

Union Calendar No. 111

114TH CONGRESS
1ST SESSION

H. R. 1508

[Report No. 114–153]

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.

1 *Be it enacted by the Senate and House of Representa-*
 2 *tives of the United States of America in Congress assembled,*

3 **SEC. 1. SHORT TITLE.**

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

6 **SEC. 2. TITLE 51 AMENDMENT.**

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

10 **“CHAPTER 513—SPACE RESOURCE**
 11 **EXPLORATION AND UTILIZATION**

“Sec.

“51301. Definitions.

“51302. Commercialization of space resource exploration and utilization.

“51303. Legal framework.

12 **“§ 51301. Definitions**

13 *“In this chapter:*

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

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

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

1 *Mariana Islands, and any other commonwealth, terri-*
 2 *tory, or possession of the United States.*

3 “(4) *UNITED STATES COMMERCIAL SPACE RE-*
 4 *SOURCE UTILIZATION ENTITY.*—*The term ‘United*
 5 *States commercial space resource utilization entity’*
 6 *means an entity providing space resource exploration*
 7 *or utilization services, the control of which is held by*
 8 *persons other than a Federal, State, local, or foreign*
 9 *government, and that is—*

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

12 “(B) *subject to the subject matter and per-*
 13 *sonal jurisdiction of the courts of the United*
 14 *States; or*

15 “(C) *a foreign entity that has voluntarily*
 16 *submitted to the subject matter and personal ju-*
 17 *risdiction of the courts of the United States.*

18 **“§ 51302. Commercialization of space resource explo-**
 19 ***ration and utilization***

20 “(a) *IN GENERAL.*—*The President, acting through ap-*
 21 *propriate Federal agencies, shall—*

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

24 “(2) *discourage government barriers to the devel-*
 25 *opment of economically viable, safe, and stable indus-*

1 tries for the exploration and utilization of space re-
2 sources in manners consistent with the existing inter-
3 national obligations of the United States; and

4 “(3) promote the right of United States commer-
5 cial entities to explore outer space and utilize space
6 resources, in accordance with the existing inter-
7 national obligations of the United States, free from
8 harmful interference, and to transfer or sell such re-
9 sources.

10 “(b) *REPORT REQUIRED.*—Not later than 180 days
11 after the date of the enactment of this section, the President
12 shall submit to Congress a report that contains rec-
13 ommendations for—

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

17 “(2) any authorities necessary to meet the inter-
18 national obligations of the United States with respect
19 to the exploration and utilization of space resources.

20 **“§ 51303. Legal framework**

21 “(a) *PROPERTY RIGHTS.*—Any asteroid resources ob-
22 tained in outer space are the property of the entity that
23 obtained such resources, which shall be entitled to all prop-
24 erty rights thereto, consistent with applicable provisions of
25 Federal law and existing international obligations.

1 “(b) *SAFETY OF OPERATIONS.*—*A United States com-*
 2 *mercial space resource utilization entity shall avoid causing*
 3 *harmful interference in outer space.*

4 “(c) *CIVIL ACTION FOR RELIEF FROM HARMFUL IN-*
 5 *TERFERENCE.*—*A United States commercial space resource*
 6 *utilization entity may bring a civil action for appropriate*
 7 *legal or equitable relief, or both, under this chapter for any*
 8 *action by another entity subject to United States jurisdic-*
 9 *tion causing harmful interference to its operations with re-*
 10 *spect to an asteroid resource utilization activity in outer*
 11 *space.*

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

16 “(1) *the plaintiff—*

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

20 “(B) *was first in time to conduct the activ-*
 21 *ity; and*

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

24 “(e) *EXCLUSIVE JURISDICTION.*—*The district courts of*
 25 *the United States shall have original jurisdiction over an*

1 *action under this chapter without regard to the amount in*
 2 *controversy.”.*

3 **(b) CLERICAL AMENDMENT.**—*The table of chapters for*
 4 *title 51, United States Code, is amended by adding at the*
 5 *end of the items for subtitle V the following:*

“513. Space resource exploration and utilization51301”.

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