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2015—Pub. L. 114-90, title II, §201(b), Nov. 25, 2015, 129 Stat. 719, added item 60126.

SUBCHAPTER I—GENERAL

§ 60101. Definitions

In this chapter:

(1) **COST OF FULFILLING USER REQUESTS.**—The term “cost of fulfilling user requests” means the incremental costs associated with providing product generation, reproduction, and distribution of unenhanced data in response to user requests and shall not include any acquisition, amortization, or depreciation of capital assets originally paid for by the United States Government or other costs not specifically attributable to fulfilling user requests.

(2) **DATA CONTINUITY.**—The term “data continuity” means the continued acquisition and availability of unenhanced data which are, from the point of view of the user—

(A) sufficiently consistent (in terms of acquisition geometry, coverage characteristics, and spectral characteristics) with previous Landsat data to allow comparisons for global and regional change detection and characterization; and

(B) compatible with such data and with methods used to receive and process such data.

(3) **DATA PREPROCESSING.**—The term “data preprocessing”—

(A) may include—

(i) rectification of system and sensor distortions in land remote sensing data as it is received directly from the satellite in preparation for delivery to a user;

(ii) registration of such data with respect to features of the Earth; and

(iii) calibration of spectral response with respect to such data; but

(B) does not include conclusions, manipulations, or calculations derived from such

data, or a combination of such data with other data.

(4) **LAND REMOTE SENSING.**—The term “land remote sensing” means the collection of data which can be processed into imagery of surface features of the Earth from an unclassified satellite or satellites, other than an operational United States Government weather satellite.

(5) **LANDSAT PROGRAM MANAGEMENT.**—The term “Landsat Program Management” means the integrated program management structure—

(A) established by, and responsible to, the Administrator and the Secretary of Defense pursuant to section 60111(a) of this title; and

(B) consisting of appropriate officers and employees of the Administration, the Department of Defense, and any other United States Government agencies the President designates as responsible for the Landsat program.

(6) **LANDSAT SYSTEM.**—The term “Landsat system” means Landsats 1, 2, 3, 4, 5, and 6, and any follow-on land remote sensing system operated and owned by the United States Government, along with any related ground equipment, systems, and facilities owned by the United States Government.

(7) **LANDSAT 6 CONTRACTOR.**—The term “Landsat 6 contractor” means the private sector entity which was awarded the contract for spacecraft construction, operations, and data marketing rights for the Landsat 6 spacecraft.

(8) **LANDSAT 7.**—The term “Landsat 7” means the follow-on satellite to Landsat 6.

(9) **NATIONAL SATELLITE LAND REMOTE SENSING DATA ARCHIVE.**—The term “National Satellite Land Remote Sensing Data Archive” means the archive established by the Secretary of the Interior pursuant to the archival responsibilities defined in section 60142 of this title.

(10) **NONCOMMERCIAL PURPOSES.**—The term “noncommercial purposes” means activities undertaken by individuals or entities on the condition, upon receipt of unenhanced data, that—

(A) such data shall not be used in connection with any bid for a commercial contract, development of a commercial product, or any other non-United States Government activity that is expected, or has the potential, to be profitmaking;

(B) the results of such activities are disclosed in a timely and complete fashion in the open technical literature or other method of public release, except when such disclosure by the United States Government or its contractors would adversely affect the national security or foreign policy of the United States or violate a provision of law or regulation; and

(C) such data shall not be distributed in competition with unenhanced data provided by the Landsat 6 contractor.

(11) **SECRETARY.**—The term “Secretary” means the Secretary of Commerce.

(12) **UNENHANCED DATA.**—The term “unenhanced data” means land remote sensing signals or imagery products that are unprocessed or subject only to data preprocessing.