



FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, DC 20554

Brendan Carr
Chairman

July 31, 2026

The Honorable Brian Babin
United States House of Representatives
2236 Rayburn House Office Building
Washington, DC 20515

RE: July 21, 2026, Letter to the FCC

Dear Chairman Babin:

Thank you for your July 21, 2026, letter regarding the FCC's *Space Modernization for the 21st Century* Order and Further Notice of Proposed Rulemaking ("Order"). I appreciate you sharing your views on these important issues, especially given the work and expertise developed by you and your colleagues, including as Chair of the House Science, Space, and Technology Committee. The FCC made significant changes to our approach based on concerns raised, so I welcome the chance to respond here to your letter.

Following your February 2026 letter, the draft Order was revised to address more fully the FCC's statutory authority. In particular, the Order as revised now delineates the statutory limits of the Commission's public interest review under its new Part 100 rules. This represents a marked change from the original draft. The Communications Act requires the Commission to determine whether an application serves the public interest, convenience, and necessity.¹ As the Order explains, however, the Commission's public interest review of space-based applications is grounded in Congressional authority provided expressly in the Communications Act.

For instance, the FCC's authority to issue Part 100 licenses is derived from four categories of statutory authority found in the Communications Act. These categories of authority include our authorities regarding harmful spectrum interference, spectrum efficiency, foreign ownership, and orbital debris. More specifically, the Communications Act provides express authority over spectrum management, including interference and efficiency.² The Communications Act also provides the Commission with express authority to regulate foreign ownership of station licenses.³ Further, since 2004, the Commission has found that it may adopt orbital debris rules, if ancillary to our spectrum management authorities, by protecting communications facilities in

¹ See 47 U.S.C. §§ 307, 309.

² See, e.g., 47 U.S.C. §§ 301, 302, 303(r).

³ See 47 USC §§ 310.

space.⁴ These four categories of statutory authority comprise the structure and substance of our public interest review in the newly adopted Part 100 rules.

The Order also utilizes a rules-based framework whereby applications that satisfy the requirements of Part 100 are presumed to serve the public interest. By grounding our review in clear, written rules rather than open-ended expectations, the Order provides applicants with greater predictability while ensuring that Commission actions remain firmly within the scope of its statutory authority. These principles will continue to guide our implementation and administration of Part 100.

Thank you again for your letter and for your engagement throughout this proceeding. The FCC's decisions have benefited greatly from the engagement. I appreciate the Committee's interest in these issues and look forward to continuing to work with you as the Commission advances policies that encourage innovation while remaining faithful to the authority Congress has entrusted to the Commission.

Sincerely,

A handwritten signature in blue ink, appearing to read 'B Carr', with a long horizontal flourish extending to the right.

Brendan Carr,
Chairman

⁴ See *Mitigation of Orbital Debris*, Second Report and Order, 19 FCC Rcd 11567 at 11575, para. 14 (2004) (citing 47 U.S.C. § 303(g)).



FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, DC 20554

Brendan Carr
Chairman

July 31, 2026

The Honorable Zoe Lofgren
United States House of Representatives
1401 Longworth House Office Building
Washington, DC 20515

RE: July 21, 2026, Letter to the FCC

Dear Ranking Member Lofgren:

Thank you for your July 21, 2026, letter regarding the FCC's *Space Modernization for the 21st Century* Order and Further Notice of Proposed Rulemaking ("Order"). I appreciate you sharing your views on these important issues, especially given the work and expertise developed by you and your colleagues, including as Ranking Member of the House Science, Space, and Technology Committee. The FCC made significant changes to our approach based on concerns raised, so I welcome the chance to respond here to your letter.

Following your February 2026 letter, the draft Order was revised to address more fully the FCC's statutory authority. In particular, the Order as revised now delineates the statutory limits of the Commission's public interest review under its new Part 100 rules. This represents a marked change from the original draft. The Communications Act requires the Commission to determine whether an application serves the public interest, convenience, and necessity.¹ As the Order explains, however, the Commission's public interest review of space-based applications is grounded in Congressional authority provided expressly in the Communications Act.

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Thank you again for your letter and for your engagement throughout this proceeding. The FCC's decisions have benefited greatly from the engagement. I appreciate the Committee's interest in these issues and look forward to continuing to work with you as the Commission advances policies that encourage innovation while remaining faithful to the authority Congress has entrusted to the Commission.

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Brendan Carr,
Chairman

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