To promote the development of a United States commercial space resource exploration and utilization industry and to increase the exploration and utilization of resources in outer space.

IN THE HOUSE OF REPRESENTATIVES

MARCH 19, 2015

Mr. Posey (for himself and Mr. Kilmer) introduced the following bill; which was referred to the Committee on Science, Space, and Technology

JUNE 15, 2015

Additional sponsors: Mr. Katko, Mr. Bridenstine, Mr. Mica, Mr. Babin, Mr. Byrne, Mr. Brooks of Alabama, and Mr. Collins of New York

JUNE 15, 2015

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in italic]

[For text of introduced bill, see copy of bill as introduced on March 19, 2015]
A BILL

To promote the development of a United States commercial space resource exploration and utilization industry and to increase the exploration and utilization of resources in outer space.
Be it enacted by the Senate and House of Representa-
tives of the United States of America in Congress assembled,

SEC. 1. SHORT TITLE.

This Act may be cited as the “Space Resource Explo-
ration and Utilization Act of 2015”.

SEC. 2. TITLE 51 AMENDMENT.

(a) IN GENERAL.—Subtitle V of title 51, United States
Code, is amended by adding at the end the following new
chapter:

“CHAPTER 513—SPACE RESOURCE
EXPLORATION AND UTILIZATION

§51301. Definitions

“In this chapter:

“(1) SPACE RESOURCE.—The term ‘space re-
source’ means a natural resource of any kind found
in situ in outer space.

“(2) ASTEROID RESOURCE.—The term ‘asteroid
resource’ means a space resource found on or within
a single asteroid.

“(3) STATE.—The term ‘State’ means any of the
several States, the District of Columbia, the Common-
wealth of Puerto Rico, the Virgin Islands, Guam,
American Samoa, the Commonwealth of the Northern

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Mariana Islands, and any other commonwealth, territory, or possession of the United States.

“(4) United States commercial space resource utilization entity.—The term ‘United States commercial space resource utilization entity’ means an entity providing space resource exploration or utilization services, the control of which is held by persons other than a Federal, State, local, or foreign government, and that is—

“(A) duly organized under the laws of a State;

“(B) subject to the subject matter and personal jurisdiction of the courts of the United States; or

“(C) a foreign entity that has voluntarily submitted to the subject matter and personal jurisdiction of the courts of the United States.

§51302. Commercialization of space resource exploration and utilization

“(a) In General.—The President, acting through appropriate Federal agencies, shall—

“(1) facilitate the commercial exploration and utilization of space resources to meet national needs;

“(2) discourage government barriers to the development of economically viable, safe, and stable indus-
tries for the exploration and utilization of space resources in manners consistent with the existing international obligations of the United States; and

“(3) promote the right of United States commercial entities to explore outer space and utilize space resources, in accordance with the existing international obligations of the United States, free from harmful interference, and to transfer or sell such resources.

“(b) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this section, the President shall submit to Congress a report that contains recommendations for—

“(1) the allocation of responsibilities relating to the exploration and utilization of space resources among Federal agencies; and

“(2) any authorities necessary to meet the international obligations of the United States with respect to the exploration and utilization of space resources.

§51303. Legal framework

“(a) PROPERTY RIGHTS.—Any asteroid resources obtained in outer space are the property of the entity that obtained such resources, which shall be entitled to all property rights thereto, consistent with applicable provisions of Federal law and existing international obligations.
“(b) SAFETY OF OPERATIONS.—A United States commercial space resource utilization entity shall avoid causing harmful interference in outer space.

“(c) CIVIL ACTION FOR RELIEF FROM HARMFUL INTERFERENCE.—A United States commercial space resource utilization entity may bring a civil action for appropriate legal or equitable relief, or both, under this chapter for any action by another entity subject to United States jurisdiction causing harmful interference to its operations with respect to an asteroid resource utilization activity in outer space.

“(d) RULE OF DECISION.—In a civil action brought pursuant to subsection (c) with respect to an asteroid resource utilization activity in outer space, a court shall enter judgment in favor of the plaintiff if the court finds—

“(1) the plaintiff—

“(A) acted in accordance with all existing international obligations of the United States; and

“(B) was first in time to conduct the activity; and

“(2) the activity is reasonable for the exploration and utilization of asteroid resources.

“(e) EXCLUSIVE JURISDICTION.—The district courts of the United States shall have original jurisdiction over an
action under this chapter without regard to the amount in
controversy.”.

(b) Clerical Amendment.—The table of chapters for
title 51, United States Code, is amended by adding at the
end of the items for subtitle V the following:

“513. Space resource exploration and utilization ..................51301”.
A BILL

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[Report No. 114–153]

H. R. 1508

114TH CONGRESS

Union Calendar No. 111