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

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,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Space Resource Explo-
eration 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 resource’ 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 an asteroid.

“(3) STATE.—The term ‘State’ means any of the several States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, the Commonwealth of the Northern 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 per-
sonal 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 explo-
ration 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 de-
development of economically viable, safe, and stable in-
dustries 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 com-
mercial 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.

“(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”.