

(Added Pub. L. 114-90, title II, §201(a), Nov. 25, 2015, 129 Stat. 719.)

### Editorial Notes

#### REFERENCES IN TEXT

The date of enactment of the U.S. Commercial Space Launch Competitiveness Act, referred to in subsec. (a), is the date of enactment of Pub. L. 114-90, which was approved Nov. 25, 2015.

### SUBCHAPTER IV—RESEARCH, DEVELOPMENT, AND DEMONSTRATION

#### § 60131. Continued Federal research and development

(a) ROLES OF ADMINISTRATION AND DEPARTMENT OF DEFENSE.—

(1) IN GENERAL.—The Administrator and the Secretary of Defense are directed to continue and to enhance programs of remote sensing research and development.

(2) ADMINISTRATION ACTIVITIES AUTHORIZED AND ENCOURAGED.—The Administrator is authorized and encouraged to—

(A) conduct experimental space remote sensing programs (including applications demonstration programs and basic research at universities);

(B) develop remote sensing technologies and techniques, including those needed for monitoring the Earth and its environment; and

(C) conduct such research and development in cooperation with other United States Government agencies and with public and private research entities (including private industry, universities, non-profit organizations, State and local governments, foreign governments, and international organizations) and to enter into arrangements (including joint ventures) which will foster such cooperation.

(b) ROLES OF DEPARTMENT OF AGRICULTURE AND DEPARTMENT OF THE INTERIOR.—

(1) IN GENERAL.—In order to enhance the ability of the United States to manage and utilize its renewable and nonrenewable resources, the Secretary of Agriculture and the Secretary of the Interior are authorized and encouraged to conduct programs of research and development in the applications of remote sensing using funds appropriated for such purposes.

(2) ACTIVITIES THAT MAY BE INCLUDED.—Such programs may include basic research at universities, demonstrations of applications, and cooperative activities involving other Government agencies, private sector parties, and foreign and international organizations.

(c) ROLE OF OTHER FEDERAL AGENCIES.—Other United States Government agencies are authorized and encouraged to conduct research and development on the use of remote sensing in the fulfillment of their authorized missions, using funds appropriated for such purposes.

(Pub. L. 111-314, §3, Dec. 18, 2010, 124 Stat. 3417.)

#### HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
60131 .....	15 U.S.C. 5631.	Pub. L. 102-555, title III, §301, Oct. 28, 1992, 106 Stat. 4174.

#### § 60132. Availability of federally gathered unenhanced data

(a) IN GENERAL.—All unenhanced land remote sensing data gathered and owned by the United States Government, including unenhanced data gathered under the technology demonstration program carried out pursuant to section 60133 of this title, shall be made available to users in a timely fashion.

(b) PROTECTION FOR COMMERCIAL DATA DISTRIBUTOR.—The President shall seek to ensure that unenhanced data gathered under the technology demonstration program carried out pursuant to section 60133 of this title shall, to the extent practicable, be made available on terms that would not adversely affect the commercial market for unenhanced data gathered by the Landsat 6 spacecraft.

(Pub. L. 111-314, §3, Dec. 18, 2010, 124 Stat. 3417.)

#### HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
60132 .....	15 U.S.C. 5632.	Pub. L. 102-555, title III, §302, Oct. 28, 1992, 106 Stat. 4174.

In subsection (b), the word “affect” is substituted for “effect” to correct an error in the law.

#### § 60133. Technology demonstration program

(a) ESTABLISHMENT.—As a fundamental component of a national land remote sensing strategy, the President shall establish, through appropriate United States Government agencies, a technology demonstration program. The goals of the program shall be to—

(1) seek to launch advanced land remote sensing system components within 5 years after October 28, 1992;

(2) demonstrate within such 5-year period advanced sensor capabilities suitable for use in the anticipated land remote sensing program; and

(3) demonstrate within such 5-year period an advanced land remote sensing system design that could be less expensive to procure and operate than the Landsat system projected to be in operation through the year 2000, and that therefore holds greater potential for private sector investment and control.

(b) EXECUTION OF PROGRAM.—In executing the technology demonstration program, the President shall seek to apply technologies associated with United States National Technical Means of intelligence gathering, to the extent that such technologies are appropriate for the technology demonstration and can be declassified for such purposes without causing adverse harm to United States national security interests.

(c) BROAD APPLICATION.—To the greatest extent practicable, the technology demonstration program established under subsection (a) shall

be designed to be responsive to the broad civilian, national security, commercial, and foreign policy needs of the United States.

(d) **PRIVATE SECTOR FUNDING.**—The technology demonstration program under this section may be carried out in part with private sector funding.

(e) **LANDSAT PROGRAM MANAGEMENT COORDINATION.**—The Landsat Program Management shall have a coordinating role in the technology demonstration program carried out under this section.

(Pub. L. 111–314, §3, Dec. 18, 2010, 124 Stat. 3418.)

#### HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
60133 .....	15 U.S.C. 5633(a)–(e).	Pub. L. 102–555, title III, §303(a)–(e), Oct. 28, 1992, 106 Stat. 4174.

In subsection (a)(1), the date “October 28, 1992” is substituted for “the date of the enactment of this Act” to reflect the date of enactment of the Land Remote Sensing Policy Act of 1992 (Public Law 102–555, 106 Stat. 4163). At the end of paragraph (1), a semicolon is substituted for the period to correct an error in the law.

#### § 60134. Preference for private sector land remote sensing system

(a) **IN GENERAL.**—If a successor land remote sensing system to Landsat 7 can be funded and managed by the private sector while still achieving the goals stated in subsection (b) without jeopardizing the domestic, national security, and foreign policy interests of the United States, preference should be given to the development of such a system by the private sector without competition from the United States Government.

(b) **GOALS.**—The goals referred to in subsection (a) are—

(1) to encourage the development, launch, and operation of a land remote sensing system that adequately serves the civilian, national security, commercial, and foreign policy interests of the United States;

(2) to encourage the development, launch, and operation of a land remote sensing system that maintains data continuity with the Landsat system; and

(3) to incorporate system enhancements, including any such enhancements developed under the technology demonstration program under section 60133 of this title, which may potentially yield a system that is less expensive to build and operate, and more responsive to data users, than is the Landsat system otherwise projected to be in operation in the future.

(Pub. L. 111–314, §3, Dec. 18, 2010, 124 Stat. 3418.)

#### HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
60134(a) .....	15 U.S.C. 5641(c).	Pub. L. 102–555, title IV, §401(b), (c), Oct. 28, 1992, 106 Stat. 4176.
60134(b) .....	15 U.S.C. 5641(b).	

In subsection (b), in the matter before paragraph (1), the words “In carrying out subsection (a), the Landsat Program Management shall consider the ability of each

of the options to” are omitted as obsolete. The omitted words refer to section 401(a) of the Land Remote Sensing Policy Act of 1992 (15 U.S.C. 5641(a)), which required, within 5 years after October 28, 1992, the Landsat Program Management, in consultation with representatives of appropriate United States Government agencies, to assess and report to Congress on options for a successor land remote sensing system to Landsat 7.

In subsection (b)(3), the words “otherwise projected to be in operation in the future” are substituted for “projected to be in operation through the year 2000” to eliminate obsolete language.

#### SUBCHAPTER V—GENERAL PROVISIONS

#### § 60141. Nondiscriminatory data availability

(a) **IN GENERAL.**—Except as provided in subsection (b), any unenhanced data generated by the Landsat system or any other land remote sensing system funded and owned by the United States Government shall be made available to all users without preference, bias, or any other special arrangement (except on the basis of national security concerns pursuant to section 60146 of this title) regarding delivery, format, pricing, or technical considerations which would favor one customer or class of customers over another.

(b) **EXCEPTIONS.**—Unenhanced data generated by the Landsat system or any other land remote sensing system funded and owned by the United States Government may be made available to the United States Government and its affiliated users at reduced prices, in accordance with this chapter, on the condition that such unenhanced data are used solely for noncommercial purposes.

(Pub. L. 111–314, §3, Dec. 18, 2010, 124 Stat. 3419.)

#### HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
60141 .....	15 U.S.C. 5651.	Pub. L. 102–555, title V, §501, Oct. 28, 1992, 106 Stat. 4176.

#### § 60142. Archiving of data

(a) **PUBLIC INTEREST.**—It is in the public interest for the United States Government to—

(1) maintain an archive of land remote sensing data for historical, scientific, and technical purposes, including long-term global environmental monitoring;

(2) control the content and scope of the archive; and

(3) ensure the quality, integrity, and continuity of the archive.

(b) **ARCHIVING PRACTICES.**—The Secretary of the Interior, in consultation with the Landsat Program Management, shall provide for long-term storage, maintenance, and upgrading of a basic, global, land remote sensing data set (hereafter in this section referred to as the “basic data set”) and shall follow reasonable archival practices to ensure proper storage and preservation of the basic data set and timely access for parties requesting data.

(c) **DETERMINATION OF CONTENT OF BASIC DATA SET.**—In determining the initial content of, or in upgrading, the basic data set, the Secretary of the Interior shall—