

With LEO orbit crowding, absent regulators may not be industry's best friend

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Space Intel Report covered how several government and industry officials openly questioned how the usability of low Earth orbit can be assured when massive numbers of satellites are being added to an environment with a pre-existing debris issue, and regulatory oversight has largely gone missing. *Space Intel Report* notes that orbital debris was a major topic discussed at the 76th International Astronautical Congress (IAC) held in Dubai on Oct. 25-29.

Sheppard Mullin partner and leader of the firm's Telecom Team is quoted on the topic noting that in the case of LEO orbit, national security has priority over longer-term concerns of space sustainability.

"There's national security implications of everything you do in space," Weimer said. "There is a race to be first among all the countries to occupy space and to dominate space.

"In the United States, while sustainability is certainly an issue for the people who make those decisions, they are thinking number one about national security. So if you have a choice between promoting your satellite to occupy space – even putting at risk the environment – while another country you might be concerned about is also trying to race you in space, what are you going to do?

"I don't have an answer to that," Weimer said. "But I can tell you that when SpaceX launches this many satellites, there are a lot of people cheering, and a lot of them are in the Department of Defense."

The ITU, Weimer said, is incapable of adjudicating disputes. What he did not say, but which is also true, is that this is the case because ITU governments, including the United States, want it that way.

"There are no judges there. There's nobody to decide things," Weimer said. "There's just nations, and each has a sovereign right to have an access to space. It's a diplomatic issue. The ITU is simply a collection of countries, all of which might disagree and none can tell the other what to do.

"The industry might be the one who has to lead the way out of this because we cannot depend on the ITU to solve this problem."

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