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113TH CONGRESS    H. R. 5063
2D Session

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.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “American Space Technology for Exploring Resource Opportunities In Deep Space Act” or the “ASTEROIDS Act”.
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—ASTEROID RESOURCE EXPLORATION AND UTILIZATION

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

"51302. Legal framework.

"51303. Definitions.

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

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

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

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

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

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

§ 51302. Legal framework

“(a) Property Rights.—Any resources obtained in outer space from an asteroid 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) Freedom From Harmful Interference.—As between any entities over which the United States can exercise jurisdiction, any assertion of superior right to execute specific commercial asteroid resource utilization activities in outer space shall prevail if it is found to be first in time, derived upon a reasonable basis, and in accordance with all existing international obligations of the United States.

“(c) Safety of Operations.—A United States commercial asteroid resource utilization entity shall avoid harmful interference to other spacecraft.

“(d) Relief From Harmful Interference.—A United States commercial asteroid resource utilization entity may bring an action for appropriate legal or equitable
relief, or both, under this chapter for any action, by another private entity, compromising the right to conduct its operations free of harmful interference.

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

“§ 51303. Definitions

“For the purposes of this chapter:

“(1) 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.

“(2) UNITED STATES COMMERCIAL ASTEROID RESOURCE UTILIZATION ENTITY.—The term ‘United States commercial asteroid resource utilization entity’ means a person or company providing asteroid exploration or utilization services, the control of which is held by persons other than a Federal, State, local, or foreign government, 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.”.

(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. Asteroid resource exploration and utilization ..........51301”.