U.S. Chamber of Commerce

1615 H Street, NW
Washington, DC 20062-2000
uschamber.com

November 7, 2025

U.S. Chamber of Commerce Submission to the European Commission on the EU Space Act

Executive Summary

The U.S. Chamber of Commerce ("the Chamber") appreciates the opportunity to provide feedback to the European Commission ("the Commission") on the proposed European Union (EU) Space Act ("EUSA"). While we support the Commission's objectives to implement a harmonized framework for space across the EU and create a single market for space products and services, we are concerned that several elements of the proposal are overly prescriptive, duplicative, or discriminatory in effect—particularly toward non-EU companies. These provisions risk undermining the EU's economic and industrial goals.

By burdening non-European operators with excessive compliance costs, the EUSA could inadvertently slow investment and service deployment within Europe and to European customers. EU satellite customers—including those living in rural and remote communities, maritime operators, aviation companies, and remote industrial sites could face slower rollouts and higher prices for satellite broadband services.

To address these concerns, we recommend refining the EUSA to ensure neutrality, legal certainty, and proportionality. A framework that is outcome-based, standards-aligned, and implemented through transparent, expert-driven processes will best achieve the Commission's objectives to harmonize licensing, bolster safety, improve cybersecurity and resilience, and promote environmental sustainability, without discouraging investment or constraining service availability.

Key Recommendations

- **Ensure neutrality and non-discrimination**: Remove constellation-size triggers and avoid different authorization processes that disproportionately impact non-EU operators.

- **Avoid duplication and overlapping regimes**: Engage with non-European countries, particularly the United States, to conclude the proposed equivalence decision mechanism as soon as possible.
- **Strengthen legal certainty**: Codify core technical obligations and timelines in the primary act; limit reliance on open-ended implementing acts.
- **Adopt proportional, outcome-based regulation**: Focus on safety and cybersecurity outcomes, recognizing compliance through international standards (e.g., ASTM, ITU, ISO, IADC).
- **Protect confidentiality and avoid extra-territorial inspections**: Safeguard intellectual property and sensitive data; avoid compelled disclosures that conflict with U.S. laws.
- **Provide due process and proportionate enforcement**: Ensure procedural fairness, access to files, and penalties calibrated to EU turnover rather than global revenue.
- **Calibrate sustainability provisions to feasibility**: Ensure science-based, practicable approaches to reflectivity and environmental assessments, with adequate phase-ins.
- **Incorporate expert-driven implementation**: Publish draft technical standards with structured industry input and sufficient transition time.

The information below provides detail pertinent to the recommendations:

Non-discrimination and Neutral Criteria

The Act calls for different authorization processes for EU and non-EU operators, while also introducing unjustified and discriminatory provisions through the threshold created for "mega" and “giga”-constellations. The Chamber urges the Commission to commit to neutral, risk-based criteria that do not single out non-EU operators by size, form factor, or business model.

The Constellation-size triggers, particularly “giga-constellation” thresholds in the Act mirror Europe’s Digital Markets Act, which targeted foreign firms and led to distorted competition and reduced choice for citizens of the European Union. In its current form, the Act does not achieve Europe’s goal to create a level playing field for EU and non-EU operators alike and appears to target only U.S. systems without any demonstrated risk-based justification.

Imposing additional risk-management and orbital planning obligations on operators of large constellations would unfairly disadvantage these systems, regardless of their operational practices. The number of spacecrafts in a constellation should not have bearing on an operator's orbital selection for collision avoidance purposes. Targeting larger constellations in this way risks unjustified rejections of proposed orbits and could amount to discriminatory treatment.

Orbital sustainability is best achieved through responsible space asset management – not by limiting the number of satellites in a constellation. Larger constellations offer superior safety, redundancy, global coverage, and service continuity, which are critical for safety-of-life applications such as aviation, maritime, and emergency communications.

Penalizing scale without regard to operational practices undermines innovation and efficiency. The EU's regulatory focus should be on measurable behaviors such as collision avoidance protocols, end-of-life disposal plans, and transparency in maneuvering – not arbitrary thresholds based on constellation size.

Greater consistency across the draft Act is needed between the authorization procedures for EU space operators and non-EU operators. Under the current text, EU space operators disproportionately benefit from a streamlined authorization process through their Member State, with a clearly defined maximum timeline of 12 months for a decision. By contrast, while the EUSPA must provide its recommendation on a non-EU space operator application within five months, the Space Act does not set any deadline for the Commission to make its final decision.

Non-EU space operators are also required to undergo review by a newly established Compliance Board, introducing further complexities and delays that are not otherwise applicable to EU operators. Whereas the EU space operator authorization process outlined in Articles 6–8 of the Act emphasizes timeliness, objectivity, and reliance on the technical findings of qualified bodies, such language is absent in the non-EU space operator registration provisions. Furthermore, the consensus-driven decision-making process of the Compliance Board introduces potential conflicts of interest or even discriminatory treatment of non-European operators.

The Commission should establish one application process with uniform, binding timelines, and ensure that decisions and authorizations are made objectively based on compliance with the Space Act. Also, given the requirement to appoint a legal representative in the EU, operators should be permitted to submit their Union Register of Space Objects (URSO) registration through the Member State where that representative is based.

Reducing Administrative Burden and Facilitating Compliance with Outcome-Based, Standards-Aligned Compliance

The Chamber recommends that the EU adopt a more open and flexible approach to the use of standards referenced or recognized under the EUSA. The current model—based solely on European standardization requests to the European Standardization Organizations —risks creating regional silos that duplicate work already undertaken by global standards bodies; introducing delays in the availability of technical standards needed to support rapidly evolving technologies.

Furthermore, the Act levies extensive technical, operational, and reporting obligations. The Chamber expects these initiatives will impose substantial financial costs arising from compliance with the proposed rules to include:

- **Hardware modifications:** Requirements related to safety, sustainability, and reflectivity may necessitate significant redesigns or retrofits to our existing and planned satellite constellations.
- **Operational changes:** New requirements for daily collision risk screenings, environmental footprint reporting, and cybersecurity compliance will require investments in new systems and processes.
- **Penalties and fines:** The risk of substantial fines (up to 2% of global turnover) necessitates significant investment in compliance measures to mitigate the financial risk from inadvertent violations of the relevant provisions.
- **Regulatory uncertainty:** Uncertainty about the rules in future Implementing Acts creates significant planning challenges which could lead to over-engineering or multiple redesigns, potentially inflating costs.

The full extent of these costs is hard to quantify without knowing the specific technical standards in future Implementing Acts. However, given the depth of the proposed EUSA regulations, we anticipate that compliance costs will be significant

and could impact the provision of competitive services in the EU, to the detriment of EU citizens.

The proposed model risks creating regional silos that duplicate work already undertaken by global standards bodies, and introducing delays in the availability of technical standards needed to support rapidly evolving technologies.

To minimize unintended costs, preserve innovation and ensure European citizens have access to the best global services, the EUSA should define outcomes (e.g., collision avoidance performance, de-orbit reliability, cybersecurity risk management) and recognize compliance through established international standards (ASTM, ITU, ISO, CCSDS, IADC). This would foster global interoperability and expand global markets for space-derived products and services, benefiting the European space industry.

Legal Certainty, Safe Harbors, and Transitions

The proposal relies heavily on future implementing acts for critical technical rules, creating significant planning risk. The Commission should codify core technical requirements and decision timelines in the regulation, providing safe harbors for existing assets, and publishing draft technical standards with ample lead time. The Chamber offers the following recommendations below:

- EUSA should acknowledge that satellite designs and constellation configurations are modified over time and set forth a clear process to enable operators to modify registrations or authorizations.
- The single authorization process should not depend on every satellite being "identical" or launched from the same site and vehicle. This does not reflect how modern constellations are designed or deployed, as components are often iterated and upgraded over time to enhance safety, reliability, and performance. Without a clear post-authorization modification pathway, such rigid requirements will force operators to submit duplicative applications for what is functionally a single system. Instead, satellites should qualify for single authorization when they are substantially similar and operate within comparable safety envelopes. This approach would achieve the EU's safety, resilience, and sustainability goals while avoiding unnecessary compliance burdens.
- The Act should provide clarity on the application of technical requirements on non-EU space operators. The uneven application of Title IV requirements written for EU

space operators onto non-EU operators creates several uncertainties that must be addressed. The Chamber recommends the Commission update the proposed Act to include guidance that unambiguously outlines how the Title IV technical requirements specified in Article 15 apply to non-EU space operators.

- The Act should ensure parity for EU and non-EU space operators during the authorization period. Authorization procedures for all space operators must follow uniform, binding timelines. Non-EU space operators should be permitted to file with the Member State where their designated legal representative is based.

Sustainability Provisions: Feasibility and Science-Basis

The Chamber supports the Commission's commitment to addressing complex challenges to design a modern space traffic management system. However, the current draft of the Act imposes requirements that are, in some cases, overly burdensome or even unworkable, while in others it defers critical methodological details to future implementing acts.

Without established Product Environmental Footprint Category Rules (PEFCR) for space, environmental footprint calculations are currently unachievable. This could delay both application approvals and the manufacturing of new space objects, ultimately hindering the growth of the European space industry. The EUSA must not rely on future implementing acts to define its core requirements. Transparency and clarity are essential before it enters into force.

For example, the provisions on light and radio pollution introduce significant design risks. Reflectivity and environmental assessments should be science-based, tested through expert consultation, and accompanied by realistic transition paths. Space-specific methodologies must be clearly defined and proportionate to avoid operational disruption.

The EU should amend the proposed orbital debris standards to align with existing industry practices and adopt technology-neutral requirements. Regarding satellite brightness mitigation efforts, EUSA should provide a clear methodology for measuring brightness "during the entire lifetime" of a constellation that is science based, acknowledging that brightness varies even in a single satellite orbit.

Equivalence and Mutual Recognition

The Chamber strongly supports formal equivalence determinations for operators subject to robust home-country frameworks for safety and sustainability (e.g., U.S. regimes). Equivalence avoids duplicative compliance, reduces fragmentation, and supports EU market access while maintaining high standards.

We recommend that the Commission prioritize concluding equivalence decisions with non-EU countries, and the United States in particular. As noted in the Impact Assessment, safety and sustainability requirements under FCC and FAA regulations exceed those implemented by EU Member States.

While we share the Commission's vision for a robust single market for the European space sector, the U.S. makes up the largest share of both global upstream and downstream market value, and its operators provide critical services to European citizens.

Recognizing the U.S. as equivalent from the outset would significantly reduce compliance costs and avoid unnecessary rework for U.S. space operators. Without early recognition, operators may be forced to modify space assets during the transition period, only to reverse those changes once an equivalence decision is eventually reached. Concluding an equivalence decision with the U.S. before the transition period begins will mitigate unnecessary compliance costs that would otherwise be negated by said decision.

Many European companies, including EU space operators, make use of American space objects that would need to be registered in URSO. Considering that U.S. regulations already ensure the safety, resilience, and sustainability of space objects beyond EU requirements, the Commission should grant the U.S. an equivalence decision expeditiously.

This process can be streamlined further by integrating existing standards and practices promulgated by U.S. Federal agencies into the Annexes of the Act. These could include, for example, specific measures contained in NASA's Orbital Debris Mitigation Standard Practices and FCC rules on orbital debris mitigation.

Confidentiality, Data Safeguards, and Territorial Limits

We recommend narrowly tailoring information requests, protecting trade secrets, and avoiding extra-territorial inspections or compelled disclosures that conflict with U.S. export controls or cybersecurity obligations.

Due Process and Proportionate Enforcement

The regulation should ensure procedural fairness by providing independent hearing officers, access to files, and suspensive effect for appeals. Penalties should be calibrated to EU turnover rather than global revenue to avoid excessive extraterritorial impact.

Cybersecurity and Resilience: Avoid Duplication; Focus on Risk

Tailored cybersecurity requirements should align with horizontal EU frameworks (e.g., NIS2) and sectoral standards, avoiding duplicative audits or certifications where equivalent protections are already in place.

Avoid Regulatory Overlap and Scope Creep

Clarify interactions with Member State regimes, European Space Agency, Commission frameworks, International Telecommunication Union (ITU) filings, and horizontal EU digital laws to prevent conflicting obligations. General-purpose technologies (e.g., AI) should remain out of scope unless a clear, non-duplicative gap is demonstrated.

Implementation: Structured Expert Engagement

For each implementation act, publish draft standards and conformity pathways, convene structured technical consultations, and provide sufficient transition time to avoid rework and supply-chain disruption.

Engagement with Partner Nations and Industry

Through a sustained feedback process taking industry viewpoints into consideration, we believe the Act can successfully create a common baseline for safety, resilience and environmental sustainability for all of Earth's orbits while also

allowing Europe's space economy to meet its full potential. The Chamber encourages the Commission and the European Parliament ("the Parliament") to hold regular stakeholder dialogues and other engagements with both EU and non-EU operators and would welcome opportunities to participate in any technical consultations on implementing acts when they occur.

Anticipated Impacts from the Proposal as Drafted

As currently written, the Act imposes greater compliance costs on foreign operators and adds an additional layer of authorizations on top of existing Member State access requirements leading to planning uncertainty, and competitive harm to non-EU operators. These impacts could slow down LEO broadband deployment, reduce industrial orders for EU suppliers, and increase costs for EU consumers.

The Chamber anticipates substantial economic repercussions for EU space operators due to new fees, extensive compliance documentation, potential technical modifications to align with new standards, and costly environmental reporting requirements. We recommend significant revisions to reduce this burden, which will allow for EU space operators to pursue sustainable growth and innovation.

EUSA's proposed 24-month implementation timeline, and the exclusion of assets launched before January 1, 2030, may not provide sufficient time for operators to adapt to new rules, especially those affecting space system design. The Chamber instead suggests a phased implementation approach where licensing and registration requirements become effective more quickly, and substantive provisions that impact spacecraft design and operations have longer implementation periods.

Conclusion

We urge the Commission to refine the EUSA to achieve its objectives while preserving openness, innovation, and transatlantic cooperation. A neutral, outcome-based, and standards-aligned framework—implemented through transparent, expert-driven processes—will best enhance safety, resilience, and sustainability without constraining investment and service availability in Europe.

Through a sustained feedback process taking industry viewpoints into consideration, we believe the Space Act can successfully create a common baseline for safety, resilience and environmental sustainability for all of Earth's orbits while also

allowing Europe's space economy to meet its full potential. The Chamber urges the Commission and Parliament to hold regular stakeholder dialogues and other engagements with both EU and non-EU operators and would welcome opportunities to participate in any technical consultations on implementing acts when they occur.

The Chamber and our members stand ready to assist the Directorate-General for Defence Industry and Space (DG DEFIS) with technical workshops and constructive dialogue as the legislative process advances.

Contact Information

John Neal
Vice-President, Space Policy
Cyber, Space, National Security Division
U.S. Chamber of Commerce

Submission Link

Submit Feedback on the EU Space Act