

**STATEMENT OF
COMMISSIONER NATHAN SIMINGTON**

Re: *Space Innovation*, IB Docket No. 22-271; *Mitigation of Orbital Debris in the New Space Age*, IB Docket No. 18-313

Today the Commission adopts a rule requiring non-geostationary satellite operators to deorbit satellites within five years after the completion of their missions. We require both that domestic licensees, and foreign operators granted access to the United States market, responsibly dispose of satellites that have served their purpose. This Order marks what I hope is the dawn of a new regulatory approach to the space economy: rules that are tough, sensible, and performance-based. Rules that, I hope, will form the bedrock of a safe, sustainable, and innovative space economy.

Let me be clear. Orbital debris is a problem, but not a crisis. Not yet. Operators might be forgiven for wondering where the fire is. Indeed, we may, in the fullness of time, come to discover that active debris removal technologies are more than adequate to meet the challenge of debris generation. Or that close coordination among operators in the sharing of ephemeris data and mutual cooperation in conjunction management works just fine without our intervention. We may come to learn that, in other words, the Commission's rules are a largely unused backstop for best-in-class commercial practice. Our rules may soon be superannated by innovative solutions from responsible operators who recognize that for any operator to succeed, each must operate with an eye toward safety and sustainability. That could happen.

In fact, I hope it does happen. But what we cannot do is bet on it. Hope is not a plan. And the operating environment of the past of a few, large, high-altitude satellites is fading from memory at a rate that feels like a step change from even five years ago. At the FCC we often talk of the spectrum pipeline—well, get a load of the satellite pipeline. Over the next decade, commercial operators plan to launch tens of thousands of new satellites into orbit. A veritable Cambrian explosion of commercial space operations is just over the horizon. We had better be ready when it arrives.

I will not reel off examples of various tragedies of the commons or other regulatory failures, except to observe that we've waited overlong before, and it has not gone well. Each of you may have a different one in mind, which is sure testimony of our sometimes inability to learn this lesson. That is: there is no worse time to draw up *ex ante* rules for peaceful and productive coexistence than in the throes of an *ex post* crisis. We must act.

We must seize this moment; the moment practically calls out for it. The United States represents something like fifty percent of the international space economy—we therefore have, through the option of extending our orbital debris rules to any who seek market access, a regulatory hook for creating a default rulebook for commercial operators globally. We can create a unitary set of clear and flexible rules for safe commercial space operation, and we can apply that standard to any who seek access to our market. And, as things stand, that is a powerful—even irresistible—incentive.

This is a lane for American leadership in what is arguably the most innovative commercial industry, but it can close if we do nothing. Our present leadership in the space economy is not promised forever. And strong rules can be winnowed through consensus-driven multistakeholder bodies constrained by heckler's vetoes. It is entirely possible to miss this opportunity.

The United States has the most innovative, and largest, space economy in the world. It has a readymade mechanism, in the Commission, to promulgate rules for the entire international commercial

space market, and it has compelling natural incentives for compliance. There is bipartisan support to act to lead on an issue that has, it is fair to say, the world's attention. The ancient Greeks had a term called 'kairos,' which means the perfect opportunity—not just a 'now,' but a 'right now'. There is more that we can do, and right now is the right 'now'.

I cannot begin to thank enough those within the Commission who have worked diligently, thoughtfully, and creatively on this item. My sincere thanks to the International Bureau and all staff who worked on this item. My thanks to my fellow Commissioners and their staffs who have worked hard to implement targeted changes to the language of the item. And my thanks, especially, to Chairwoman Rosenworcel and her staff. While the Chairwoman well knows that I view this Order as a first step into a new era, I cannot thank her enough for her leadership in getting us to this point. I look forward to working with her, and all of my colleagues within the agency and without, to craft sensible rules for a new space age.

Suffice it to say, the item has my support.