

NOAA's Commercial Remote Sensing Regulatory Affairs

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Facts & Figures

2018 So Far

➤ Licensing

- 38 Initial Inquiries for License Determination
 - From Initial Contact to Application Submission, Entities take an average of 121 days or ~4 months
- 13 New Licenses Issued--Average of 74 days for Issuance
- Total Actions Completed: 33

➤ Ground Stations

- Currently: 216 Licensed Sites
 - FY 2018 Planned Expansion: Australia and Scotland
- 130 Active Sites
 - Encompassing 28 Countries, 93 Cities

➤ Satellites

- ~ 186 licensed satellite systems on orbit
- 893 satellites are licensed



2018 Licensing Activities

➤ NOAA Licensing In Process

- 6 Actions are under review
- Currently: 42 licensees holding 61 licenses

➤ 15 CFR Part 960 Regulation Re-write

- Provide inputs to NOAA General Counsel based on experience with the licensing functions such as:
 - Develop a clearer Licensing Application
 - Changes in License format
 - Review process recommendations



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

2018 (As of Now) – 57 Days

No Licenses Over the 120 Day Time Limit; 8 Licenses Completed On Time

- Average # of processing days for ALL licensing actions is 62 days



2018 Compliance Activities

➤ 2017 Interagency Memorandum of Understanding

- NOAA applies the MOU review process & escalation timelines to the review of Data Protection Plans (DPP) in addition to licensing actions
- Success in decreasing processing time for data protection plans

- Average Time for Data Protection Plan Review & Approval

FY 2017 – 232 Days

16 DPPs Over the 120 Day Time Limit; 0 DPPs Completed On Time

FY 2018 – 128 Days

8 DPPs Over the 120 Day Time Limit; 9 DPPs Completed On Time

- We are working to further improve these averages
- Invoked the MOU to escalate 18 actions that we were able to move forward



2018 Compliance Activities

➤ NOAA Compliance has so far

- Completed 12 Second Quarter FY 2018 Quarterly Audit Review and Approvals
- Currently processing annual audits
- Processed 22 Data Protection Plan Actions
- Completed 34 Compliance and Monitoring Inspections
 - 8 Mission Control Centers, and 26 Remote Ground Terminals
- Completed 35 Pre-launch Reviews

➤ 2018 Launches

- Satellite Systems Successfully Launched in FY 2018: 11
 - Congratulations: Astro Digital, Cal Poly Corporation, Planet Labs, Space-X, Tyvak
- Total Projected Launches in 2018: 67



2018 Compliance Activities

➤ Updated Audit Cycle

- New audit forms
- Quarterly Audits are due 15 days after end of quarter
- Annual Audits due October 15th of every year

➤ There is no longer a baseline audit requirement

➤ Data Protection Plan

- Provided to licensees week prior to the intergovernmental workshop
- Reviewed during the workshop
- Responsive pre-consultation available
- Tiered plans to lessen regulatory requirements on low-risk systems



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

- Compliance has conducted approximately 7 investigations this year
- Of the 130 Active Ground Stations, CRSA has only inspected 34 sites
- 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
- NOAA received requests to review current resolution limit
- NOAA completed it's review
- Has found that imagery is not readily and consistently available from commercial sources



Questions?

