



Opening Statement of Space and Aeronautics Subcommittee Chairman Brian Babin

Space and Aeronautics Subcommittee Hearing
*Risks and Rewards: Encouraging Commercial Space Innovation While Maintaining
Public Safety*

September 10, 2024

Two of my highest priorities as Chairman of the Space Subcommittee have been to ensure U.S. leadership in space exploration, and to maintain a robust commercial space industry. These two priorities go hand-in-hand, and both have significant implications to our economic competitiveness and national security. That's also why this Committee has worked tirelessly to streamline commercial space regulations over the last decade.

Prior to Space Policy Directives 1, 2, and 3, this Committee passed the Commercial Space Launch Competitiveness Act and the American Space Commerce Free Enterprise Act that sought to update and streamline all aspects of commercial space. Thankfully, the Trump Administration continued the process with the aforementioned Space Policy Directives. But now we must review the implementation of those directives, and codify necessary updates through legislation.

The Committee started this process last November with the passage of the Commercial Space Act out of Committee. The importance of that legislation has become even more apparent since then. License processing under the new Part 450 process is moving at a snail's pace while the Administration seeks **even more** regulatory authority, all while our competitors continue to make significant progress. I fear that at this rate, the Communist Party will launch Taikonauts to the Moon while U.S. industry remains tethered to Earth with red tape.

Inefficiencies in our launch licensing process cause me great concern, as they compromise our competitiveness and security. That is why today's hearing is so important.

The FAA's Part 450 launch and reentry regulations were intended to expedite the licensing process and enable an increased cadence of launches. So far, FAA has issued six licenses under Part 450, with applications taking years to complete. Many applications for Part 450 licenses are still under review, impacting launch schedules and NASA missions. We've heard complaints about duplicative review processes between FAA and other government agencies, uncertain timelines, and the lack of definitive and specific implementation guidance.

In this hearing, we look to understand the benefits and challenges of Part 450. We also hope to hear FAA's plans and timeline for much-needed improvement of Part 450 implementation, whether through additional reform efforts, rulemaking committees, additional Advisory Circulars, creation of a new electronic filing system, or other strategies to aid in application processing.

Having an effective licensing system is critical to the future of our country's economic and national security.

The United States leads in commercial space, but we cannot take this for granted. Under the increasing burden of regulatory compliance, companies may turn to more light-touch approvals available overseas. This is not a hypothetical. When the U.S. dragged its feet approving commercial remote sensing systems in the 90s, the industry moved overseas. Now, with nations like China seeking to leapfrog our accomplishments in space, it is even more imperative that we streamline our processes, issue timely approvals, minimize regulatory burdens, and advance innovative space concepts.

The national security implications posed by FAA's regulations are very concerning, as our goal of returning humans to the Moon could be unnecessarily delayed. For example, the Human Landing System that will take our astronauts to the Lunar surface this decade, as well as all of the test missions before that, will require an FAA launch license. It is imperative that we are the first country back on the Lunar surface so that we establish norms of behavior and transparency that align with freedom rather than the CCP's autocracy. China routinely violates international norms here on Earth, so I wouldn't be surprised if they attempted to place "no trespassing" signs on the Moon.

That's why last fall Chairman Lucas and I introduced H.R. 6131, the Commercial Space Act. This legislation would direct the Department of Commerce to issue certifications for novel space activities, allowing innovation to thrive while ensuring compliance with United States' international obligations. This legislation also included provisions addressing the processes and systems that could enable more effective and efficient launch licensing, while still maintaining public safety. I look forward to working with my colleagues to advance this legislation.

I welcome our esteemed panel of witnesses today. They each bring decades of experience and a unique perspective to the topic of space activity licensing that will benefit this Subcommittee's consideration of these topics.