

MAY 14, 2015

**RULES COMMITTEE PRINT 114-17**  
**TEXT OF H.R. 2262, SPACE ACT OF 2015**

**[Showing the texts of H.R. 2262, H.R. 1508, H.R. 2261, and  
H.R. 2263 as ordered reported by the Committee on Science,  
Space, and Technology.]**

**1 SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

2 (a) SHORT TITLE.—This Act may be cited as the  
3 “Spurring Private Aerospace Competitiveness and Entre-  
4 preneurship Act of 2015” or the “SPACE Act of 2015”.

5 (b) TABLE OF CONTENTS.—The table of contents for  
6 this Act is as follows:

Sec. 1. Short title; table of contents.

**TITLE I—COMMERCIAL SPACE LAUNCH**

Sec. 101. Consensus standards.  
Sec. 102. International launch competitiveness.  
Sec. 103. Launch license flexibility.  
Sec. 104. Government astronauts.  
Sec. 105. Indemnification for space flight participants.  
Sec. 106. Federal jurisdiction.  
Sec. 107. Cross-waivers.  
Sec. 108. Orbital traffic management.  
Sec. 109. State commercial launch facilities.  
Sec. 110. Space support vehicles study.  
Sec. 111. Streamline commercial space launch activities.  
Sec. 112. Space Launch System update.

**TITLE II—SPACE RESOURCE EXPLORATION AND UTILIZATION**

Sec. 201. Short title.  
Sec. 202. Title 51 amendment.

**TITLE III—COMMERCIAL REMOTE SENSING**

Sec. 301. Annual reporting.  
Sec. 302. Statutory update report.

**TITLE IV—OFFICE OF SPACE COMMERCE**

Sec. 401. Renaming of Office of Space Commercialization.

Sec. 402. Functions of the Office of Space Commerce.

# **TITLE I—COMMERCIAL SPACE LAUNCH**

## **SEC. 101. CONSENSUS STANDARDS.**

Section 50905(c) of title 51, United States Code, is amended—

(1) by striking paragraph (3);

(2) by redesignating paragraph (4) as paragraph (8); and

(3) by inserting after paragraph (2) the following:

“(3) INTERIM INDUSTRY VOLUNTARY CONSENSUS STANDARDS REPORT.—The Secretary, in consultation with the Commercial Space Transportation Advisory Committee, or its successor organization, shall provide a report to the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate on the progress of the commercial space transportation industry in developing voluntary consensus standards or any other construction that promotes best practices to improve the industry. Such report shall include, at a minimum—

1           “(A) any voluntary industry consensus  
2 standards or any other construction that have  
3 been accepted by the industry at large;

4           “(B) the identification of areas that have  
5 the potential to become voluntary industry con-  
6 sensus standards or another potential construc-  
7 tion that are currently under consideration by  
8 the industry at large;

9           “(C) an assessment from the Secretary on  
10 the general progress of the industry in adopting  
11 voluntary consensus standards or any other  
12 construction;

13           “(D) lessons learned about voluntary in-  
14 dustry consensus standards or any other con-  
15 struction, best practices, and commercial space  
16 launch operations;

17           “(E) any lessons learned associated with  
18 the development, potential application, and ac-  
19 ceptance of voluntary industry consensus stand-  
20 ards or any other construction, best practices,  
21 and commercial space launch operations; and

22           “(F) recommendations, findings, or obser-  
23 vations from the Commercial Space Transpor-  
24 tation Advisory Committee, or its successor or-  
25 ganization, on the progress of the industry in

1           developing industry consensus standards or any  
2           other construction.

3       This report, with the appropriate updates in the in-  
4       tervening periods, shall be transmitted to such com-  
5       mittees no later than December 31, 2016, December  
6       31, 2018, December 31, 2020, and December 31,  
7       2022. Each report shall describe and assess the  
8       progress achieved as of 6 months prior to the speci-  
9       fied transmittal date.

10           “(4) INTERIM REPORT ON KNOWLEDGE AND  
11       OPERATIONAL EXPERIENCE.—The Secretary shall  
12       provide a report to the Committee on Science,  
13       Space, and Technology of the House of Representa-  
14       tives and the Committee on Commerce, Science, and  
15       Transportation of the of the Senate on the status of  
16       the knowledge and operational experience acquired  
17       by the industry while providing flight services for  
18       compensation or hire to support the development of  
19       a safety framework. Interim reports shall by trans-  
20       mitted to such committees no later than December  
21       31, 2018, December 31, 2020, and December 31,  
22       2022. Each report shall describe and assess the  
23       progress achieved as of 6 months prior to the speci-  
24       fied transmittal date.

1           “(5) INDEPENDENT REVIEW.—No later than  
2           December 31, 2023, an independent, private systems  
3           engineering and technical assistance organization or  
4           standards development organization contracted by  
5           the Secretary shall provide to the Committee on  
6           Science, Space, and Technology of the House of  
7           Representatives and the Committee on Commerce,  
8           Science, and Transportation of the Senate an assess-  
9           ment of the readiness of the commercial space indus-  
10          try and the Federal Government to transition to a  
11          safety framework that may include regulations. As  
12          part of the review, the contracted organization shall  
13          evaluate—

14                 “(A) the progress of the commercial space  
15                 industry in adopting industry voluntary stand-  
16                 ards or any other construction as reported by  
17                 the Secretary in the interim assessments in-  
18                 cluded in reports provided under paragraph (4);  
19                 and

20                 “(B) the knowledge and operational experi-  
21                 ence obtained by the commercial space industry  
22                 while providing services for compensation or  
23                 hire as reported by the Secretary in the interim  
24                 knowledge and operational reports provided  
25                 under paragraph (4).

1           “(6) LEARNING PERIOD.—Beginning on De-  
2           cember 31, 2025, the Secretary may propose regula-  
3           tions under this subsection without regard to para-  
4           graph (2)(C) and (D). The development of any such  
5           regulations shall take into consideration the evolving  
6           standards of the commercial space flight industry as  
7           identified through the reports published under para-  
8           graphs (3) and (4).

9           “(7) COMMUNICATION AND TRANSPARENCY.—  
10          Nothing in this subsection shall be construed to limit  
11          the authority of the Secretary of Transportation to  
12          discuss potential approaches, potential performance  
13          standards, or any other topic related to this sub-  
14          section with the commercial space industry including  
15          observations, findings, and recommendations from  
16          the Commercial Space Transportation Advisory  
17          Committee, or its successor organization, prior to  
18          the issuance of a notice of proposed rulemaking.  
19          Such discussions shall not be construed to permit  
20          the Secretary to promulgate industry regulations ex-  
21          cept as otherwise provided in this section.”.

22   **SEC. 102. INTERNATIONAL LAUNCH COMPETITIVENESS.**

23          (a) PURPOSE.—The purpose of this section is to pro-  
24          vide for updating the methodology used to calculate the  
25          maximum probable loss from claims under section 50914

1 of title 51, United States Code, with a validated risk pro-  
2 file approach to provide reasonable maximum probable  
3 loss values associated with potential third party losses  
4 from commercially licensed launches. An appropriately up-  
5 dated methodology will help ensure that the Federal Gov-  
6 ernment is not exposed to greater financial risks than in-  
7 tended and that launch companies are not required to pur-  
8 chase more insurance coverage than necessary.

9 (b) MAXIMUM PROBABLE LOSS PLAN.—Not later  
10 than 180 days after the date of enactment of this Act,  
11 the Secretary of Transportation shall provide to the Com-  
12 mittee on Science, Space, and Technology of the House  
13 of Representatives and the Committee on Commerce,  
14 Science, and Transportation of the Senate a plan to up-  
15 date the methodology used to calculate maximum probable  
16 loss from claims under section 50914 of title 51, United  
17 States Code, through the use of a validated risk profile  
18 approach. Such plan shall include, at a minimum—

19 (1) an evaluation of the reasonableness of the  
20 current single casualty estimate and, if needed, the  
21 steps the Secretary will take to update such esti-  
22 mate;

23 (2) an evaluation, in consultation with the Ad-  
24 ministrator of the National Aeronautics and Space  
25 Administration and the heads of other relevant exec-

1       utive agencies, of the reasonableness of the dollar  
2       value of the insurance requirement required by the  
3       Secretary for launch providers to cover damage to  
4       Government property resulting from a commercially  
5       licensed space launch activity, and recommendations  
6       as to a reasonable calculation if, as determined by  
7       the Secretary, the current statutory threshold is in-  
8       sufficient;

9               (3) a schedule of when updates to the method-  
10       ology and calculations for the totality of the Max-  
11       imum Probable Loss will be implemented, and a de-  
12       tailed explanation of any changes to the current cal-  
13       culation; and

14              (4) consideration of the impact of the cost of its  
15       implementation on the licensing process, both in  
16       terms of the cost to industry of collecting and pro-  
17       viding the requisite data and cost to the Government  
18       of analyzing the data.

19       (c) INDEPENDENT ASSESSMENT.—Not later than  
20       270 days after transmittal of the plan under subsection  
21       (b), the Comptroller General shall provide to the Com-  
22       mittee on Science, Space, and Technology of the House  
23       of Representatives and the Committee on Commerce,  
24       Science, and Transportation of the Senate an assessment  
25       of—

1 (1) the conclusions and analysis provided by the  
2 Secretary of Transportation in the plan required  
3 under subsection (b);

4 (2) the implementation schedule proposed by  
5 the Secretary in such plan;

6 (3) the suitability of the plan for implementa-  
7 tion; and

8 (4) any further actions needed to implement the  
9 plan or otherwise accomplish the purpose of this sec-  
10 tion.

11 (d) LAUNCH LIABILITY EXTENSION.—Section  
12 50915(f) of title 51, United States Code, is amended by  
13 striking “December 31, 2016” and inserting “December  
14 31, 2025”.

15 **SEC. 103. LAUNCH LICENSE FLEXIBILITY.**

16 Section 50906 of title 51, United States Code, is  
17 amended—

18 (1) in subsection (d), by striking “launched or  
19 reentered” and inserting “launched or reentered  
20 under that permit”;

21 (2) by amending subsection (d)(1) to read as  
22 follows:

23 “(1) research and development to test design  
24 concepts, equipment, or operating techniques;”;

1           (3) in subsection (d)(3), by striking “prior to  
2     obtaining a license”;

3           (4) in subsection (e)(1), by striking “suborbital  
4     rocket design” and inserting “suborbital rocket or  
5     rocket design”; and

6           (5) by amending subsection (g) to read as fol-  
7     lows:

8           “(g) The Secretary may issue a permit under this sec-  
9     tion notwithstanding any license issued under this chapter.  
10    The issuance of a license under this chapter shall not in-  
11    validate a permit under this section.”.

12   **SEC. 104. GOVERNMENT ASTRONAUTS.**

13       (a) DEFINITIONS.—Section 50902 of title 51, United  
14    States Code, is amended—

15           (1) by redesignating paragraphs (4) through  
16       (22) as paragraphs (5) through (23), respectively;

17           (2) by inserting after paragraph (3) the fol-  
18       lowing new paragraph:

19           “(4) ‘government astronaut’ means an indi-  
20       vidual designated as such by the Administrator of  
21       the National Aeronautics and Space Administration,  
22       pursuant requirements established by the Adminis-  
23       trator, who—

24           “(A) is an employee of—

1 “(i) the United States Government,  
2 including the United States Armed Forces;  
3 or

4 “(ii) a foreign government that is a  
5 party to the Intergovernmental Agreement  
6 Among the Government of Canada, Gov-  
7 ernments of Member States of the Euro-  
8 pean Space Agency, the Government of  
9 Japan, the Government of the Russian  
10 Federation, and the Government of the  
11 United States of America Concerning Co-  
12 operation on the Civil International Space  
13 Station, signed on January 29, 1998; and

14 “(B) is carried within a launch vehicle or  
15 reentry vehicle in the course of his or her em-  
16 ployment, which may include performance of ac-  
17 tivities directly relating to the launch, reentry,  
18 or other operation of the launch vehicle or re-  
19 entry vehicle.”;

20 (3) in paragraph (5), as so redesignated by  
21 paragraph (1) of this subsection, by inserting “gov-  
22 ernment astronaut,” after “crew,”;

23 (4) in paragraph (7)(A), as so redesignated by  
24 paragraph (1) of this subsection, by inserting “gov-

1       ernment astronaut,” after “(including crew train-  
2       ing),”;

3           (5) in paragraph (14), as so redesignated by  
4       paragraph (1) of this subsection, by inserting “gov-  
5       ernment astronauts,” after “crew,”;

6           (6) in paragraph (15)(A), as so redesignated by  
7       paragraph (1) of this subsection, by inserting “gov-  
8       ernment astronaut,” after “(including crew train-  
9       ing),”;

10          (7) by amending paragraph (18), as so redesign-  
11       nated by paragraph (1) of this subsection, to read  
12       as follows:

13           “(18) ‘space flight participant’ means an indi-  
14       vidual, who is not crew or a government astronaut,  
15       carried within a launch vehicle or reentry vehicle.”;  
16       and

17          (8) in paragraph (22)(E), as so redesignated by  
18       paragraph (1) of this subsection, by inserting “, gov-  
19       ernment astronauts,” after “crew”.

20       (b) RESTRICTIONS ON LAUNCHES, OPERATIONS, AND  
21       REENTRIES; SINGLE LICENSE OR PERMIT.—Section  
22       50904(d) of title 51, United States Code, is amended by  
23       inserting “, government astronauts,” after “crew”.

1 (c) LICENSE APPLICATIONS AND REQUIREMENTS;  
2 APPLICATIONS.—Section 50905 of title 51, United States  
3 Code, is amended—

4 (1) in subsection (a)(2), by striking “crews and  
5 space flight participants” and inserting “crew, gov-  
6 ernment astronauts, and space flight participants”;

7 (2) in subsection (b)(2)(D), by inserting “, gov-  
8 ernment astronauts,” after “crew”; and

9 (3) in subsection (c)—

10 (A) in paragraph (1), by inserting “, gov-  
11 ernment astronauts,” after “crew”; and

12 (B) in paragraph (2), by striking “to crew  
13 or space flight participants” each place it ap-  
14 pears and inserting “to crew, government astro-  
15 nauts, or space flight participants”.

16 (d) MONITORING ACTIVITIES.—Section 50907(a) of  
17 title 51, United States Code, is amended by striking “crew  
18 or space flight participant training” and inserting “crew,  
19 government astronaut, or space flight participant train-  
20 ing”.

21 (e) ADDITIONAL SUSPENSIONS.—Section  
22 50908(d)(1) of title 51, United States Code, is amended  
23 by striking “to crew or space flight participants” each  
24 place it appears and inserting “to crew, government astro-  
25 nauts, or space flight participants”.

1 **SEC. 105. INDEMNIFICATION FOR SPACE FLIGHT PARTICI-**  
2 **PANTS.**

3 Chapter 509 of title 51, United States Code, is  
4 amended—

5 (1) in section 50914(a)(4), by adding at the  
6 end the following:

7 “(E) space flight participants.”; and

8 (2) in section 50915(a)(1)—

9 (A) by striking “or a contractor” and in-  
10 serting “a contractor”; and

11 (B) by striking “but not against” and in-  
12 serting “or”.

13 **SEC. 106. FEDERAL JURISDICTION.**

14 Section 50914 of title 51, United States Code, is  
15 amended by adding at the end the following:

16 “(g) **FEDERAL JURISDICTION.**—Any action or tort  
17 arising from a licensed launch or reentry shall be the sole  
18 jurisdiction of the Federal courts and shall be decided  
19 under Federal law.”.

20 **SEC. 107. CROSS-WAIVERS.**

21 Section 50914(b)(1) of title 51, United States Code,  
22 is amended to read as follows: “(1) A launch or reentry  
23 license issued or transferred under this chapter shall con-  
24 tain a provision requiring the licensee or transferee to  
25 make a reciprocal waiver of claims with its contractors,  
26 subcontractors, and customers, the contractors and sub-

1 contractors of the customers, and any space flight partici-  
2 pants, involved in launch services or reentry services or  
3 participating in a flight under which each party to the  
4 waiver agrees to be responsible for property damage or  
5 loss it or they sustain, or for personal injury to, death  
6 of, or property damage or loss sustained by its own em-  
7 ployees resulting from an activity carried out under the  
8 applicable license.”.

9 **SEC. 108. ORBITAL TRAFFIC MANAGEMENT.**

10 (a) SENSE OF CONGRESS.—It is the sense of the Con-  
11 gress that, as none currently exists, there may be a need  
12 for a framework that addresses space traffic management  
13 of United States Government assets and United States  
14 private sector assets to minimize the proliferation of debris  
15 and decrease the congestion of the orbital environment.

16 (b) STUDY REQUIRED.—Not later than 90 days after  
17 the date of enactment of this Act, the Administrator of  
18 the National Aeronautics and Space Administration shall  
19 enter into an arrangement with an independent, private  
20 systems engineering and technical assistance organization  
21 to study frameworks for the management of space traffic  
22 and orbital activities. The study shall include the fol-  
23 lowing:

24 (1) An assessment of current regulations, Gov-  
25 ernment best practices, and industry standards that

1       apply to space traffic management and orbital debris  
2       mitigation.

3           (2) An assessment of current statutory author-  
4       ity granted to the Federal Communications Commis-  
5       sion, the Federal Aviation Administration, and the  
6       National Oceanic and Atmospheric Administration  
7       and how those agencies utilize and coordinate those  
8       authorities.

9           (3) A review of all space traffic management  
10      and orbital debris requirements under treaties and  
11      other international agreements to which the United  
12      States is a signatory, and other nonbinding inter-  
13      national arrangements in which the United States  
14      participates, and the manner in which the Federal  
15      Government complies with those requirements.

16          (4) An assessment of existing Federal Govern-  
17      ment assets used to conduct space traffic manage-  
18      ment and space situational awareness.

19          (5) An assessment of the risk associated with  
20      smallsats as well as any necessary Government co-  
21      ordination for their launch and utilization.

22          (6) An assessment of existing private sector in-  
23      formation sharing activities associated with space  
24      situational awareness and space traffic management.

1           (7) Recommendations related to the framework  
2           for the protection of the health, safety, and welfare  
3           of the public and economic vitality of the space in-  
4           dustry.

5           (c) REPORT TO CONGRESS.—Not later than 1 year  
6           after the date of enactment of this Act, the Administrator  
7           shall provide to the Committee on Science, Space, and  
8           Technology of the House of Representatives and the Com-  
9           mittee on Commerce, Science, and Transportation of the  
10          Senate the report required in subsection (b).

11          (d) DEPARTMENT OF DEFENSE AUTHORITIES.—  
12          Congress recognizes the vital and unique role played by  
13          the Department of Defense in protecting national security  
14          assets in space. Nothing in this section shall be construed  
15          to amend authorities granted to the Department of De-  
16          fense to safeguard the national security.

17          **SEC. 109. STATE COMMERCIAL LAUNCH FACILITIES.**

18          It is the Sense of Congress that State involvement,  
19          development, ownership, and operation of launch facilities  
20          can help enable growth of the Nation's commercial sub-  
21          orbital and orbital space endeavors and support both com-  
22          mercial and Government space programs. It is further the  
23          sense of Congress that State launch facilities and the peo-  
24          ple and property within the affected launch areas of those  
25          State facilities are subject to risks if the commercial

1 launch vehicle fails or experiences an anomaly. To ensure  
2 the success of the commercial launch industry and the  
3 safety of the people and property in the affected launch  
4 areas, it is the further sense of Congress that States and  
5 State launch facilities should seek to take proper measures  
6 to secure their investments and the safety of third parties  
7 from potential damages that could be suffered from com-  
8 mercial launch activities.

9 **SEC. 110. SPACE SUPPORT VEHICLES STUDY.**

10 Not less than 1 year after the date of enactment of  
11 this Act, the Comptroller General shall submit to the Com-  
12 mittee on Science, Space, and Technology of the House  
13 of Representatives and the Committee on Commerce,  
14 Science, and Transportation of the Senate, a report on  
15 the use of space support vehicle services in the commercial  
16 space industry. This report shall include—

17 (1) the extent to which launch providers rely on  
18 such services as part of their business models;

19 (2) the statutory, regulatory, and market bar-  
20 riers to the use of such services; and

21 (3) recommendations for legislative or regu-  
22 latory action that may be needed to ensure reduced  
23 barriers to the use of such services if such use is a  
24 requirement of the industry.

1   **SEC. 111. STREAMLINE COMMERCIAL SPACE LAUNCH AC-**  
2                   **TIVITIES.**

3           (a) SENSE OF CONGRESS.—It is the sense of Con-  
4   gress that eliminating duplicative requirements and ap-  
5   provals for commercial launch and reentry operations will  
6   promote and encourage the development of the commercial  
7   space sector.

8           (b) REAFFIRMATION OF POLICY.—Congress reaf-  
9   firms that the Secretary of Transportation, in overseeing  
10   and coordinating commercial launch and reentry oper-  
11   ations, should—

12           (1) promote commercial space launches and re-  
13   entries by the private sector;

14           (2) facilitate Government, State, and private  
15   sector involvement in enhancing U.S. launch sites  
16   and facilities;

17           (3) protect public health and safety, safety of  
18   property, national security interests, and foreign pol-  
19   icy interests of the United States; and

20           (4) consult with the head of another executive  
21   agency, including the Secretary of Defense or the  
22   Administrator of the National Aeronautics and  
23   Space Administration, as necessary to provide con-  
24   sistent application of licensing requirements under  
25   chapter 509 of title 51, United States Code.

26           (c) REQUIREMENTS.—

1           (1) IN GENERAL.—The Secretary of Transpor-  
2           tation under section 50918 of title 51, United States  
3           Code, and subject to section 50905(b)(2)(C) of that  
4           title, shall consult with the Secretary of Defense, the  
5           Administrator of the National Aeronautics and  
6           Space Administration, and the heads of other execu-  
7           tive agencies, as appropriate—

8                   (A) to identify all requirements that are  
9                   imposed to protect the public health and safety,  
10                  safety of property, national security interests,  
11                  and foreign policy interests of the United States  
12                  relevant to any commercial launch of a launch  
13                  vehicle or commercial reentry of a reentry vehi-  
14                  cle; and

15                  (B) to evaluate the requirements identified  
16                  in subparagraph (A) and, in coordination with  
17                  the licensee or transferee and the heads of the  
18                  relevant executive agencies—

19                          (i) determine whether the satisfaction  
20                          of a requirement of one agency could result  
21                          in the satisfaction of a requirement of an-  
22                          other agency; and

23                          (ii) resolve any inconsistencies and re-  
24                          move any outmoded or duplicative require-  
25                          ments or approvals of the Federal Govern-

1                   ment relevant to any commercial launch of  
2                   a launch vehicle or commercial reentry of  
3                   a reentry vehicle.

4                   (2) REPORTS.—Not later than 180 days after  
5                   the date of enactment of this Act, and annually  
6                   thereafter until the Secretary of Transportation de-  
7                   termines no outmoded or duplicative requirements or  
8                   approvals of the Federal Government exist, the Sec-  
9                   retary of Transportation, in consultation with the  
10                  Secretary of Defense, the Administrator of the Na-  
11                  tional Aeronautics and Space Administration, the  
12                  commercial space sector, and the heads of other ex-  
13                  ecutive agencies, as appropriate, shall submit to the  
14                  Committee on Commerce, Science, and Transpor-  
15                  tation of the Senate, the Committee on Science,  
16                  Space, and Technology of the House of Representa-  
17                  tives, and the congressional defense committees a re-  
18                  port that includes the following:

19                         (A) A description of the process for the ap-  
20                         plication for and approval of a permit or license  
21                         under chapter 509 of title 51, United States  
22                         Code, for the commercial launch of a launch ve-  
23                         hicle or commercial reentry of a reentry vehicle,  
24                         including the identification of—

1 (i) any unique requirements for oper-  
2 ating on a United States Government  
3 launch site, reentry site, or launch prop-  
4 erty; and

5 (ii) any inconsistent, outmoded, or du-  
6 plicative requirements or approvals.

7 (B) A description of current efforts, if any,  
8 to coordinate and work across executive agen-  
9 cies to define interagency processes and proce-  
10 dures for sharing information, avoiding duplica-  
11 tion of effort, and resolving common agency re-  
12 quirements.

13 (C) Recommendations for legislation that  
14 may further—

15 (i) streamline requirements in order  
16 to improve efficiency, reduce unnecessary  
17 costs, resolve inconsistencies, remove dupli-  
18 cation, and minimize unwarranted con-  
19 straints; and

20 (ii) consolidate or modify require-  
21 ments across affected agencies into a sin-  
22 gle application set that satisfies the re-  
23 quirements identified in paragraph (1)(A).

24 (3) DEFINITIONS.—For purposes of this sub-  
25 section—

1 (A) any applicable definitions set forth in  
2 section 50902 of title 51, United States Code,  
3 shall apply;

4 (B) the terms “launch”, “reenter”, and  
5 “reentry” include landing of a launch vehicle or  
6 reentry vehicle; and

7 (C) the terms “United States Government  
8 launch site” and “United States Government  
9 reentry site” include any necessary facility, at  
10 that location, that is commercially operated on  
11 United States Government property.

12 **SEC. 112. SPACE LAUNCH SYSTEM UPDATE.**

13 (a) CHAPTER 701.—

14 (1) AMENDMENT.—The chapter heading of  
15 chapter 701 of title 51, United States Code, is  
16 amended by striking “**SPACE SHUTTLE**” and  
17 inserting “**SPACE LAUNCH SYSTEM**”.

18 (2) CONFORMING AMENDMENT.—The item re-  
19 lating to chapter 701 of title 51, United States  
20 Code, is amended by striking “Space Shuttle” and  
21 inserting “Space Launch System”.

22 (b) SECTION 70101.—

23 (1) AMENDMENTS.—Section 70101 of title 51,  
24 United States Code, is amended—

1 (A) in the section heading, by striking  
2 “**space shuttle**” and inserting “**Space**  
3 **Launch System**”; and

4 (B) by striking “space shuttle” and insert-  
5 ing “Space Launch System”.

6 (2) CONFORMING AMENDMENT.—The item re-  
7 lating section 70101 in the table of sections for  
8 chapter 701 of title 51, United States Code is  
9 amended by striking “space shuttle” and inserting  
10 “Space Launch System”.

11 (c) SECTION 70102.—

12 (1) AMENDMENTS.—Section 70102 of title 51,  
13 United States Code, is amended—

14 (A) in the section heading, by striking  
15 “**Space shuttle**” and inserting “**Space**  
16 **Launch System**”;

17 (B) in subsection (a)(1)(A), by striking  
18 “space shuttle” both places it appears and in-  
19 serting “Space Launch System”;

20 (C) in subsection (a)(1)(A)(i), by inserting  
21 “directly to cis-lunar space and the regions of  
22 space beyond low-Earth orbit” after “human  
23 presence”;

1 (D) in subsection (a)(1)(B), by striking “a  
2 shuttle launch” and inserting “a launch of the  
3 Space Launch System”;

4 (E) in subsection (a)(2), by striking “a  
5 space shuttle mission” and inserting “a mission  
6 of the Space Launch System”;

7 (F) in subsection (b)—

8 (i) by striking “space shuttle” each  
9 place it appears and inserting “Space  
10 Launch System”; and

11 (ii) by striking “from the shuttle” and  
12 inserting “from the Space Launch Sys-  
13 tem”;

14 (G) in subsection (c), by striking “space  
15 shuttle” and inserting “Space Launch System”;  
16 and

17 (H) by adding at the end the following new  
18 subsection:

19 “(d) DEFINITION.—In this section, the term ‘Space  
20 Launch System’ means the Space Launch System author-  
21 ized under section 302 of the National Aeronautics and  
22 Space Administration Authorization Act of 2010.”.

23 (2) CONFORMING AMENDMENT.—The item re-  
24 lating section 70102 in the table of sections for  
25 chapter 701 of title 51, United States Code is

1 amended by striking “Space shuttle” and inserting  
2 “Space Launch System”.

3 (d) SECTION 70103.—

4 (1) AMENDMENTS.—Section 70103 of title 51,  
5 United States Code, is amended—

6 (A) in the section heading, by striking  
7 “**space shuttle**” and inserting “**Space**  
8 **Launch System**”; and

9 (B) by striking “space shuttle” each place  
10 it appears and inserting “Space Launch Sys-  
11 tem”.

12 (2) CONFORMING AMENDMENT.—The item re-  
13 lating section 70103 in the table of sections for  
14 chapter 701 of title 51, United States Code is  
15 amended by striking “space shuttle” and inserting  
16 “Space Launch System”.

17 **TITLE II—SPACE RESOURCE EX-**  
18 **PLORATION AND UTILIZA-**  
19 **TION**

20 **SEC. 201. SHORT TITLE.**

21 This title may be cited as the “Space Resource Explo-  
22 ration and Utilization Act of 2015”.

1 **SEC. 202. 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 a single 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 and existing international obligations.

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”.

4 **TITLE III—COMMERCIAL**  
5 **REMOTE SENSING**

6 **SEC. 301. ANNUAL REPORTING.**

7 (a) IN GENERAL.—Subchapter III of chapter 601 of  
8 title 51, United States Code, is amended by adding at the  
9 end the following:

10 **“§ 60126. Annual reporting**

11 “The Secretary shall provide a report to the Com-  
12 mittee on Science, Space, and Technology of the House  
13 of Representatives and the Committee on Commerce,  
14 Science, and Transportation of the Senate not later than  
15 180 days after the date of enactment of the SPACE Act  
16 of 2015 and annually thereafter on—

17 “(1) the Secretary’s implementation of section  
18 60121, including—

19 “(A) a list of all applications received in  
20 the previous calendar year;

21 “(B) a list of all applications approved;

22 “(C) a list of all applications denied;

23 “(D) a list of all applications that required  
24 additional information; and

1           “(E) a list of all applications whose dis-  
2           position exceeded the 120 day deadline estab-  
3           lished in section 60121(c), the total days over-  
4           due for applications that exceeded such dead-  
5           line, and an explanation for the delay;

6           “(2) all notifications and information provided  
7           to the Secretary pursuant to section 60122; and

8           “(3) all actions taken by the Secretary under  
9           the administrative authority granted by section  
10          60123(a)(4), (5), and (6).”.

11 **SEC. 302. STATUTORY UPDATE REPORT.**

12          Not later than 1 year after the date of enactment  
13 of this Act, the Secretary, in consultation with other ap-  
14 propriate Federal agencies and the National Oceanic and  
15 Atmospheric Administration’s Advisory Committee on  
16 Commercial Remote Sensing, shall report to the Com-  
17 mittee on Science, Space, and Technology of the House  
18 of Representatives and the Committee on Commerce,  
19 Science, and Transportation of the Senate on statutory  
20 updates necessary to protect national security, protect pri-  
21 vacy (which is not to be taken as altering any condition  
22 or standards for licensing), protect the United States in-  
23 dustrial base, and reflect the current state of the art of  
24 remote sensing systems, instruments, or technologies.

1       **TITLE IV—OFFICE OF SPACE**  
2                   **COMMERCE**

3   **SEC. 401. RENAMING OF OFFICE OF SPACE COMMER-**  
4                   **CIALIZATION.**

5       (a) CHAPTER HEADING.—

6           (1) AMENDMENT.—The chapter heading for  
7       chapter 507 of title 51, United States Code, is  
8       amended by striking “**COMMERCIALIZA-**  
9       **TION**” and inserting “**Commerce**”.

10       (2) CONFORMING AMENDMENT.—The item re-  
11       lating to chapter 507 in the table chapters for title  
12       51, United States Code, is amended by striking  
13       “Commercialization” and inserting “Commerce”.

14       (b) DEFINITION OF OFFICE.— Section 50701 of title  
15       51, United States Code, is amended by striking “Commer-  
16       cialization” and inserting “Commerce”.

17       (c) RENAMING.—Section 50702(a) of title 51, United  
18       States Code, is amended by striking “Commercialization”  
19       and inserting “Commerce”.

20   **SEC. 402. FUNCTIONS OF THE OFFICE OF SPACE COM-**  
21                   **MERCE.**

22       Section 50702(c) of title 51, United States Code, is  
23       amended by striking “Commerce.” and inserting “Com-  
24       merce, including to—

1           “(1) foster the conditions for the economic  
2           growth and technological advancement of the United  
3           States space commerce industry;

4           “(2) coordinate space commerce policy issues  
5           and actions within the Department of Commerce;

6           “(3) represent the Department of Commerce in  
7           the development of United States policies and in ne-  
8           gotiations with foreign countries to promote United  
9           States space commerce;

10          “(4) promote the advancement of United States  
11          geospatial technologies related to space commerce, in  
12          cooperation with relevant interagency working  
13          groups; and

14          “(5) provide support to Federal Government or-  
15          ganizations working on Space-Based Positioning  
16          Navigation, and Timing policy, including the Na-  
17          tional Coordination Office for Space-Based Position,  
18          Navigation, and Timing.”.

