

# Union Calendar No. 502

118TH CONGRESS  
2D SESSION

# H. R. 6219

[Report No. 118-603]

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.

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## IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 3, 2023

Mr. KEAN of New Jersey (for himself and Ms. BONAMICI) introduced the following bill; which was referred to the Committee on Science, Space, and Technology

JULY 23, 2024

Additional sponsor: Mr. FITZPATRICK

JULY 23, 2024

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in *italic*]

[For text of introduced bill, see copy of bill as introduced on November 3, 2023]

# **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,*

3 **SECTION 1. SHORT TITLE.**

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

6 **SEC. 2. COMMERCIAL SATELLITE DATA.**

7 *(a) FINDINGS.—Congress makes the following findings:*

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”) shall*  
12 *be to pursue a program of Earth observations, re-*  
13 *search, and applications activities to better under-*  
14 *stand the Earth, how it supports life, and how human*  
15 *activities affect its ability to do so in the future.*

16 *(2) Section 50115 of title 51, United States*  
17 *Code, states that the Administrator of NASA shall, to*  
18 *the extent possible and while satisfying the scientific*  
19 *or educational requirements of NASA, and where ap-*  
20 *propriate, of other Federal agencies and scientific re-*  
21 *searchers, acquire, where cost effective, space-based*  
22 *and airborne commercial Earth remote sensing data,*  
23 *services, distribution, and applications from a com-*  
24 *mercial 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 PRO-*  
24           *GRAM.—*



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 subsections*  
14 *(a) and (c) shall, to the maximum extent practicable, be*  
15 *procured from United States vendors.*

16       “(e) *REPORT.*—*Not later than 180 days after the date*  
17 *of the enactment of this section and annually thereafter, the*  
18 *Administrator shall submit to the Committee on Commerce,*  
19 *Science, and Transportation of the Senate and the Com-*  
20 *mittee on Science, Space, and Technology of the House of*  
21 *Representatives a report that includes the following infor-*  
22 *mation regarding the agreements, vendors, license terms,*  
23 *and uses of commercial Earth remote sensing data and im-*  
24 *agery 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 all*  
6 *agreements that have provided commercial Earth re-*  
7 *mote sensing data and imagery to NASA during the*  
8 *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 the*  
14 *National Academies of Sciences, Engineering, and*  
15 *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           (2) *CLERICAL AMENDMENT.—The table of con-*  
22 *tents for chapter 603 of title 51, United States Code,*  
23 *is amended by adding at the end the following new*  
24 *item:*

*“60307. Commercial Satellite Data Acquisition Program.”.*

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