

OFFICE OF SPACE COMMERCE OPENS PILOT FOR NOVEL SPACE MISSION AUTHORIZATIONS

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US Policy and Regulatory Alert

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The US Department of Commerce's Office of Space Commerce (OSC) is inviting US space operators to help test a proposed, streamlined mission authorization process for novel in-space activities. Under a notice published in the Federal Register on 20 August 2026, interested operators can submit expressions of interest by 5 October 2026.¹ Selected missions will participate in a pilot of OSC's proposed "Space Commerce Certification" (SCC), which is intended to coordinate federal review of activities not clearly or straightforwardly governed by existing regulatory frameworks.²

The pilot moves OSC's mission authorization initiative into a practical testing phase. It also arrives alongside National Security Presidential Memorandum 17 (NSPM-17), the White House's new National Space Transportation Policy, which directs federal agencies to expand launch and reentry capacity, improve access to infrastructure, support spectrum availability, and strengthen the US space transportation industrial base. Together, the actions signal continued federal emphasis on reducing regulatory and infrastructure constraints on commercial space activity.³

THE MISSION AUTHORIZATION PILOT

The Federal Register notice implements Section 5 of Executive Order 14335, "Enabling Competition in the Commercial Space Industry."⁴ OSC explains that the SCC is designed for novel activities that fall outside, or do not fit straightforwardly within existing federal regulatory frameworks. The agency's March 2026 proposal described a consolidated process built around a single application and coordinated interagency review, while recognizing that the Federal Aviation Administration (FAA), Federal Communication Commission (FCC), and the Commercial Remote Sensing Regulatory Affairs (CRSRA) office retain their statutory responsibilities and that applicants may still require separate legal permissions.⁵

Any US entity may submit a summary of a planned mission for possible selection. OSC will review submissions and notify selected participants. During the pilot, OSC expects to coordinate with the FAA, FCC, Department of War, Department of State, NASA, and other relevant agencies as needed. OSC states that the pilot will test and further develop the SCC proposal and will include expected engagement opportunities for industry stakeholders and the public.⁶

Selected participants will be asked to complete an SCC application. OSC and relevant agencies intend to review the application for interagency concerns, work with the participant on adjustments and practices to address those concerns, and, once the process is complete, issue an SCC that may include recommended best practices. OSC emphasizes that the pilot is voluntary and nonbinding, an SCC issued during the pilot has no direct legal effect,

and participants remain responsible for satisfying existing FAA CRSRA, and FCC licensing requirements. Expressions of interest, consisting of summaries of planned missions, should be submitted by 5 October 2026.⁷

A BROADER PUSH ON SPACE TRANSPORTATION

NSPM-17 establishes a national goal for US ranges to support more than 1,000 launches and reentries annually by 2030. Among other things, the memorandum directs agencies to facilitate commercial access to federal launch and reentry sites, consider public-private infrastructure development, expedite facility permitting and environmental reviews, and develop fair and transparent cost-recovery policies.⁸

NSPM-17 also directs the Secretary of Commerce and the FCC Chairman to ensure reliable spectrum access for commercial and federal launch, reentry, recovery, and on-orbit activities. It calls for a development plan for a designated federal-land reentry site and directs the Departments of State and Commerce to promote international market access for US space transportation capabilities and standards, including through possible export-control updates.⁹

In order to develop a competitive space transportation industry, it also calls on agencies to develop and implement a space transportation industrial base strategy, allow requests to launch foreign space vehicles, develop a lunar logistics architecture, expand commercial robotics access to Mars, and develop commercial architecture for sending humans to Mars.

The firm's Policy and Regulatory practice team is closely monitoring developments and is available to help space companies identify opportunities presented by NSPM-17 and evaluate participation in OSC's pilot program including preparing submissions and navigating the evolving federal authorization framework.

FOOTNOTES

¹ Notice of Mission Authorization Pilot Program, 91 Fed. Reg. 53,849 (Aug. 20, 2026).

² *Id.* at 53,849-50.

³ The National Space Transportation Policy, National Security Presidential Memorandum 17 (Aug. 20, 2026), <https://www.whitehouse.gov/presidential-actions/2026/08/national-security-presidential-memorandum-nspm-17/>.

⁴ Exec. Order 14335, 90 Fed. Reg. 40219 (Aug. 13, 2025).

⁵ Office of Space Commerce, OSC Releases Updated Mission Authorization Proposal (Mar. 24, 2026), <https://space.commerce.gov/osc-releases-updated-mission-authorization-proposal/>.

⁶ 91 Fed. Reg. at 53,849-50.

⁷ *Id.* at 53,850.

⁸ National Security Presidential Memorandum 17, secs. 1-2 (Aug. 20, 2026).

⁹ *Id.* secs. 2-4.

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