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(Original Signature of Member)

119TH CONGRESS
1ST SESSION

H. R. _____

To require the Administrator of the National Aeronautics and Space Administration to establish a program to identify, evaluate, acquire, and disseminate commercial Earth remote sensing data and imagery in order to satisfy the scientific, operational, and educational requirements of the Administration, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. HURD of Colorado introduced the following bill; which was referred to the Committee on _____

A BILL

To require the Administrator of the National Aeronautics and Space Administration to establish a program to identify, evaluate, acquire, and disseminate commercial Earth remote sensing data and imagery in order to satisfy the scientific, operational, and educational requirements of the Administration, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Accessing Satellite
3 Data to Enable New Discoveries Act” or the “ASCEND
4 Act”.

5 **SEC. 2. COMMERCIAL SATELLITE DATA.**

6 (a) FINDINGS.—Congress makes the following find-
7 ings:

8 (1) Section 60501 of title 51, United States
9 Code, states that the goal for the Earth Science pro-
10 gram of the National Aeronautics and Space Admin-
11 istration (referred to in this section as “NASA”)
12 shall be to pursue a program of Earth observations,
13 research, and applications activities to better under-
14 stand the Earth, how it supports life, and how
15 human activities affect its ability to do so in the fu-
16 ture.

17 (2) Section 50115 of title 51, United States
18 Code, states that the Administrator of NASA shall,
19 to the extent possible and while satisfying the sci-
20 entific or educational requirements of NASA, and
21 where appropriate, of other Federal agencies and
22 scientific researchers, acquire, where cost effective,
23 space-based and airborne commercial Earth remote
24 sensing data, services, distribution, and applications
25 from a commercial provider.

1 (3) The Administrator of NASA established the
2 Commercial SmallSat Data Acquisition Pilot Pro-
3 gram in 2019 to identify, validate, and acquire from
4 commercial sources data that support the Earth
5 science research and application goals.

6 (4) The Administrator of NASA has—

7 (A) determined that the pilot program de-
8 scribed in paragraph (3) has been a success, as
9 described in the final evaluation entitled “Com-
10 mercial SmallSat Data Acquisition Program
11 Pilot Evaluation Report” issued in 2020;

12 (B) established a formal process for evalu-
13 ating and onboarding new commercial vendors
14 in such pilot program;

15 (C) increased the number of commercial
16 vendors and commercial data products available
17 through such pilot program; and

18 (D) expanded procurement arrangements
19 with commercial vendors to broaden user access
20 to provide commercial Earth remote sensing
21 data and imagery to federally funded research-
22 ers.

23 (b) COMMERCIAL SATELLITE DATA ACQUISITION
24 PROGRAM.—

1 (1) IN GENERAL.—Chapter 603 of title 51,
2 United States Code, is amended by adding at the
3 end the following:

4 **“§ 60307. Commercial satellite data acquisition pro-**
5 **gram**

6 “(a) IN GENERAL.—The Administrator shall estab-
7 lish within the Earth Science Division of the Science Mis-
8 sion Directorate a program to acquire and disseminate
9 cost-effective and appropriate commercial Earth remote
10 sensing data and imagery in order to satisfy the scientific,
11 operational, and educational requirements of the Adminis-
12 tration, and where appropriate, of other Federal agencies
13 and scientific researchers to augment or complement the
14 suite of Earth observations acquired by the Administra-
15 tion, other United States Government agencies, and inter-
16 national partners.

17 “(b) DATA PUBLICATION AND TRANSPARENCY.—The
18 terms and conditions of commercial Earth remote sensing
19 data and imagery acquisitions under the program de-
20 scribed in subsection (a) shall not prevent—

21 “(1) the publication of commercial data or im-
22 agery for scientific purposes; or

23 “(2) the publication of information that is de-
24 rived from, incorporates, or enhances the original
25 commercial data or imagery of a vendor.

1 “(c) AUTHORIZATION.—In carrying out the program
2 under this section, the Administrator may—

3 “(1) procure commercial Earth remote sensing
4 data and imagery from commercial vendors to ad-
5 vance scientific research and applications in accord-
6 ance with subsection (a); and

7 “(2) establish or modify end-use license terms
8 and conditions to allow for the widest-possible use of
9 procured commercial Earth remote sensing data and
10 imagery by individuals other than NASA-funded
11 users, consistent with the goals of the program.

12 “(d) UNITED STATES VENDORS.—Commercial Earth
13 remote sensing data and imagery referred to in sub-
14 sections (a) and (c) shall, to the maximum extent prac-
15 ticable, be procured from United States vendors.

16 “(c) REPORT.—Not later than 180 days after the
17 date of the enactment of this section and annually there-
18 after, the Administrator shall submit to the Committee on
19 Commerce, Science, and Transportation of the Senate and
20 the Committee on Science, Space, and Technology of the
21 House of Representatives a report that includes the fol-
22 lowing information regarding the agreements, vendors, li-
23 cense terms, and uses of commercial Earth remote sensing
24 data and imagery under this section:

1 “(1)(A) In the case of the initial report, a list
2 of all agreements that are providing commercial
3 Earth remote sensing data and imagery to NASA as
4 of the date of the report.

5 “(B) For each subsequent report, a list of
6 all agreements that have provided commercial
7 Earth remote sensing data and imagery to
8 NASA during the reporting period.

9 “(2) A description of the end-use license terms
10 and conditions for each such vendor.

11 “(3) A description of the manner in which each
12 such agreement is advancing scientific research and
13 applications, including priorities recommended by
14 the National Academies of Sciences, Engineering,
15 and Medicine decadal surveys.

16 “(4) Information specifying whether the Admin-
17 istrator has entered into an agreement with a com-
18 mercial vendor or a Federal agency that permits the
19 use of data and imagery by Federal Government em-
20 ployees, contractors, or non-Federal users.”.

21 (d) CLERICAL AMENDMENT.—The table of contents
22 for chapter 603 of title 51, United States Code, is amend-
23 ed by adding at the end the following new item:

 “60307. Commercial Satellite Data Acquisition Program.”.