

July 28, 2022

The Federal Communications Commission has released a draft of a [notice of inquiry](#) (NOI) scheduled for consideration at its open meeting on August 5, 2022. The NOI seeks comments on FCC licensing of in-space servicing, assembly and manufacturing (ISAM) missions, which include activities such as repairing in-orbit spacecraft, removing debris and satellite refueling.

One goal of this proceeding is to identify ways the FCC can “promote continued growth, innovation, and development in ISAM operations.” To that end, the FCC hopes to learn more about current and future ISAM activities that may require FCC licensing, frequency allocations, or other approvals. In particular, the FCC aims to identify how to facilitate and reduce barriers for ISAM missions by modifying the licensing processes.

Space safety, including orbital debris remediation, is a primary concern for the FCC, which recognizes that while ISAM operations can produce new orbital debris, they also could help clean up existing debris. The NOI, therefore, seeks comments on the current and future spectrum needs for ISAM missions, as well as whether the FCC should modify its rules on orbital debris mitigation. The FCC also asks if there are any different regulatory issues presented by ISAM activities beyond Earth’s orbit.

This NOI is the latest in the FCC’s efforts to learn how it can promote commercial space operations. The NOI also aligns with the Biden administration’s December 2021 [Space Priorities Framework](#), and the White House Office of Science and Technology Policy’s [ISAM National Strategy](#) released in April 2022.

There may be incremental changes to the NOI before the FCC’s vote next month, but we expect the FCC to vote to approve it. Industry commenters may submit their views to the FCC through comments and reply comments, which will be due 45 days and 75 days, respectively, after publication in the Federal Register.

This content is provided for general informational purposes only, and your access or use of the content does not create an attorney-client relationship between you or your organization and Cooley LLP, Cooley (UK) LLP, or any other affiliated practice or entity (collectively referred to as “Cooley”). By accessing this content, you agree that the information provided does not constitute legal or other professional advice. This content is not a substitute for obtaining legal advice from a qualified attorney licensed in your jurisdiction, and you should not act or refrain from acting based on this content. This content may be changed without notice. It is not guaranteed to be complete, correct or up to date, and it may not reflect the most current legal developments. Prior results do not guarantee a similar outcome. Do not send any confidential information to Cooley, as we do not have any duty to keep any information you provide to us confidential. When advising companies, our attorney-client relationship is with the company, not with any individual. This content may have been generated with the assistance of artificial intelligence (AI) in accordance with our AI Principles, may be considered Attorney Advertising and is subject to our [legal notices](#).

## Key Contacts

J.G. Harrington Washington, DC	jgharrington@cooley.com +1 202 776 2818
Henry Wendel Washington, DC	hwendel@cooley.com +1 202 776 2943

This information is a general description of the law; it is not intended to provide specific legal advice nor is it intended to create an attorney-client relationship with Cooley LLP. Before taking any action on this information you should seek professional counsel.

Copyright © 2023 Cooley LLP, 3175 Hanover Street, Palo Alto, CA 94304; Cooley (UK) LLP, 22 Bishopsgate, London, UK EC2N 4BQ. Permission is granted to make and redistribute, without charge, copies of this entire document provided that such copies are complete and unaltered and identify Cooley LLP as the author. All other rights reserved.