

## Overview of Space Law's Legal, Policy, and Regulatory Framework

**PROLOGUE:** Team GLOREHE with Subject Matter Experts, dedicate this maiden issue of GLOREHE B, ("B" for Bulletin) to the empowerment of the space law community in the global world. Our goal is to inspire and assist Space Law beginners, experts, and those in between, in understanding and journeying Space Law with fulfillment and ease. **Disclaimer:** This listing is a high-level introduction to the space legal and regulatory framework sourced through publicly available data and is by no means deemed an all-encompassing resource. This does not provide any expert opinion nor any legal advice.

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**Space Treaties** Five international treaties form the basis of Space Law: Outer Space Treaty, Rescue Agreement, Moon Agreement, Liability Convention, and Registration Convention.

- **UNCOPUOS** - United Nations Committee on the Peaceful Uses of Outer Space
- <https://www.unoosa.org/oosa/en/ourwork/copuos/index.html>

The rapid growth and innovation of the commercial space industry with proliferated Low Earth Orbit (pLEO) constellations, Cislunar exploration, and growing International Space Consortiums are in-turn driving reviews and significant changes to the existing space law, policy, and regulatory framework.

- **Space Sectors** Laws and regulatory guidance generally differ in the processes followed according to the sector of space activities involved: **Civil, National Security, and Commercial.**

### US Space Laws, Policies, and Regulations

- Communications Act of 1934
- National Aeronautics & Space Act of 1958
- The Commercial Space Launch Act
- Land Remote-Sensing Commercialization Act
- Land Remote-Sensing Policy Act
- U.S. Commercial Space Launch Competitiveness Act of 2015
- Weather Research and Forecasting Innovation Act of 2017
- National Aeronautics and Space Administration Transition Authorization Act of 2017
- National Defense Authorization Act of 2020

**Regulatory bodies by Space Functional Area** Major functional areas include Export Control (ITAR, EAR99), Spectrum Management and approval, Space Debris Management, Space Traffic Management and Collision Avoidance, space mining rights, International Consortium Agreements, Space Treaties, Commercial Consortium Agreements, proximity operations, and a host of new areas.

### Export Control (ITAR and EAR99)

- US Department of State Arms Control and Nonproliferation
  - **ITAR** – International Traffic in Arms Regulations  
[https://www.pmdc.state.gov/ddtc\\_public/ddtc\\_public](https://www.pmdc.state.gov/ddtc_public/ddtc_public)
- US Department of Commerce **EAR99** Export Administration Regulation <https://www.trade.gov/>
  - <https://www.trade.gov/eccn-and-export-administration-regulation-ear99>
- US Department of the Treasury
  - **OFAC** - Office of Foreign Assets Control administers and enforces economic and trade sanctions. <https://ofac.treasury.gov/>

### Spectrum Management and Approval

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- **ITU - International Telecommunications Union** The ITU shall effect allocation of bands of the radio-frequency spectrum, the allotment of radio frequencies and the registration of radiofrequency assignments. <https://www.itu.int>
- **FCC - Federal Communications Commission** <https://www.fcc.gov/>
  - **FCC Space Bureau** <https://www.fcc.gov/space>
- **US Department of Commerce**
  - **NTIA - National Telecommunications and Information Administration**
    - <https://ntia.gov/category/spectrum-management>

**Satellite Imaging Licensing** The Department of Commerce through the National Oceanic and Atmospheric Administration (NOAA), licenses the operation of private remote sensing space systems under the Land Remote Sensing Policy Act of 1992. The authority excludes non-Earth imaging systems and requires interagency approval including input from DoD and Intelligence Community (IC).

- **NOAA – National Oceanic and Atmospheric Administration** NOAA licenses Earth Observation satellites (excludes non-Earth imaging systems); requires interagency approval including input from DoD and IC. <https://www.noaa.gov/satellites>
  - **NOAA Commercial Remote Sensing Regulatory Affairs**
  - <https://www.nesdis.noaa.gov/about/our-offices/commercial-remote-sensing-regulatory-affairs>

### Space Transportation (Licensing for Space Launches and Reentries)

- **FAA – Federal Aviation Administration (Office of Commercial Space Transportation)**
- <https://www.faa.gov/space>
- **NSIWG - National Spaceport Interagency Working Group**  
<https://www.faa.gov/space/spaceports>

### Space Traffic Management and Collision Avoidance

- **ITU –** Regulates Geo-stationary Satellite Orbital Positions.
- **DoD –** Maintains Space Surveillance Network for tracking of all satellites.
- **NOAA -** Office of Space Commerce working to develop commercial space situational awareness capabilities and take over DoD's role with TraCSS (Traffic Coordination System for Space)
- **FAA –** Also under consideration by congress for a role in Space Traffic Management

### Contracting

- International Consortium Agreements
  - Commercial Consortium Agreements
  - **Federal Acquisition Regulation (FAR) and Defense FAR Supplement (DFARS)**
    - <https://www.acquisition.gov/browse/index/far>
    - <https://www.acquisition.gov/dfars>
  - Intellectual Property (IP) Rights
  - Human Resources (HR)
    - Immigration Sponsorship or Self-petition for extraordinary and exceptional ability aliens
  - **CFIUS - The Committee on Foreign Investment in the United States** CFIUS is an interagency committee authorized to review certain transactions involving foreign investment in the United States and certain real estate transactions by foreign persons, in order to determine the effect of such transactions on the national security of the United States.
    - <https://home.treasury.gov/policy-issues/international/the-committee-on-foreign-investment-in-the-united-states-cfius>
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