

119TH CONGRESS
1ST SESSION

S. _____

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 SENATE OF THE UNITED STATES

Mr. HICKENLOOPER (for himself and Mr. CORNYN) introduced the following bill; which was read twice and 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 Ca-
3 pabilities to Enable New Discoveries Act” or the “AS-
4 CEND 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 Earth remote sensing data and im-
21 agery to federally funded researchers.

22 (b) **COMMERCIAL SATELLITE DATA ACQUISITION**
23 **PROGRAM.**—

1 “(A) procure commercial Earth remote
2 sensing data and imagery from commercial ven-
3 dors to advance scientific research and applica-
4 tions for the purpose set forth in subsection (a);
5 and

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

12 “(2) ACQUISITION FROM UNITED STATES VEN-
13 DORS.—The commercial Earth remote sensing data
14 and imagery procured under this subsection shall be
15 procured, to the maximum extent practicable, from
16 United States vendors.

17 “(d) REPORT.—Not later than 180 days after the
18 date of the enactment of this section, and annually there-
19 after, the Administrator shall submit to the Committee on
20 Commerce, Science, and Transportation of the Senate and
21 the Committee on Science, Space, and Technology of the
22 House of Representatives a report that includes the fol-
23 lowing:

24 “(1)(A) In the case of the initial report, a list
25 of all vendors that are providing commercial Earth

1 remote sensing data and imagery to NASA as of the
2 date of the report.

3 “(B) For each subsequent report, a list of all
4 vendors that have provided commercial Earth remote
5 sensing data and imagery to NASA during the re-
6 porting period.

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

9 “(3) A description of the manner in which each
10 such vendor is advancing scientific research and ap-
11 plications, including priorities recommended by the
12 National Academies of Sciences, Engineering, and
13 Medicine decadal surveys.

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

19 “(e) DEFINITION OF UNITED STATES VENDOR.—In
20 this section, the term ‘United States vendor’ means a com-
21 mercial or nonprofit entity incorporated in the United
22 States.”.

23 (2) CLERICAL AMENDMENT.—The table of con-
24 tents for chapter 603 of title 51, United States

- 1 Code, is amended by adding at the end the following
- 2 new item:

“60307. Commercial Satellite Data Acquisition Program.”.