



COMMITTEE ON
SCIENCE, SPACE, & TECHNOLOGY
Lamar Smith, Chairman

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Statement of Chairman Lamar Smith (R-Texas)

Regulating Space: Innovation, Liberty, and International Obligations

Chairman Smith: Thank you, Chairman Babin, for holding today's hearing.

America's future in outer space is bright. From asteroid mining, to private moon missions, to satellite servicing, there is great promise that American commercial space companies will soon enjoy profits and discover scientific benefits to being in outer space. American visionaries stand ready to facilitate these amazing endeavors.

Unfortunately, the Obama administration issued a report last year that called for expansive regulations over all types of private space activities. The Obama administration also requested authority to conduct space traffic management.

While the request was a non-starter, it does present an opportunity for Congress to streamline processes and enhance the strength of private sector space activities. For instance, stakeholders continue to raise concerns that they need certainty to attract investments and that they face pressing short-term launch dates and regulatory risks.

We should address these issues and ensure that the Executive Branch does not stifle innovation. Going forward, it should be easier, not harder for private sector companies to freely explore space.

America faces a crisis of over-regulation. Regulatory overreach has eroded far too many liberties. To the greatest extent possible, we should address public policy challenges without creating new regulations.

It has been 8 months since the Obama administration delivered their message of overly burdensome regulations to Congress. But, the public debate has shifted in the last few weeks.

Instead of presuming that expansive new agency regulatory powers are needed, the conversation is shifting to questions of how to minimize agency regulation or avoid it all together.

This is a good sign. It shows that the space community is doing the hard work necessary to develop good law and policy. This is no easy task, particularly when our goal is to empower private investments and discoveries, not impede them.

Let us not forget that the *Outer Space Treaty* is a treaty of principles, with great discretion granted to the United States on how to implement its obligations.

In last Congress' enacted *U.S. Commercial Space Launch Competitiveness Act*, Congress made an interpretative declaration of the *Outer Space Treaty* term "national appropriation," codifying the right of U.S. citizens to legally take possession of space resources.

Congress should keep this power in mind as we address future questions of treaty compliance.

Government space programs explore the unknown, discover new worlds, and develop new science and technologies. But to unlock the great economic potential of outer space, we need the ingenuity, innovation, and self-interests of our private sector. Both are necessary.

I thank our witnesses and look forward to hearing their testimony.

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