

113TH CONGRESS
2^D SESSION

H. R. 5063

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

IN THE HOUSE OF REPRESENTATIVES

JULY 10, 2014

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 commercial asteroid resources industry for outer space in the United States and to increase the exploration and utilization of asteroid 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 “American Space Tech-
5 nology for Exploring Resource Opportunities In Deep
6 Space Act” or the “ASTEROIDS Act”.

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—ASTEROID RESOURCE**
6 **EXPLORATION AND UTILIZATION**

“Sec.

“51301. Commercialization of asteroid resource exploration and utilization in
outer space.

“51302. Legal framework.

“51303. Definitions.

7 **“§ 51301. Commercialization of asteroid resource ex-**
8 **ploration and utilization in outer space**

9 “The President, through the Administration, the
10 Federal Aviation Administration, and other appropriate
11 Federal agencies, shall—

12 “(1) facilitate the commercial exploration and
13 utilization of asteroid resources to meet national
14 needs;

15 “(2) discourage government barriers to the de-
16 velopment of economically viable, safe, and stable in-
17 dustries for the exploration and utilization of aster-
18 oid resources in outer space in manners consistent
19 with the existing international obligations of the
20 United States;

21 “(3) promote the right of United States com-
22 mercial entities to explore and utilize resources from
23 asteroids in outer space, in accordance with the ex-

1 isting international obligations of the United States,
2 free from harmful interference, and to transfer or
3 sell such resources; and

4 “(4) develop the frameworks necessary to meet
5 the international obligations of the United States.

6 **“§ 51302. Legal framework**

7 “(a) PROPERTY RIGHTS.—Any resources obtained in
8 outer space from an asteroid are the property of the entity
9 that obtained such resources, which shall be entitled to
10 all property rights thereto, consistent with applicable pro-
11 visions of Federal law.

12 “(b) FREEDOM FROM HARMFUL INTERFERENCE.—
13 As between any entities over which the United States can
14 exercise jurisdiction, any assertion of superior right to exe-
15 cute specific commercial asteroid resource utilization ac-
16 tivities in outer space shall prevail if it is found to be first
17 in time, derived upon a reasonable basis, and in accord-
18 ance with all existing international obligations of the
19 United States.

20 “(c) SAFETY OF OPERATIONS.—A United States
21 commercial asteroid resource utilization entity shall avoid
22 harmful interference to other spacecraft.

23 “(d) RELIEF FROM HARMFUL INTERFERENCE.—A
24 United States commercial asteroid resource utilization en-
25 tity may bring an action for appropriate legal or equitable

1 relief, or both, under this chapter for any action, by an-
2 other private entity, compromising the right to conduct its
3 operations free of harmful interference.

4 “(e) EXCLUSIVE JURISDICTION.—The district courts
5 of the United States shall have exclusive jurisdiction of
6 an action under this chapter without regard to the amount
7 in controversy.

8 **“§ 51303. Definitions**

9 “For the purposes of this chapter:

10 “(1) STATE.—The term ‘State’ means any of
11 the several States, the District of Columbia, the
12 Commonwealth of Puerto Rico, the Virgin Islands,
13 Guam, American Samoa, the Commonwealth of the
14 Northern Mariana Islands, and any other common-
15 wealth, territory, or possession of the United States.

16 “(2) UNITED STATES COMMERCIAL ASTEROID
17 RESOURCE UTILIZATION ENTITY.—The term ‘United
18 States commercial asteroid resource utilization enti-
19 ty’ means a person or company providing asteroid
20 exploration or utilization services, the control of
21 which is held by persons other than a Federal,
22 State, local, or foreign government, that is—

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

1 “(B) subject to the subject matter and per-
2 sonal jurisdiction of the courts of the United
3 States; or

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

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

“513. Asteroid resource exploration and utilization51301”.

○