



MARCH 2024

Description

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ACSP NEWSLETTER

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Hi All,
Our sincere apologies for skipping the February Newsletter. The lead up to the March bootcamp and a secret project forced us to skip last month. However, weâ??ve tried to cover some key bits of news from February as well as the big ticket items from March. And hopefully, weâ??ll be able to share that secret project soon!

Thanks,

The ACSP Team

FCC PROCEEDING LIGHTNING ROUND

- The FCCâ??s Notice of Proposed Rulemaking (NPRM) was published in the [Federal register](#), meaning that comments are now due on April 29.
 - *Why it matters to you:* If you are an ISAM operator, the FCC is asking for input on the rules that will shape ISAM applications, spectrum access, orbital debris and even contractual requirements for the foreseeable future. It is important for ISAM stakeholders to vet the FCCâ??s proposals and voice concerns or support on the record.
 - **Regulatory Fees:** The FCC has also published a new [Regulatory Fee NPRM](#), with comments due on April 12 and replies due on April 29.
 - *Why it matters to you:* Unlike most regulatory fee proceedings, this one opens the door to reconsidering the fee classifications for satellite operators. In particular, NGS0 and ISAM stakeholders should be aware of what the Commission is proposing, as successful advocacy in this proceeding could set annual fee costs for years.
 - **Direct-to-cell:** The FCC issued its Direct-to-Device Report and Order, creating a regulatory pathway for satellite systems to communicate with consumer smartphones.
 - *Why it matters to you:* The size of the Direct-to-Device market is not clear but this change in the regulatory landscape could open new opportunities for manufacturers and operators alike.
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NOAA

NOAA Considers New Orbital Debris Rule

- NOAA has [issued and since closed a](#) Request for Information in which it sought to close a previously existing loophole and allow applicants to submit their orbital debris mitigation showing to NOAA when filing for a license.
- *Why it matters to you:* While it is too late to file, NOAA's rulemaking opens a new possibility for the regulation of orbital debris mitigation. It is not clear how this might impact applicants that seek licenses from both NOAA and the FCC; that determination will have to wait for the final text of the new rule (and perhaps a few test applications). However, this could open up new application strategies and potentially lead to faster licensing timelines.

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EXPORT BIS & ITAR

Exports of Defense Services to Nicaragua Prohibited

- Effective as of March 15th, the US Department of State added Nicaragua to its list of [prohibited countries under the International Traffic in Arms Regulations \(ITAR\)](#). The US has said that it will continue to use all available diplomatic and economic tools to promote accountability for the Ortega-Murillo regime and to support the human rights and fundamental freedoms of Nicaraguans.
- *Why it matters to you:* Many space companies export items subject to the ITAR and should be aware that the US will deny export licenses or other authorizations for exports and imports of defense services and defense articles to Nicaragua. It is important to update internal processes and checks to make sure the new prohibition is built into all compliance programs as soon as possible.

BIS Issues Best Practices for Freight Forwarders

- The Bureau of Industry and Security has issued a [best practices document for freight forwarders](#). Freight forwarders are agents that companies typically hire as authorized agents to file an Electronic Export Information (â??EEIâ?•) into the Automated Export System (â??AESâ?•). You or your foreign customer can select and authorize them, the latter of which is called a â??routed transaction.â?•
- *Why this matters to you:* Choosing a freight forwarder who knows how to handle export-controlled cargo properly can be daunting and includes a lot of questions about which party is responsible for mistakes. Reading through this new guidance can help you know exactly the questions you should be asking when choosing a freight forwarder as well as explaining how liability shifts in different scenarios.

NASA

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OSAM-1 Program cancelled

- NASA announced the [cancellation](#) of its On-Orbit Servicing, Assembly, and Manufacturing (OSAM-1) project due to ongoing technical and cost issues.
- *Why it matters to you:* The cancellation of the program has a two-fold impact. This should finally resolve whether the proper term is ISAM or OSAM; we can now all safely use ISAM. More relevantly, there is an opportunity for the commercial sector to fill a gap where the OSAM-1 was expected to provide services. The U.S. Government has been open about the importance of ISAMâ??s to its [commercial](#) space and [defense](#) priorities and will have to rely on the commercial sector to support those needs.

LUNAR LANDINGS

Commerce Arrives on the Moon

- Intuitive Machines achieved what only a few governments had accomplished before it and successfully landed a [spacecraft on the lunar surface](#).
- *Why it matters to you:* While the lander eventually succumbed to technical issues, the successful landing marked a new threshold for commercial systems. It's not evident that there is a sustainable commercial market on the moon at this time but it is clear that policy makers need to properly prepare for the reality of commercial presence on the moon and the industry will need to help them create policies that may one day foster a true lunar economy.

SPACE FORCE AND THE STRUGGLE FOR SPACE

Space Force Strategy and China's ISRs

- The U.S. Space Force has been speaking to the public about the need to [maintain space superiority and its strategy for doing so](#). This has not so quietly been juxtaposed with statements regarding the [growth in Chinese capabilities on orbit](#).
- *Why it matters to you:* There's [reason to believe](#) that the Chinese deployments are not quite as substantial as suggested. However, there is a clear trend that appears to be favorable to the Chinese and the U.S. Space Force has a keen interest in matching or exceeding that growth. The Space Force is telling the industry what it needs and seems committed to getting new systems on orbit if the industry can deliver.

France Joining the Fray?

- At the beginning of March, [France led joint European-US war games](#) involving an adversary attempting to conduct intercept maneuvers on a victim satellite. Shortly afterwards, joint public-private delegations from [France and the U.S. met to discuss a host of space based issues](#).

- *Why it matters to you:* The war games offer a glimpse into the technical capabilities that U.S. and European governments are interested in developing and counteracting. France's initiative is also notable as they already have a significant stake in space and may be taking a more vocal stance on protecting their interests and ensuring their voice is being heard. That could have implications from spectrum rights to orbital debris mitigation and space traffic management and bears monitoring.
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CONSTELLATION PARTNERSHIPS

- [Field of View](#) is a monthly newsletter published by [Approach Venture](#) uncovering emerging industry trends, important news, upcoming events and more. Space professionals may benefit from their insight into niche areas of expertise, particularly regarding the financial perspective of commercial space business.
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UPCOMING EVENTS



Clearing the Path: Solving Orbital Debris Challenges??NASA SBIR Ignite AMA

Tomorrow ?? April 4 7:00 AM PT

[Register Here](#)

Accurately tracking the rising amount of orbital debris is one of the greatest obstacles in addressing the problem of ??space junk.?? From new tracking methods to scalable remediation approaches, creative solutions are needed to address the challenges posed by orbital debris. How can technology startups play a role in solving these issues and contribute to a safer, more sustainable space environment?

Join us for a conversation exploring this question and learn how orbital debris issues are impacting the space industry and beyond. Panelists will discuss the importance of debris tracking and remediation, highlighting the economic and operational risks associated with debris in space.

As we delve into the technological challenges and potential solutions for debris remediation, we??ll discuss how an upcoming NASA funding solicitation, the 2024 NASA SBIR Ignite program, may provide an opportunity for companies already in the space industry??or those interested in exploring how their terrestrial technology could be applied to the space debris issues??to apply for research and development support to

further their technology in support of orbital debris mission needs.



Starside Chat

Thursday, April 25

11:30-12:30 PM ET

[Register Here](#)

Introducing Starside Chat, a new interactive podcast from ACSP. Hosted by industry leaders and experts, weâ??ll cover the ins and outs of commercial space, regulatory changes, current events, and much more. Further details to come; be sure to register now and block the time on your calendar. This is a live event you wonâ??t want to miss.



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