RACE FOR SPACE SUPERIORITY: TRUMP ADMINISTRATION CONTINUES SWEEPING SPACE POLICY CHANGES

Date: 9 January 2026

US Policy and Regulatory Alert

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Recent developments in Washington point to a decisive shift in US space policy. The swearing in of Jared Isaacman as Administrator of the National Aeronautics and Space Administration (NASA) in mid-December, followed closely by Congress rejecting proposed NASA budget cuts and President Donald Trump issuing yet another space-focused executive order, all signal a unified move toward a more commercially aligned approach to space governance. The momentum points to expanded opportunities for public-private collaboration.

CONGRESS REJECTS BUDGET CUTS AT NASA

A minibus (a bipartisan, conferenced, package of legislation) released on 5 January 2026, provides US$24.4 billion for NASA for fiscal year 2026, well above the White House's proposal of US$18.8 billion. In addition to restoring nearly all proposed funding cuts to NASA's science program, the bill includes:

- US$7.6 billion for the Artemis program to establish the first long-term presence on the moon;
- Full funding for the Nancy Grace Roman Space Telescope for a 2027 launch, outfitted with imaging cameras 100 times larger than the Hubble Telescope;
- US$500 million for the nuclear-powered rotorcraft mission, Dragonfly, to Saturn's moon, Titan; and
- US$2.2 billion for climate monitoring and the Earth System Observatory.

NEWLY PROPOSED US MISSION AUTHORIZATION PROCESS

The Office of Space Commerce (OSC) officially launched public comments on their newly proposed one-stop shop for the authorization of novel space activities.[1] OSC has removed the previously stated 22 December 2025 deadline and is accepting comments on a rolling basis.[2]

ENSURING AMERICAN SPACE SUPERIORITY

President Trump, on 18 December 2025, signed Executive Order 14369, “Ensuring American Space Superiority”[3] directing agencies across the federal government to work together to streamline procurement, establish new space security strategies, ensure a necessary workforce to support the US space industry, and set

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a wide breadth of new space policy directives and goals that build on Executive Order 14335, Enabling Competition in the US Commercial Space Industry,[4] including:

- Deploying nuclear reactors on the moon and in orbit, including a lunar surface reactor ready for launch by 2030;
- Returning Americans to the moon by 2028 through the Artemis program;
- Establishing initial elements of a permanent lunar outpost by 2030;
- Enabling commercial launch services and prioritizing lunar exploration;
- Developing and demonstrating prototype next-generation missile defense technologies;
- Accelerating acquisition reform, integrating commercial space capabilities, and enabling new market entrants; and
- The implementation of a new space security strategy.

Order 14369 also revokes former President Joe Biden's Executive Order 14056, which set the purpose, membership, and functions of the National Space Council, and revises Space Policy Directive 3 by removing “free for all” language in the National Space Traffic Management Policy.

Our Policy and Regulatory practice lawyers routinely monitor regulatory shifts and are available to help the space industry navigate this rapidly changing policy landscape, and advocate for needed changes.

FOOTNOTES

[1] Office of Space Commerce Seeks Industry Input on Revolutionizing the US Mission Authorization Process | HUB | K&L Gates.

[2] *OSC Seeks Stakeholder Feedback on Draft “Mission Authorization” Concept*, Office of Space Commerce (Dec. 17, 2025), https://space.commerce.gov/osc-seeks-stakeholder-feedback-on-draft-mission-authorization-concept/.

[3] Exec. Order No. 14369, 90 Fed. Reg. 60537 (Dec. 18, 2025).

[4] “Enhancing American Greatness in Space”: President Trump Signs Executive Order to Expand the Domestic Commercial Space Industry | HUB | K&L Gates; Exec. Order No. 14335, 90 Fed. Reg. 40219 (Aug. 13, 2025).

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