



**Before the Department of Commerce  
NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION  
Washington, D.C.**

In the Matter of )  
 )  
Request for Information: Private Remote ) 89 Fed. Reg. 16,730  
Sensing Satellite Disposal and Debris ) March 8, 2024  
Mitigation )  
 )

**COMMENTS OF HAWKEYE 360, INC.**

HawkEye 360, Inc. (“HE360”) submits the following comments on the National Oceanic and Atmospheric Administration’s (“NOAA”) Request for Information (“RFI”) in the above-referenced proceeding, which seeks comments and suggestions from industry on whether NOAA’s Commercial Remote Sensing and Regulatory Affairs office (“CRSRA”) should issue new rules or guidance relating to responsible disposal of on-orbit systems at end of life and the mitigation of orbital debris and survivability of such debris upon reentry.<sup>1</sup>

As NOAA notes in the RFI, most U.S. remote sensing licensees also hold radiofrequency licenses issued by the U.S. Federal Communications Commission (“FCC”) and are subject to FCC requirements relating to disposal, reentry, and debris mitigation.<sup>2</sup>

We believe that it is unfortunate that no single U.S. regulatory agency has clear, unambiguous, sole statutory authority to establish rules and regulations governing responsible

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<sup>1</sup> *Request for Information: Private Remote Sensing Satellite Disposal and Debris Mitigation*, 89 Fed. Reg. 16,730 (Mar. 8, 2024) (“RFI”).

<sup>2</sup> *Id.* at 16,731.

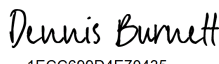


disposal of on-orbit systems at end of life, mitigation of orbital debris, and survivability of such debris upon reentry relating to all space systems subject to the jurisdiction or control of the United States. Until the jurisdictional authority is established by statute, HE360 urges NOAA to continue to defer to such FCC requirements for joint CRSRA/FCC licensees and avoid imposing duplicative, or possibly contradictory regulations.

However, HE 360 agrees that NOAA should proceed to implement new rules that would apply only to CRSRA licensees who are not also FCC licensees and therefore not already subject to the FCC's disposal, re-entry, and debris mitigation requirements. Such action is needed to ensure that all remote sensing companies licensed by CRSRA must compete on a level playing field.

HE360 supports responsible space operations, and acknowledges that appropriate requirements around disposal, re-entry, and orbital debris mitigation are necessary to ensure a sustainable space environment. Any regulations implemented to achieve those laudable objectives should adhere to three fundamental principles: (1) avoid duplicative regulations; (2) minimize the regulatory burden of compliance; and (3) avoid regulatory distortions of competition.

Respectfully submitted,

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HawkEye 360, Inc.  
Dennis J. Burnett  
General Counsel