

Calendar No. 173

119TH CONGRESS
1ST SESSION

S. 1437

[Report No. 119–68]

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

APRIL 10, 2025

Mr. HICKENLOOPER (for himself and Mr. CORNYN) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

SEPTEMBER 29, 2025

Reported by Mr. CRUZ, with an amendment

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

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 Ca-
 5 pabilities to Enable New Discoveries Act” or the “AS-
 6 CEND Act”.

7 **SEC. 2. COMMERCIAL SATELLITE DATA.**

8 (a) FINDINGS.—Congress makes the following find-
 9 ings:

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

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

1 sensing data, services, distribution, and applications
2 from a commercial provider.

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

8 ~~(4) The Administrator of NASA has—~~

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

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

17 ~~(C) increased the number of commercial~~
18 ~~vendors and commercial data products available~~
19 ~~through such pilot program; and~~

20 ~~(D) expanded procurement arrangements~~
21 ~~with commercial vendors to broaden user access~~
22 ~~to provide Earth remote sensing data and im-~~
23 ~~agery to federally funded researchers.~~

24 ~~(b) COMMERCIAL SATELLITE DATA ACQUISITION~~
25 ~~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 commercial Earth observation data and imagery in order
 10 to satisfy the scientific, operational, and educational re-
 11 quirements of the Administration, and where appropriate,
 12 of other Federal agencies and scientific researchers.

13 ~~“(b) DATA PUBLICATION AND TRANSPARENCY.—~~The
 14 terms and conditions of commercial Earth remote sensing
 15 data and imagery acquisitions under the program de-
 16 scribed in subsection (a) shall not prevent—

17 ~~“(1) the publication of commercial data or im-~~
 18 ~~agery for scientific purposes; or~~

19 ~~“(2) the publication of information that is de-~~
 20 ~~rived from, incorporates, or enhances the original~~
 21 ~~commercial data or imagery of a vendor.~~

22 ~~“(c) AUTHORIZATION.—~~

23 ~~“(1) IN GENERAL.—~~In carrying out the pro-
 24 gram under this section, the Administrator may—

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.”.

3 **SECTION 1. SHORT TITLE.**

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

7 **SEC. 2. COMMERCIAL SATELLITE DATA.**

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

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

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

(3) *After the completion of the Private-Sector Small Constellation Satellite Data Product Pilot launch in 2017, the Administrator of NASA established the Commercial SmallSat Data Acquisition Pilot Program in 2019 to identify, evaluate, validate, and acquire from commercial sources data that support the Earth science research and application goals.*

(4) *The Administrator of NASA has—*

(A) *determined that the pilot program described in paragraph (3) has been a success, as described in the final evaluation entitled “Commercial SmallSat Data Acquisition Program Pilot Evaluation Report” issued in 2020;*

(B) *established a formal process for evaluating and onboarding new commercial vendors in such pilot program;*

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

(D) *expanded procurement arrangements with commercial vendors to broaden user access to provide Earth remote sensing data and imagery to federally funded researchers.*

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

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

4 **“§ 60307. Commercial Satellite Data Acquisition Pro-**
 5 **gram**

6 “(a) *IN GENERAL.*—The Administrator shall establish
 7 *within the Earth Science Division of the Science Mission*
 8 *Directorate a program, to be known as the ‘Commercial*
 9 *Satellite Data Acquisition Program’, to cost-effectively ac-*
 10 *quire and disseminate commercial Earth observation data*
 11 *and imagery in order to complement the scientific, oper-*
 12 *ational, and educational requirements of the Administra-*
 13 *tion, and where appropriate, of other Federal agencies and*
 14 *scientific researchers.*

15 “(b) *DATA PUBLICATION AND ACCESSIBILITY.*—The
 16 *terms and conditions of commercial Earth remote sensing*
 17 *data and imagery acquisitions under the program described*
 18 *in subsection (a) shall not prevent—*

19 “(1) *the publication of commercial data or im-*
 20 *agery in academic or scientific articles, papers, or*
 21 *other similar publications for scientific purposes; or*

22 “(2) *the publication, in academic or scientific*
 23 *articles, papers, or other similar publications, of in-*
 24 *formation that is derived from, incorporates, or en-*

1 *hances the original commercial data or imagery of a*
2 *vendor.*

3 “(c) *AUTHORIZATION.*—

4 “(1) *IN GENERAL.*—*In carrying out the program*
5 *under this section, the Administrator may—*

6 “(A) *procure commercial Earth remote sens-*
7 *ing data and imagery from commercial vendors*
8 *to advance scientific research and applications*
9 *for the purpose set forth in subsection (a); and*

10 “(B) *establish or modify end-use license*
11 *terms and conditions to allow for the widest pos-*
12 *sible use of procured commercial Earth remote*
13 *sensing data and imagery by individuals other*
14 *than NASA-funded users, consistent with the*
15 *goals of the program.*

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

21 “(d) *REPORT.*—*Not later than 180 days after the date*
22 *of the enactment of this section, and annually thereafter,*
23 *the Administrator shall submit to the Committee on Com-*
24 *merce, Science, and Transportation of the Senate and the*

1 *Committee on Science, Space, and Technology of the House*
2 *of Representatives a report that includes the following:*

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

7 “(B) *For each subsequent report, a list of all*
8 *vendors that have provided commercial Earth remote*
9 *sensing data and imagery to NASA during the re-*
10 *porting period.*

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

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

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

23 “(e) *DEFINITION OF UNITED STATES VENDOR.—In*
24 *this section, the term ‘United States vendor’ means a com-*

1 *mercial or nonprofit entity incorporated in the United*
2 *States.”.*

3 (2) *CLERICAL AMENDMENT.—The table of con-*
4 *tents for chapter 603 of title 51, United States Code,*
5 *is amended by adding at the end the following new*
6 *item:*

“60307. Commercial Satellite Data Acquisition Program.”.

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