AMENDMENT TO THE AMENDMENT IN THE
NATURE OF A SUBSTITUTE TO H.R. 5781
OFFERED BY MR. BABIN OF TEXAS

Page 34, line 3, redesignate section 9 as section 10.

Page 34, after line 2, insert the following:

SEC. 9. ACQUISITION OF COMMERCIAL DATA.

Section 60131(b) of title 51, United States Code, is amended by adding at the end the following:

“(3) ACQUISITION OF COMMERCIAL DATA.—

“(A) DEFINITION OF COMMERCIAL DATA.—In this section, the term "commercial data" includes data derived from space-based or airborne systems concerning —

“(i) the location, movement, and physical characteristics of wildfires;

“(ii) communications, information technology, and tracking technology in wildfire operations; and

“(iii) wildfire emissions and ambient monitoring.

“(B) ACQUISITION FROM COMMERCIAL PROVIDERS.—The Secretary of Agriculture and
the Secretary of the Interior shall, to the extent possible and while satisfying requirements of the Administration, and where appropriate, of other Federal agencies, acquire, where cost effective, commercial data from multiple commercial providers.

“(C) TREATMENT OF COMMERCIAL DATA AS COMMERCIAL PRODUCT OR COMMERCIAL SERVICE UNDER ACQUISITION LAWS.—Acquisitions shall be carried out in accordance with applicable acquisition laws and regulations (including chapters 137 and 140 of title 10). For purposes of such law and regulations, space science data shall be considered to be a commercial product or commercial service. Nothing in this subsection shall be construed to preclude the United States from acquiring, through contracts with commercial providers, sufficient rights in data to meet the needs of the scientific or the needs of other government activities.

“(D) SAFETY STANDARDS.—Nothing in this section shall be construed to prohibit the Federal Government from requiring compliance with applicable safety standards.
“(E) LIMITATION.—This section does not authorize the Administration to provide financial assistance for the development of commercial systems for the collection of data.”.