

114TH CONGRESS  
1ST SESSION

# H. R. 1508

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.

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## 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

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## 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       **SECTION 1. SHORT TITLE.**

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

1 **SEC. 2. TITLE 51 AMENDMENT.**

2 (a) IN GENERAL.—Subtitle V of title 51, United  
3 States Code, is amended by adding at the end the fol-  
4 lowing new chapter:

5 **“CHAPTER 513—SPACE RESOURCE**  
6 **EXPLORATION AND UTILIZATION**

“Sec.

“51301. Definitions.

“51302. Commercialization of space resource exploration and utilization.

“51303. Legal framework.

7 **“§ 51301. Definitions**

8 “In this chapter:

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

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

15 “(3) STATE.—The term ‘State’ means any of  
16 the several States, the District of Columbia, the  
17 Commonwealth of Puerto Rico, the Virgin Islands,  
18 Guam, American Samoa, the Commonwealth of the  
19 Northern Mariana Islands, and any other common-  
20 wealth, territory, or possession of the United States.

21 “(4) UNITED STATES COMMERCIAL SPACE RE-  
22 SOURCE UTILIZATION ENTITY.—The term ‘United  
23 States commercial space resource utilization entity’

1 means an entity providing space resource exploration  
2 or utilization services, the control of which is held by  
3 persons other than a Federal, State, local, or foreign  
4 government, and that is—

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

7 “(B) subject to the subject matter and per-  
8 sonal jurisdiction of the courts of the United  
9 States; or

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

13 **“§ 51302. Commercialization of space resource explo-  
14 ration and utilization**

15 “(a) IN GENERAL.—The President, acting through  
16 appropriate Federal agencies, shall—

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

19 “(2) discourage government barriers to the de-  
20 velopment of economically viable, safe, and stable in-  
21 dustries for the exploration and utilization of space  
22 resources in manners consistent with the existing  
23 international obligations of the United States; and

24 “(3) promote the right of United States com-  
25 mercial entities to explore outer space and utilize

1 space resources, in accordance with the existing  
2 international obligations of the United States, free  
3 from harmful interference, and to transfer or sell  
4 such resources.

5 “(b) REPORT REQUIRED.—Not later than 180 days  
6 after the date of the enactment of this section, the Presi-  
7 dent shall submit to Congress a report that contains rec-  
8 ommendations for—

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

12 “(2) any authorities necessary to meet the  
13 international obligations of the United States with  
14 respect to the exploration and utilization of space re-  
15 sources.

16 **“§ 51303. Legal framework**

17 “(a) PROPERTY RIGHTS.—Any asteroid resources ob-  
18 tained in outer space are the property of the entity that  
19 obtained such resources, which shall be entitled to all  
20 property rights thereto, consistent with applicable provi-  
21 sions of Federal law.

22 “(b) SAFETY OF OPERATIONS.—A United States  
23 commercial space resource utilization entity shall avoid  
24 causing harmful interference in outer space.

1           “(c) CIVIL ACTION FOR RELIEF FROM HARMFUL IN-  
2   TERFERENCE.—A United States commercial space re-  
3   source utilization entity may bring a civil action for appro-  
4   priate legal or equitable relief, or both, under this chapter  
5   for any action by another entity subject to United States  
6   jurisdiction causing harmful interference to its operations  
7   with respect to an asteroid resource utilization activity in  
8   outer space.

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

13           “(1) the plaintiff—

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

17           “(B) was first in time to conduct the activ-  
18           ity; and

19           “(2) the activity is reasonable for the explo-  
20           ration and utilization of asteroid resources.

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

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

**“513. Space resource exploration and utilization .....51301”.**

