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Chairman Frank Lucas & Ranking Member Zoe Lofgren
House Science, Space, and Technology Committee
2321 Rayburn House Office Building
Washington, DC 20515

Dear Chairman Lucas and Ranking Member Lofgren:

I write to you as the General Counsel of HawkEye 360, Inc. (“HawkEye”). HawkEye operates a constellation of satellites in Low-Earth-Orbit to remotely sense radio frequency (“RF”) electromagnetic radiation emitted from stations on or near the surface of the Earth. HawkEye derives information from the observable characteristics of the RF signals to determine the location of RF emitters, to characterize of RF emitter types and discern the activities of the users of such stations. HawkEye is the international leader of this fast-developing and highly competitive commercial high technology industry.

Increasingly, the lifeblood of the modern, digital world depends on the use of RF spectrum -- from communication devices to navigation aids operating at sea, on land, or in the air. HawkEye’s data, information and analytics are intended for dual-use, with specific benefit for civil, scientific, environmental, and commercial uses. These uses include detecting illegal fishing, smuggling operations, human trafficking, unauthorized natural resource extraction, poaching of endangered animals, sources of harmful RF interference (e.g., GPS interference), as well as tracking the illicit trade of oil from embargoed countries.

It is critical the U.S. has a favorable regulatory environment so that U.S. commercial satellite RF companies, like HawkEye, can compete internationally and scale into analytical marketplaces. Unfortunately, as the Satellite Industry Association concluded in a recent policy white paper, the existing regulatory regime, particularly within an export control context, is placing U.S. industry at a disadvantage.¹ Congressional leadership is needed to remedy this situation.

H.R. 6131’s permissive approach to authorization and supervision, if coupled with export control relief, would provide U.S. commercial satellite RF companies with an enabling regulatory regime that promotes innovation & investment and supports U.S.

¹ See Satellite Industry Association, *U.S. Leadership and Commercial Space-Based Remote Sensing RF Sensing Export Controls: A Pressing Need for Policy Guidance* (2022). Available online at: <https://sia.org/satellite-industry-association-strongly-recommends-remote-sensing-policy-changes-in-response-to-national-space-councils-request-regarding-novel-commercial-space-projects/>

success in the international marketplace. We have long advocated for a sensible export regime that distinguishes data, information and analytics related to civil and non-military critical RF signals from data, information and analytics related to the highly sensitive signals that are specifically designed to be difficult to detect or intercepts; *i.e.*, low probability of detection (LPD) and low probability of intercept (LPI). Enactment of a permissive regulatory authorization for satellite RF sensing without relieving the total regulatory export control currently exercised by the Department of State, would not have the deregulatory benefits that we believe are intended by H.R. 6131. We trust that you can make appropriate adjustments to H.R. 6131 to achieve the regulatory objective inherent in your bill.

We applaud the Committee's policy objectives of enabling U.S. industry and promoting the U.S. as the jurisdiction of choice for commercial space companies. Please let us know if we can provide any additional information.

Respectfully,

Dennis Burnett D/S

Dennis Burnett
General Counsel
HawkEye 360, Inc.