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ACSP NEWSLETTER

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FCC

FCC Releases Public Notice on Orbital Debris

- Technically released in May, weâ??re going to cheat and flag the FCCâ??s recent orbital debris public notice. The notice, which will have comment and reply comment due dates once it is published in the federal register, seeks an update to the record on Orbital Debris matters raised by the Commissionâ??s orbital debris proceeding in 2019 and 2020.
- *Why it matters to you:* Few regulatory issues have such a broad impact on the space industry as orbital debris rules. They can impact everything from an operatorâ??s launch and mission plans to component sourcing for your spacecraft. If you operate or plan to operate a spacecraft in the near future, you should familiarize yourself with this proceeding and determine whether your company should participate.

SPACE DIPLOMACY(!) AND GLOBAL SPACE SITUATIONAL AWARENESS

Office of Space Commerce Releases Plans for Global SSA Coordination

- On April 8 the Office of Space Commerce released a document detailing its plans for a global, coordinated space situational awareness network. The short release lays out a strategy of international engagement to set standards, including with nations that have not traditionally coordinated their efforts with the United States.
- *Why it matters to you:* If you plan on flying a spacecraft in the near future, this is a significant release although scant on details. This newsletter has documented the OSC's space diplomacy efforts, noting the common thread of SSA collaboration. This document is another step along this path, underlining the value of bi-lateral SSA engagement while also emphasizing the need for global, multilateral standards on the issue. This could be a critical step in developing something like a global SSA and space traffic system, one that will be essential as the commercial presence in LEO continues to grow.

ISRO Releases Report on Space Situational Awareness

- Demonstrating the global significance of SSA, ISRO released an illuminating report on its 2023 on-orbit deployments as well as the close approaches by other space objects and collision avoidance maneuvers for Indian spacecraft.
- *Why it matters to you:* This report paints an unusually clear picture of the cadence of close approaches, where a trackable spacecraft or piece of debris passes within one kilometer of another craft, and collision avoidance maneuvers for the Indian space fleet. Data like this is essential for operators to understand the operational considerations for on-orbit systems and why regulatory action on SSA and space traffic management is coming. It

also demonstrates that even large, technically sophisticated space powers rely on USSPACECOM to stay safe in space.

TRADE COMPLIANCE

“No License Required” Updates for Exports to Australia and the United Kingdom

- The EAR Commerce Control List (“CCL”) received a pretty big update as it pertains to exporting activity between the US, Australia and the United Kingdom. On April 19th, BIS published an [interim final rule](#) in the Federal Register announcing that license requirements will be removed, licensing exceptions expanded, and end use/user restrictions reduced for these two countries to encourage technological innovation. This is in furtherance of the goals of the “AUKUS” trilateral security partnership and removes certain controls that applied to AU and the UK previously via the BIS country chart. Now, those countries are treated like our longtime ally, Canada.
- *Why it matters to you:* Space companies deal in a lot of export-controlled commodities and tech. The “515” series of the CCL (which is often cited as 9X515) often requires a license or authorization for an export to anywhere in the world. If you have parts and components for spacecraft, though, you may often find yourself in ECCN 9A515.x or 9E515.a. These ECCNs will no longer require a license or other authorization to the UK or AU (or Canada). Check your export classifications. You may find that things which previously required licensing or use of exceptions, such as Strategic Trade Authorization, no longer require an authorization at all.

ITAR Reform for Space

- Sporadically, the ITAR U.S. Munitions List “USML” underwent a massive reform which removed a lot of “dual-use” tech and space stuff from the USML and placed it in

the 600 and 515 series of the EAR CCL. Recently, the State Dept. and Commerce Dept. announced that they plan to release a rulemaking later this year, potentially in June, to determine which technologies currently subject to ITAR could be moved to the CCL.

- *Why it matters to you:* This most significant opportunity in the last ten years to persuade government that certain commercial space sector technology is now common enough to be moved to the CCL. Items exported under the CCL are subjected to far less scrutiny than technology subject ITAR control. Therefore, whenever technologies or items are removed from the ITAR, licensing timelines are shorter, costs drop, and headaches decline precipitously when hiring foreign persons. Make sure you take the opportunity to weigh in via the rulemaking process in the Federal Register when it is published. We'll make sure to flag it for you when it is!



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