

**AGENDA ITEM 15, USA  
POTENTIAL LEGAL MODELS FOR ACTIVITIES IN EXPLORATION,  
EXPLOITATION AND UTILIZATION OF SPACE RESOURCES**

**STATEMENT BY EMILY PIERCE, U.S. REPRESENTATIVE TO THE  
LEGAL SUBCOMMITTEE OF THE UN COMMITTEE ON THE  
PEACEFUL USES OF OUTER SPACE**

**March 28, 2022**

Thank you, Chair. The United States appreciates the opportunity to present its views on activities in exploration, exploitation, and utilization of space resources.

As the United States has said previously, the utilization of space-based resources – either on the Moon, asteroids, or elsewhere – is critical to the long-term viability of space activities. Truly substantial increases in human and robotic presence in the solar system will require utilizing resources already located outside of Earth’s gravity well. At the same time, it is important to remember that humanity is in the earliest days of space resource exploration, exploitation, and utilization. We need to keep this reality in mind as we discuss legal questions surrounding space resources. As the United States mentioned in the Subcommittee’s discussions on this topic last year, in 2020, NASA offered to buy small amounts of Lunar regolith collected by private companies as part of their operations on the Moon. This is not the first time space resources have been bought or sold; NASA has given away many lunar samples before, including to many Member States of COPUOS. Likewise, Lunar samples collected by the Soviet Union have been sold on the private market. Nevertheless, this recent offer by NASA is an opportunity to begin working through practical issues in space resources.

The U.S. Space Priorities Framework issued by the National Space Council in December 2021 emphasizes our commitment to maintain a responsible U.S. space enterprise, including for space resource utilization. The Framework underscores that U.S. regulations must provide clarity and certainty for

authorization and continuing supervision of non-governmental space activities, including for novel activities such as the use of space resource.

The long-standing view of the United States is that the utilization of space-based resources – including commercial utilization – is consistent with the four main United Nations space treaties. The Outer Space Treaty shapes the manner in which space resource utilization activities may be carried out, but it does not broadly preclude such activities.

Of course, the Outer Space Treaty does not provide a comprehensive international regime for space resource utilization activities. At this stage, the United States sees neither a need nor a practical basis to create such a regime. We do, however, see an urgent need to ensure that all nations engaged in space resource activities share a common set of fundamental beliefs: in the rule of law, in transparency, and in peaceful purposes. The Artemis Accords underscores these critical principles, and forms the starting point for future work on space resources.

There is more work to be done. We are in the very early days, and initial technology demonstration missions will be required long before widespread space resource utilization activities occur. The four core space treaties provide a basic legal framework within which interested States can ensure their interests are protected for such initial missions. At the same time, we recognize that there is strong international interest in discussing these issues in greater detail. To quote from Section 10(3) of the Artemis Accords, “The Signatories intend to use their experience under the Accords to contribute to multilateral efforts to further develop international practices and rules applicable to the extraction and utilization of space resources, including through ongoing efforts at the COPUOS.” In this regard, we look forward to participating in the Working Group on space resources and working towards finalization of a pragmatic, multi-year work plan that reflects the early stage of these efforts.

Thank you, Chair.