

**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:

1 SEC. 9. ACQUISITION OF COMMERCIAL DATA.

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

4 “(3) ACQUISITION OF COMMERCIAL DATA.—

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

9 “(i) the location, movement, and phys-
10 ical characteristics of wildfires;

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

14 “(iii) wildfire emissions and ambient
15 monitoring.

16 “(B) ACQUISITION FROM COMMERCIAL
17 PROVIDERS.—The Secretary of Agriculture and

1 the Secretary of the Interior shall, to the extent
2 possible and while satisfying requirements of
3 the Administration, and where appropriate, of
4 other Federal agencies, acquire, where cost ef-
5 fective, commercial data from multiple commer-
6 cial providers.

7 “(C) TREATMENT OF COMMERCIAL DATA
8 AS COMMERCIAL PRODUCT OR COMMERCIAL
9 SERVICE UNDER ACQUISITION LAWS.—Acquisi-
10 tions shall be carried out in accordance with ap-
11 plicable acquisition laws and regulations (in-
12 cluding chapters 137 and 140 of title 10). For
13 purposes of such law and regulations, space
14 science data shall be considered to be a com-
15 mercial product or commercial service. Nothing
16 in this subsection shall be construed to preclude
17 the United States from acquiring, through con-
18 tracts with commercial providers, sufficient
19 rights in data to meet the needs of the scientific
20 or the needs of other government activities.

21 “(D) SAFETY STANDARDS.—Nothing in
22 this section shall be construed to prohibit the
23 Federal Government from requiring compliance
24 with applicable safety standards.

1 “(E) LIMITATION.—This section does not
2 authorize the Administration to provide finan-
3 cial assistance for the development of commer-
4 cial systems for the collection of data.”.

