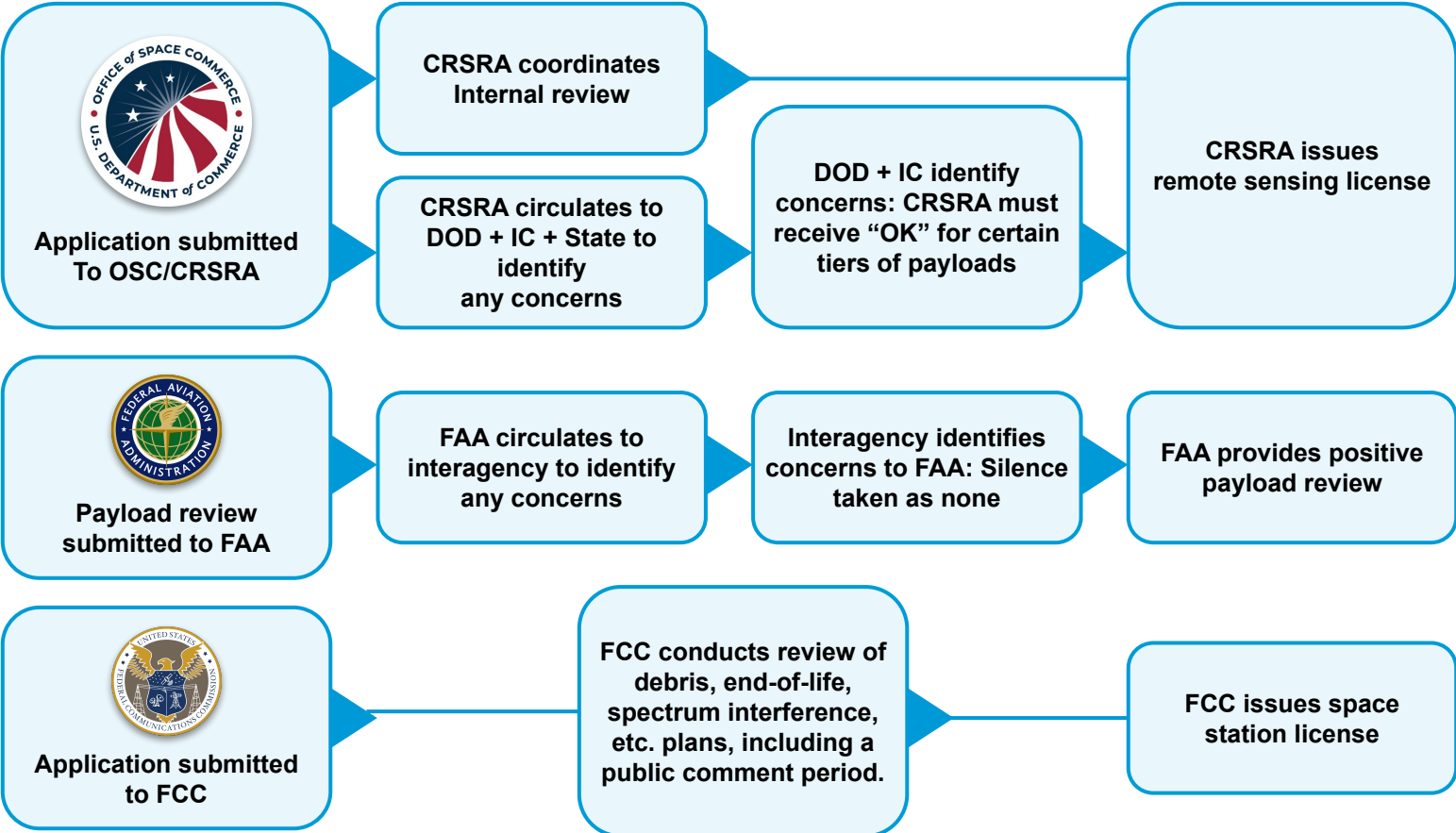
Dept of COMMERCE:  
Bureau of Industry and Security (BIS)

## I. Regulation of Launch, Launch Sites & Re-entry

Dept of TRANSPORTATION:  
Federal Aviation Administration (FAA)



# Current Process for Payloads





# The *Draft* OSC Concept

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# The Concept - Streamlined Authorization Scheme for Novel Activities



## An *opt-in* process for novel activities - “space commerce certification”

- OSC identifies light-touch commitments that applicants must make to protect fundamental national interests, including but not limited to national security, international obligations, and safety of third parties.
- Industry applies through the OSC process and makes the relevant commitments to their planned operations.
- OSC circulates the application and commitments to the U.S. Government interagency with firm deadlines to be notified of additional identified commitments, while conducting basic due diligence.
- OSC reviews and may choose to "certify" the proposed operations under these commitments [*while reserving the right to not certify, thereby sending applicants back through the “traditional” regulatory process*].
- FAA expedites their statutory payload review process and accepts the OSC certification as a sufficient pre-review for novel space activity. While the FAA holds statutory authority to make determinations, the FAA would accept OSC analysis as part of an expedited review process under a predetermined timeline.
- The FCC would likewise accept this certification as sufficient to meet non-frequency/spectrum requirements.

## The result: a single process for novel activities

- Focused on novel activities as the first priority
- Most commitments would be general (disposal rules, etc.) with additional requirements for activities raising unique concerns (e.g. nuclear)
- Ongoing rollout: ISAM rules first, then CLDs, then lunar, etc. (examples only)
- By avoiding binding regulations, allows the USG to be flexible
- The process could expand to cover increasing mission sets over time
- Legislation could come later if the process works

# The Concept - Novel Activities Certification for Space Commerce

