

119TH CONGRESS
1ST SESSION

H. R. 390

To utilize the Advanced Capabilities for Emergency Response to Operations project of NASA to improve aerial responses to wildfires, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 14, 2025

Mr. FONG (for himself and Ms. McCLELLAN) introduced the following bill;
which was referred to the Committee on Science, Space, and Technology

A BILL

To utilize the Advanced Capabilities for Emergency Response to Operations project of NASA to improve aerial responses to wildfires, 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 “Advanced Capabilities
5 for Emergency Response Operations Act” or the “ACERO
6 Act”.

1 **SEC. 2. ADVANCED CAPABILITIES FOR EMERGENCY RE-**
2 **SPONSE OPERATIONS.**

3 (a) IN GENERAL.—The Administrator shall leverage
4 NASA-developed tools and technologies to conduct re-
5 search and development activities under the Advanced Ca-
6 pabilities for Emergency Response Operations (ACERO)
7 project to improve aerial responses to wildfires.

8 (b) GOALS.—The research and development activities
9 conducted under subsection (a) shall, to the extent prac-
10 ticable, address the following:

11 (1) Advanced aircraft technologies and airspace
12 management efforts to assist in the management,
13 deconfliction, and coordination of aerial assets dur-
14 ing wildfire response efforts.

15 (2) Information sharing and real-time data ex-
16 change for wildfire response teams.

17 (3) Development of an interoperable platform to
18 provide situational awareness of aerial assets during
19 wildfire response.

20 (4) Establishment of a multi-agency concept of
21 operations, which may involve Federal, State, and
22 local government agencies, to enable coordination of
23 aerial activities for wildfire response.

24 (c) COLLABORATION.—In carrying out this section,
25 the Administrator—

1 (1) may coordinate and collaborate with other
2 Federal, State, and local government agencies, re-
3 gional organizations, and commercial partners and
4 academic institutions involved in wildfire manage-
5 ment; and

6 (2) shall, to the maximum extent practicable,
7 consult with the heads of other Federal departments
8 and agencies to avoid duplication of activities.

9 (d) PROHIBITION.—

10 (1) IN GENERAL.—Except as provided in this
11 subsection, the Administrator may not procure an
12 unmanned aircraft system to conduct activities de-
13 scribed in this section if such unmanned aircraft sys-
14 tem is manufactured or assembled by a covered for-
15 eign entity.

16 (2) EXEMPTION.—The Administrator may
17 waive the prohibition under paragraph (1) on a case-
18 by-case basis if the Administrator—

19 (A) determines that the procurement of an
20 unmanned aircraft system is—

21 (i) in the national interest of the
22 United States; and

23 (ii) necessary for the sole purpose of
24 improving aerial responses to wildfires; and

1 (B) notifies the Committee on Science,
2 Space, and Technology of the House of Rep-
3 resentatives and the Committee on Commerce,
4 Science, and Transportation of the Senate not
5 later than 30 days after a determination in the
6 affirmative under subparagraph (A).

7 (e) ANNUAL REPORTS.—Not later than one year
8 after the date of the enactment of this Act and annually
9 thereafter until December 31, 2030, the Administrator
10 shall submit to the Committee on Science, Space and
11 Technology of the House of Representatives and the Com-
12 mittee on Commerce, Science, and Transportation of the
13 Senate a report describing the activities, including results,
14 carried out pursuant to this section. Each such report, at
15 minimum, shall contain the following:

16 (1) A description of any research and develop-
17 ment activities.

18 (2) A description of the Administrator’s activi-
19 ties pursuant to subsection (c).

20 (3) An assessment of the effectiveness of such
21 activities in preventing injuries and loss of life, pro-
22 tecting property, and reducing economic damage.

23 (4) An identification of any topics related to
24 improvement of aerial responses to wildfires that
25 could benefit from further research.

1 (5) A description of any continuing efforts
2 under this section.

3 (6) Any other information determined appro-
4 priate by the Administrator.

5 (f) AUTHORIZATION OF APPROPRIATIONS.—There is
6 authorized to be appropriated \$15,000,000 for fiscal year
7 2026 to carry out this section.

8 (g) DEFINITIONS.—In this section:

9 (1) ADMINISTRATOR.—The term “Adminis-
10 trator” means the Administrator of the National
11 Aeronautics and Space Administration.

12 (2) COVERED FOREIGN ENTITY.—The term
13 “covered foreign entity” has the meaning given such
14 term in section 1822 of the National Defense Au-
15 thorization Act for Fiscal Year 2024 (Public Law
16 118–31).

17 (3) NASA.—The term “NASA” means the Na-
18 tional Aeronautics and Space Administration.

19 (4) UNMANNED AIRCRAFT SYSTEM.—The term
20 “unmanned aircraft system” has the meaning given
21 such term in section 44801 of title 49, United
22 States Code.

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