

# NOAA's Commercial Remote Sensing Regulatory Affairs

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# Facts & Figures

## For Calendar Year 2017

### ➤ Licensing

- 47 Initial Inquiries for License Determination
- 16 New Licenses Issued--Average of 91 days for Issuance
- Total Actions Completed: 43

### ➤ Ground Stations

- Currently: 200 Licensed Sites
  - FY 2018 Planned Expansion: Australia and Scotland
- 123 Active Sites
  - Encompassing 28 Countries, 90 Cities

### ➤ Satellites

- ~ 239 satellite systems on orbit



# 2018 Licensing Activities

## ➤ NOAA Licensing has so far

- Issued 6 licenses
- Just closed 11 actions, 2 actions are ongoing
  - *Includes: application reviews, new licenses, license amendments, waivers, license closures, and foreign agreements*
- Informed 6 additional entities that they will need to apply for a license
- Currently: 43 licensees (60 licenses)

## ➤ New License Format

- We have almost completed issuing and re-issuing all licenses in the new format
- New format includes appendices with any applicable conditions based on the licensee's mission



# 2018 Licensing Activities

## ➤ 2017 Interagency Memorandum of Understanding

- Success in decreasing processing time for licenses:
  - Average Time for License Issuance by year

### **2015 – 210 Days**

14 Licenses Over the 120 Day Time Limit; 1 License Completed On Time

### **2016 – 140 Days**

7 Licenses Over the 120 Day Time Limit; 5 Licenses Completed On Time

### **2017 – 91 Days**

2 Licenses Over the 120 Day Time Limit; 14 Licenses Completed On Time

- Invoked the MOU to escalate 14 actions that we were able to move forward

## ➤ Licensing Workshop

- Organizing a cross-government workshop regarding satellite licensing in late summer/early autumn



# 2018 Compliance Activities

## ➤ NOAA Compliance has so far

- Completed 1<sup>st</sup> Quarter FY 2018 Quarterly Audit Review and Approvals
- Processed 13 Data Protection Plan Actions
- Completed 4 Compliance and Monitoring Inspections
  - Anticipate completing 28 inspections this year
- Completed 14 Pre-launch Reviews

## ➤ 2018 Launches

- Satellite Systems Successfully Launched in FY 2018: 21
  - Congratulations: Astro Digital, Planetary Resource and Development Corporation, Planet Labs, Space-X, Tyvak
- Total Projected Launches in 2018: 106



# 2018 Compliance Activities

## ➤ Updated Audit Cycle

- Quarterly Audits are due 15 days after end of quarter
- Annual Audits due July 15<sup>th</sup>

## ➤ Quarterly Audit

- Will be distributed and accepted electronically
- Updated to improve reporting and monitoring requirements

## ➤ Data Protection Plan

- Template rewrite is ongoing
- Responsive pre-consultation available
- Shortened timeline of 120 days prior to launch instead of the previously required 1 year prior to launch



# Topics of Concern

## License Determination

### ➤ Based on Policy, Legal, and Technical Determinations

### ➤ Awareness of the Need for a License

- Because we regulate such a small chunk of the satellite industry, most entities are not even aware they may need a license

### ➤ Difficult to Classify

- Who the licensee should be: trend in satellite operations being managed by multiple entities
- Sensor and Tracker Capabilities

### ➤ CRSRA Offers:

- Contact CRSRA for a formal determination
- Initial Contact Form available on the CRSRA website



# Topics of Concern

## Compliance Reporting

### ➤ Audit Reporting vs. Amendment Request

- Audit Purpose: Ensure compliance with laws, regulation, and license
- License Amendment: Request a change to the approved conditions for operation
  - *Includes: change in license holder, change in operational control, and deviation from operational technical parameters*

### ➤ Increase in violations

- Of the 123 Active Ground Stations, CRSA is able to inspect only a small chunk
- Greater reliance on audits and other reporting mechanisms, which means it's increasingly important that licensees take the audits seriously and fill them out accurately and in a timely manner



# Topics of Concern

## Kyl-Bingaman Amendment

### ➤ Amendment

- Statutory Language: PROHIBITION ON COLLECTION AND RELEASE OF DETAILED SATELLITE IMAGERY RELATING TO ISRAEL

A department or agency of the United States may issue a license for the collection or dissemination by a non-Federal entity of satellite imagery with respect to Israel only if such imagery is no more detailed or precise than satellite imagery of Israel that is available from commercial sources.

### ➤ NOAA

- Currently limits imagery over Israel to coarser than 2 meters GSD
- Received evidence from two licensees that imagery over Israel is currently commercially available from foreign commercial sources for better than 2 meters GSD
- NOAA is undergoing review of this evidence
- If it is determined that imagery is available for better than 2 meters GSD, NOAA will begin issuing license requests to image at highest commercially available resolution



**Questions?**

