

**AMENDMENT IN THE NATURE OF A SUBSTITUTE**  
**TO H.R. 390**  
**OFFERED BY MR. FONG OF CALIFORNIA**

Strike all after the enacting clause and insert the following:

**1 SECTION 1. SHORT TITLE.**

2       This Act may be cited as the “Advanced Capabilities  
3 for Emergency Response Operations Act” or the “ACERO  
4 Act”.

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

7       (a) IN GENERAL.—The Administrator shall leverage  
8 NASA-developed tools and technologies to conduct re-  
9 search and development activities under the Advanced Ca-  
10 pabilities for Emergency Response Operations (ACERO)  
11 project, or appropriate successor project or projects, to im-  
12 prove aerial responses to wildfires.

13       (b) GOALS.—The research and development activities  
14 conducted under subsection (a) may include the following:

15           (1) Advanced aircraft technologies and airspace  
16 management efforts to assist in the management,  
17 deconfliction, and coordination of aerial assets dur-  
18 ing wildfire response efforts.

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

3           (3) Development of an interoperable platform to  
4           provide situational awareness of aerial assets during  
5           wildfire response.

6           (4) Establishment of a multi-agency concept of  
7           operations, which may involve Federal, State, and  
8           local government agencies, to enable coordination of  
9           aerial activities for wildfire response.

10          (c) COLLABORATION.—In carrying out this section,  
11          the Administrator—

12               (1) may coordinate and collaborate with other  
13               Federal, State, and local government agencies, re-  
14               gional organizations, and commercial partners and  
15               academic institutions involved in wildfire manage-  
16               ment; and

17               (2) shall, to the maximum extent practicable,  
18               consult with the heads of other Federal departments  
19               and agencies to avoid duplication of activities.

20          (d) PROHIBITION.—

21               (1) IN GENERAL.—Except as provided in this  
22               subsection, the Administrator may not procure an  
23               unmanned aircraft system to conduct activities de-  
24               scribed in this section if such unmanned aircraft sys-

1       tem is manufactured or assembled by a covered for-  
2       eign entity.

3           (2)   EXEMPTION.—The Administrator may  
4       waive the prohibition under paragraph (1) on a case-  
5       by-case basis if the Administrator—

6                   (A) determines that the procurement of an  
7       unmanned aircraft system is—

8                           (i) in the national interest of the  
9       United States; and

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

12           (B) notifies the Committee on Science,  
13       Space, and Technology of the House of Rep-  
14       resentatives and the Committee on Commerce,  
15       Science, and Transportation of the Senate not  
16       later than 30 days after a determination in the  
17       affirmative under subparagraph (A).

18       (e) ANNUAL REPORTS.—Not later than one year  
19       after the date of the enactment of this Act and annually  
20       thereafter until December 31, 2030, the Administrator  
21       shall submit to the Committee on Science, Space and  
22       Technology of the House of Representatives and the Com-  
23       mittee on Commerce, Science, and Transportation of the  
24       Senate a report describing the activities, including results,

1 carried out pursuant to this section. Each such report, at  
2 minimum, shall contain the following:

3 (1) A description of any research and develop-  
4 ment activities.

5 (2) A description of the Administrator's activi-  
6 ties pursuant to subsection (c).

7 (3) An identification of any topics related to  
8 improvement of aerial responses to wildfires that  
9 could benefit from further research.

10 (4) A description of any continuing efforts  
11 under this section.

12 (5) Any other information determined appro-  
13 priate by the Administrator.

14 (f) DEFINITIONS.—In this section:

15 (1) ADMINISTRATOR.—The term “Adminis-  
16 trator” means the Administrator of the National  
17 Aeronautics and Space Administration.

18 (2) COVERED FOREIGN ENTITY.—The term  
19 “covered foreign entity” has the meaning given such  
20 term in section 1822 of the National Defense Au-  
21 thorization Act for Fiscal Year 2024 (Public Law  
22 118–31).

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

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

Amend the title so as to read: “A bill To utilize the  
Advanced Capabilities for Emergency Response to Oper-  
ations project of NASA to improve aerial responses to  
wildfires, and for other purposes.”.

