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.]

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the “Spurring Private Aerospace Competitiveness and Entrepreneurship Act of 2015” or the “SPACE Act of 2015”.

(b) TABLE OF CONTENTS.—The table of contents for 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
TITLE I—COMMERCIAL SPACE
LAUNCH

SEC. 101. CONSENSUS STANDARDS.

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

(1) by striking paragraph (3);

(2) by redesignating paragraph (4) as para-

graph (8); and

(3) by inserting after paragraph (2) the fol-

lowing:

“(3) INTERIM INDUSTRY VOLUNTARY CON-

SENSUS STANDARDS REPORT.—The Secretary, in

consultation with the Commercial Space Transpor-

tation Advisory Committee, or its successor organi-

zation, 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 in-

dustry in developing voluntary consensus standards

or any other construction that promotes best prac-

tices to improve the industry. Such report shall in-

clude, at a minimum—
“(A) any voluntary industry consensus standards or any other construction that have been accepted by the industry at large;

“(B) the identification of areas that have the potential to become voluntary industry consensus standards or another potential construction that are currently under consideration by the industry at large;

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

“(D) lessons learned about voluntary industry consensus standards or any other construction, best practices, and commercial space launch operations;

“(E) any lessons learned associated with the development, potential application, and acceptance of voluntary industry consensus standards or any other construction, best practices, and commercial space launch operations; and

“(F) recommendations, findings, or observations from the Commercial Space Transportation Advisory Committee, or its successor organization, on the progress of the industry in
developing industry consensus standards or any other construction.

This report, with the appropriate updates in the intervening periods, shall be transmitted to such committees no later than December 31, 2016, December 31, 2018, December 31, 2020, and December 31, 2022. Each report shall describe and assess the progress achieved as of 6 months prior to the specified transmittal date.

“(4) INTERIM REPORT ON KNOWLEDGE AND OPERATIONAL EXPERIENCE.—The Secretary 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 status of the knowledge and operational experience acquired by the industry while providing flight services for compensation or hire to support the development of a safety framework. Interim reports shall be transmitted to such committees no later than December 31, 2018, December 31, 2020, and December 31, 2022. Each report shall describe and assess the progress achieved as of 6 months prior to the specified transmittal date.
“(5) INDEPENDENT REVIEW.—No later than December 31, 2023, an independent, private systems engineering and technical assistance organization or standards development organization contracted by the Secretary shall provide to the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate an assessment of the readiness of the commercial space industry and the Federal Government to transition to a safety framework that may include regulations. As part of the review, the contracted organization shall evaluate—

“(A) the progress of the commercial space industry in adopting industry voluntary standards or any other construction as reported by the Secretary in the interim assessments included in reports provided under paragraph (4); and

“(B) the knowledge and operational experience obtained by the commercial space industry while providing services for compensation or hire as reported by the Secretary in the interim knowledge and operational reports provided under paragraph (4).
“(6) LEARNING PERIOD.—Beginning on December 31, 2025, the Secretary may propose regulations under this subsection without regard to paragraph (2)(C) and (D). The development of any such regulations shall take into consideration the evolving standards of the commercial space flight industry as identified through the reports published under paragraphs (3) and (4).

“(7) COMMUNICATION AND TRANSPARENCY.—Nothing in this subsection shall be construed to limit the authority of the Secretary of Transportation to discuss potential approaches, potential performance standards, or any other topic related to this subsection with the commercial space industry including observations, findings, and recommendations from the Commercial Space Transportation Advisory Committee, or its successor organization, prior to the issuance of a notice of proposed rulemaking. Such discussions shall not be construed to permit the Secretary to promulgate industry regulations except as otherwise provided in this section.”.

SEC. 102. INTERNATIONAL LAUNCH COMPETITIVENESS.

(a) PURPOSE.—The purpose of this section is to provide for updating the methodology used to calculate the maximum probable loss from claims under section 50914
of title 51, United States Code, with a validated risk profile approach to provide reasonable maximum probable loss values associated with potential third party losses from commercially licensed launches. An appropriately updated methodology will help ensure that the Federal Government is not exposed to greater financial risks than intended and that launch companies are not required to purchase more insurance coverage than necessary.

(b) Maximum Probable Loss Plan.—Not later than 180 days after the date of enactment of this Act, the Secretary of Transportation shall provide to the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a plan to update the methodology used to calculate maximum probable loss from claims under section 50914 of title 51, United States Code, through the use of a validated risk profile approach. Such plan shall include, at a minimum—

(1) an evaluation of the reasonableness of the current single casualty estimate and, if needed, the steps the Secretary will take to update such estimate;

(2) an evaluation, in consultation with the Administrator of the National Aeronautics and Space Administration and the heads of other relevant exec-
utive agencies, of the reasonableness of the dollar
value of the insurance requirement required by the
Secretary for launch providers to cover damage to
Government property resulting from a commercially
licensed space launch activity, and recommendations
as to a reasonable calculation if, as determined by
the Secretary, the current statutory threshold is in-
sufficient;

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

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

(c) INDEPENDENT ASSESSMENT.—Not later than
270 days after transmittal of the plan under subsection
(b), the Comptroller General shall provide to the Com-
mittee on Science, Space, and Technology of the House
of Representatives and the Committee on Commerce,
Science, and Transportation of the Senate an assessment
of—
(1) the conclusions and analysis provided by the Secretary of Transportation in the plan required under subsection (b);

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

(3) the suitability of the plan for implementation; and

(4) any further actions needed to implement the plan or otherwise accomplish the purpose of this section.

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

SEC. 103. LAUNCH LICENSE FLEXIBILITY.

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

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

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

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

“launched or reentered under that permit”;

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

“(1) research and development to test design concepts, equipment, or operating techniques;”;
(3) in subsection (d)(3), by striking “prior to obtaining a license”;

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

(5) by amending subsection (g) to read as follows:

“(g) The Secretary may issue a permit under this section notwithstanding any license issued under this chapter. The issuance of a license under this chapter shall not invalidate a permit under this section.”.

SEC. 104. GOVERNMENT ASTRONAUTS.

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

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

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

“(4) ‘government astronaut’ means an individual designated as such by the Administrator of the National Aeronautics and Space Administration, pursuant requirements established by the Administrator, who—

“(A) is an employee of—
“(i) the United States Government, including the United States Armed Forces; or

“(ii) a foreign government that is a party to the Intergovernmental Agreement Among the Government of Canada, Governments of Member States of the European Space Agency, the Government of Japan, the Government of the Russian Federation, and the Government of the United States of America Concerning Cooperation on the Civil International Space Station, signed on January 29, 1998; and

“(B) is carried within a launch vehicle or reentry vehicle in the course of his or her employment, which may include performance of activities directly relating to the launch, reentry, or other operation of the launch vehicle or reentry vehicle.”;

(3) in paragraph (5), as so redesignated by paragraph (1) of this subsection, by inserting “government astronaut,” after “crew,”;

(4) in paragraph (7)(A), as so redesignated by paragraph (1) of this subsection, by inserting “gov-
(5) in paragraph (14), as so redesignated by paragraph (1) of this subsection, by inserting “government astronauts,” after “crew,”;

(6) in paragraph (15)(A), as so redesignated by paragraph (1) of this subsection, by inserting “government astronaut,” after “(including crew training),”;

(7) by amending paragraph (18), as so redesignated by paragraph (1) of this subsection, to read as follows:

“(18) ‘space flight participant’ means an individual, who is not crew or a government astronaut, carried within a launch vehicle or reentry vehicle.”;

and

(8) in paragraph (22)(E), as so redesignated by paragraph (1) of this subsection, by inserting “, government astronauts,” after “crew”.

(b) Restrictions on Launches, Operations, and Reentries; Single License or Permit.—Section 50904(d) of title 51, United States Code, is amended by inserting “, government astronauts,” after “crew”.

(c) LICENSE APPLICATIONS AND REQUIREMENTS;

APPLICATIONS.—Section 50905 of title 51, United States Code, is amended—

(1) in subsection (a)(2), by striking “crews and space flight participants” and inserting “crew, government astronauts, and space flight participants”;

(2) in subsection (b)(2)(D), by inserting “, government astronauts,” after “crew”; and

(3) in subsection (c)—

(A) in paragraph (1), by inserting “, government astronauts,” after “crew”; and

(B) in paragraph (2), by striking “to crew or space flight participants” each place it appears and inserting “to crew, government astronauts, or space flight participants”.

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

(e) ADDITIONAL SUSPENSIONS.—Section 50908(d)(1) of title 51, United States Code, is amended by striking “to crew or space flight participants” each place it appears and inserting “to crew, government astronauts, or space flight participants”.
SEC. 105. INDEMNIFICATION FOR SPACE FLIGHT PARTICIPANTS.

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

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

“(E) space flight participants.”; and

(2) in section 50915(a)(1)—

(A) by striking “or a contractor” and inserting “a contractor”; and

(B) by striking “but not against” and inserting “or”.

SEC. 106. FEDERAL JURISDICTION.

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

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

SEC. 107. CROSS-WAIVERS.

Section 50914(b)(1) of title 51, United States Code, is amended to read as follows: “(1) A launch or reentry license issued or transferred under this chapter shall contain a provision requiring the licensee or transferee to make a reciprocal waiver of claims with its contractors, subcontractors, and customers, the contractors and sub-
contractors of the customers, and any space flight particip-
ants, involved in launch services or reentry services or
participating in a flight under which each party to the
waiver agrees to be responsible for property damage or
loss it or they sustain, or for personal injury to, death
of, or property damage or loss sustained by its own em-
ployees resulting from an activity carried out under the
applicable license.”.

SEC. 108. ORBITAL TRAFFIC MANAGEMENT.

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

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

(1) An assessment of current regulations, Gov-
ernment best practices, and industry standards that
apply to space traffic management and orbital debris mitigation.

(2) An assessment of current statutory authority granted to the Federal Communications Commission, the Federal Aviation Administration, and the National Oceanic and Atmospheric Administration and how those agencies utilize and coordinate those authorities.

(3) A review of all space traffic management and orbital debris requirements under treaties and other international agreements to which the United States is a signatory, and other nonbinding international arrangements in which the United States participates, and the manner in which the Federal Government complies with those requirements.

(4) An assessment of existing Federal Government assets used to conduct space traffic management and space situational awareness.

(5) An assessment of the risk associated with smallsats as well as any necessary Government coordination for their launch and utilization.

(6) An assessment of existing private sector information sharing activities associated with space situational awareness and space traffic management.
(7) Recommendations related to the framework for the protection of the health, safety, and welfare of the public and economic vitality of the space industry.

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

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

SEC. 109. STATE COMMERCIAL LAUNCH FACILITIES.

It is the Sense of Congress that State involvement, development, ownership, and operation of launch facilities can help enable growth of the Nation’s commercial suborbital and orbital space endeavors and support both commercial and Government space programs. It is further the sense of Congress that State launch facilities and the people and property within the affected launch areas of those State facilities are subject to risks if the commercial
launch vehicle fails or experiences an anomaly. To ensure the success of the commercial launch industry and the safety of the people and property in the affected launch areas, it is the further sense of Congress that States and State launch facilities should seek to take proper measures to secure their investments and the safety of third parties from potential damages that could be suffered from commercial launch activities.

SEC. 110. SPACE SUPPORT VEHICLES STUDY.

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

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

(2) the statutory, regulatory, and market barriers to the use of such services; and

(3) recommendations for legislative or regulatory action that may be needed to ensure reduced barriers to the use of such services if such use is a requirement of the industry.
SEC. 111. STREAMLINE COMMERCIAL SPACE LAUNCH ACTIVITIES.

(a) Sense of Congress.—It is the sense of Congress that eliminating duplicative requirements and approvals for commercial launch and reentry operations will promote and encourage the development of the commercial space sector.

(b) Reaffirmation of Policy.—Congress reaffirms that the Secretary of Transportation, in overseeing and coordinating commercial launch and reentry operations, should—

(1) promote commercial space launches and reentries by the private sector;

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

(3) protect public health and safety, safety of property, national security interests, and foreign policy interests of the United States; and

(4) consult with the head of another executive agency, including the Secretary of Defense or the Administrator of the National Aeronautics and Space Administration, as necessary to provide consistent application of licensing requirements under chapter 509 of title 51, United States Code.

(c) Requirements.—
(1) IN GENERAL.—The Secretary of Transportation under section 50918 of title 51, United States Code, and subject to section 50905(b)(2)(C) of that title, shall consult with the Secretary of Defense, the Administrator of the National Aeronautics and Space Administration, and the heads of other executive agencies, as appropriate—

(A) to identify all requirements that are imposed to protect the public health and safety, safety of property, national security interests, and foreign policy interests of the United States relevant to any commercial launch of a launch vehicle or commercial reentry of a reentry vehicle; and

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

(i) determine whether the satisfaction of a requirement of one agency could result in the satisfaction of a requirement of another agency; and

(ii) resolve any inconsistencies and remove any outmoded or duplicative requirements or approvals of the Federal Gover
ment relevant to any commercial launch of
a launch vehicle or commercial reentry of
a reentry vehicle.

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

(A) A description of the process for the ap-
lication for and approval of a permit or license
under chapter 509 of title 51, United States
Code, for the commercial launch of a launch ve-
icle or commercial reentry of a reentry vehicle,
including the identification of—
(i) any unique requirements for operating on a United States Government launch site, reentry site, or launch property; and

(ii) any inconsistent, outmoded, or duplicative requirements or approvals.

(B) A description of current efforts, if any, to coordinate and work across executive agencies to define interagency processes and procedures for sharing information, avoiding duplication of effort, and resolving common agency requirements.

(C) Recommendations for legislation that may further—

(i) streamline requirements in order to improve efficiency, reduce unnecessary costs, resolve inconsistencies, remove duplication, and minimize unwarranted constraints; and

(ii) consolidate or modify requirements across affected agencies into a single application set that satisfies the requirements identified in paragraph (1)(A).

(3) DEFINITIONS.—For purposes of this subsection—
(A) any applicable definitions set forth in section 50902 of title 51, United States Code, shall apply;

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

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

SEC. 112. SPACE LAUNCH SYSTEM UPDATE.

(a) Chapter 701.—

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

(2) Conforming Amendment.—The item relating to chapter 701 of title 51, United States Code, is amended by striking “Space Shuttle” and inserting “Space Launch System”.

(b) Section 70101.—

(1) Amendments.—Section 70101 of title 51, United States Code, is amended—
(A) in the section heading, by striking “space shuttle” and inserting “Space Launch System”; and

(B) by striking “space shuttle” and inserting “Space Launch System”.

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

(c) SECTION 70102.—

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

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

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

(C) in subsection (a)(1)(A)(i), by inserting “directly to cis-lunar space and the regions of space beyond low-Earth orbit” after “human presence”;
(D) in subsection (a)(1)(B), by striking “a shuttle launch” and inserting “a launch of the Space Launch System”;

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

(F) in subsection (b)—

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

(ii) by striking “from the shuttle” and inserting “from the Space Launch System”;

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

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

“(d) DEFINITION.—In this section, the term ‘Space Launch System’ means the Space Launch System authorized under section 302 of the National Aeronautics and Space Administration Authorization Act of 2010.”.

(2) CONFORMING AMENDMENT.—The item relating section 70102 in the table of sections for chapter 701 of title 51, United States Code is
amended by striking “Space shuttle” and inserting “Space Launch System”.

(d) SECTION 70103.—

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

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

(B) by striking “space shuttle” each place it appears and inserting “Space Launch System”.

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

TITLE II—SPACE RESOURCE EXPLORATION AND UTILIZATION

SEC. 201. SHORT TITLE.

This title may be cited as the “Space Resource Exploration and Utilization Act of 2015”.

SEC. 202. 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

“Sec.
“51301. Definitions.
“51302. Commercialization of space resource exploration and utilization.
“51303. Legal framework.

“§ 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 a single 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 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.

“§ 51302. Commercialization of space resource exploration 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 development of economically viable, safe, and stable industries 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 commercial 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 Presi-
dent shall submit to Congress a report that contains rec-
ommendations 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 re-
sources.

“§ 51303. Legal framework

“(a) PROPERTY RIGHTS.—Any asteroid resources ob-
tained 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 provi-
sions of Federal law and existing international obligations.

“(b) SAFETY OF OPERATIONS.—A United States
commercial space resource utilization entity shall avoid
caus[ing] 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”.

TITLE III—COMMERCIAL REMOTE SENSING

SEC. 301. ANNUAL REPORTING.

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

“§ 60126. Annual reporting

“The Secretary 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 not later than 180 days after the date of enactment of the SPACE Act of 2015 and annually thereafter on—

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

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

“(B) a list of all applications approved;

“(C) a list of all applications denied;

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

May 14, 2015 (10:19 a.m.)
“(E) a list of all applications whose disposition exceeded the 120 day deadline established in section 60121(c), the total days overdue for applications that exceeded such deadline, and an explanation for the delay;

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

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

SEC. 302. STATUTORY UPDATE REPORT.

Not later than 1 year after the date of enactment of this Act, the Secretary, in consultation with other appropriate Federal agencies and the National Oceanic and Atmospheric Administration’s Advisory Committee on Commercial Remote Sensing, shall 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 statutory updates necessary to protect national security, protect privacy (which is not to be taken as altering any condition or standards for licensing), protect the United States industrial base, and reflect the current state of the art of remote sensing systems, instruments, or technologies.
TITLE IV—OFFICE OF SPACE COMMERCE

SEC. 401. RENAMING OF OFFICE OF SPACE COMMERCIALIZATION.

(a) Chapter Heading.—

(1) Amendment.—The chapter heading for chapter 507 of title 51, United States Code, is amended by striking “COMMERCIALIZATION” and inserting “Commerce”.

(2) Conforming Amendment.—The item relating to chapter 507 in the table chapters for title 51, United States Code, is amended by striking “Commercialization” and inserting “Commerce”.

(b) Definition of Office.—Section 50701 of title 51, United States Code, is amended by striking “Commercialization” and inserting “Commerce”.

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

SEC. 402. FUNCTIONS OF THE OFFICE OF SPACE COMMERCE.

Section 50702(e) of title 51, United States Code, is amended by striking “Commerce” and inserting “Commerce, including to—
“(1) foster the conditions for the economic
growth and technological advancement of the United
States space commerce industry;

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

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

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

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