

**Suspend the Rules and Pass the Bill, H.R. 6219, With an Amendment**

**(The amendment strikes all after the enacting clause and inserts a new text)**

118TH CONGRESS  
1ST SESSION

# H. R. 6219

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

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## 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.(e) RE-  
16 PORT.—Not later than 180 days after the date of the en-  
17 actment of this section and annually thereafter, the Ad-  
18 ministrator 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  
21 of Representatives a report that includes the following in-  
22 formation regarding the agreements, vendors, license  
23 terms, and uses of commercial Earth remote sensing data  
24 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 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  
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           (2) CLERICAL AMENDMENT.—The table of con-  
22 tents for chapter 603 of title 51, United States  
23 Code, is amended by adding at the end the following  
24 new item:

“60307. Commercial Satellite Data Acquisition Program.”.