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NATIONAL DEFENSE AUTHORIZATION ACT  
FOR FISCAL YEAR 2020

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CONFERENCE REPORT

TO ACCOMPANY

S. 1790



DECEMBER XX, 2019.—Ordered to be printed

## SUBTITLE D—UNITED STATES SPACE FORCE

### United States Space Force Act (secs. 951-961)

The Senate bill contained a series of provisions (sec. 1601-1608) that would establish the United States Space Force (USSF) within the Department of the Air Force and make changes to the organization of, authorities of, and acquisition associated with space forces assigned to the Department of Defense (DOD).

The House amendment contained a similar series of provisions (sec. 921-925) that would establish a U.S. Space Corps within the Department of the Air Force.

The Senate recedes with an amendment that would enact the United States Space Force Act. The amendment would modify title 10, United States Code, to establish the United States Space Force as an Armed Force within the Department of the Air Force. The amendment would make multiple technical and conforming changes necessary to fully establish the United States Space Force in title 10, United States Code.

The Space Force would include military personnel of the Air Force Space Command and other military personnel of the Air Force as assigned to the Space Force by the Secretary of the Air Force. The amendment would prohibit the authorization of additional military billets. The conferees expect that the Space Force would be supported by civilian personnel within the Department of the Air Force and by Air Force Reserve elements, as determined by the Secretary of the Air Force. The conferees direct the Secretary of the Air Force to provide to the congressional defense committees a total force management plan in support of the Space Force. The report shall be delivered not later than 90 days after the enactment of this Act.

The amendment would designate the commander of the Space Force as the Chief of Space Operations (CSO), appointed by the President and confirmed by the Senate. The CSO's rank would be that of general with a 4-year term of command. The CSO could be the incumbent Commander, Air Force Space Command, without further appointment. The CSO would report directly to the Secretary of the Air Force upon enactment of this Act. After 1 year, the CSO would be a member of the Joint Chiefs of Staff. The amendment would provide the Secretary of Defense with the temporary authority to establish a dual-hatted arrangement wherein the CSO, for the first year after enactment, would also serve as the Commander, U.S. Space Command (SPACECOM).

The conferees expect the Space Force and its supporting elements to be the exclusive source of personnel of the Department of the Air Force to be assigned, by the CSO, to the

National Reconnaissance Office (NRO), unless otherwise specified by the Secretary of the Air Force.

The amendment would establish the position of the Assistant Secretary of Defense (ASD) for Space Policy within the Office of the Secretary of Defense. The amendment would require the Secretary of Defense to seek to enter into an agreement with a Federally Funded Research and Development Center (FFRDC) to develop recommendations on the appropriate elements of the Office of the ASD for Space Policy, including, in particular, whether to include space capabilities and programs currently assigned to the Office of the Under Secretary of Defense for Intelligence or in the Military Intelligence Program. The Secretary would submit to the congressional defense committees such recommendations, together with an assessment of those recommendations, not later than 180 after the date of the enactment of this Act.

The amendment would rename the Principal Assistant to the Secretary of the Air Force for Space as the Assistant Secretary for Space Acquisition and Integration (ASAF/SP), who would report directly to the Secretary of the Air Force and serve as the senior architect for space systems and programs across the Department of Defense, providing advice to the service acquisition executive (SAE) of the Air Force (the existing Assistant Secretary of the Air Force for Acquisition). The ASAF/SP would oversee and direct the Space Rapid Capabilities Office, the Space and Missile Systems Center, and the Space Development Agency, providing fiscal and strategic guidance to the organizations. Effective October 1, 2022, the ASAF/SP would also become the SAE for Space Systems and Programs, which would include all space acquisition activities within the Air Force. All space acquisition projects currently managed by the Assistant Secretary of the Air Force for Acquisition would be transitioned to the ASAF/SP in the role of SAE for Space Systems and Programs, therefore providing for two SAEs reporting to the Secretary of the Air Force. The ASAF/SP would require confirmation by the Senate for this additional role.

The conferees note that the Deputy Secretary of Defense did not submit to the congressional defense committees the plan required by section 1601(b) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115-232). Therefore, the conferees direct the Secretary of the Air Force to provide to the congressional defense committees a report on whether and, if so, how to implement an alternative acquisition system, due not later than March 31, 2020. The report should include an assessment of the feasibility of a new acquisition system specifically tailored for space systems and programs, including with respect to procuring space vehicles,

ground segments relating to such vehicles, and satellite terminals. The plan shall include recommendations with respect to whether the alternative acquisition system described in the plan should use the Joint Capabilities Integration and Development System process or instead use a new requirements process developed in a manner that ensures that requirements for a program are synchronized across the space vehicles and ground segments. It should also consider how such a system can achieve faster acquisition and more rapid fielding of critical systems, including by using new commercial capability. The conferees also direct the Secretary to submit, not later than 120 days after the enactment of this Act, to the congressional defense committees a report with recommendations on the integration of acquisition authority for the NRO into acquisition authority of the Air Force for space systems and programs.

The amendment would also establish a Space Force Acquisition Council (SAC) within the Office of the Secretary of the Air Force that would oversee, direct, and manage Air Force acquisitions for space in order to ensure integration across the national security space enterprise. The SAC would meet not less frequently than monthly. The amendment would establish the ASAF/SP as the chair of Council. The Under Secretary of the Air Force, the Director of the NRO, the CSO, the ASD for Space Policy and the Commander, SPACECOM, would also be members of the Council. The amendment would require the SAC to submit quarterly reports to the congressional defense committees through the first calendar year quarter of 2025 on the activities of the Council.

The conferees direct the Secretary of the Air Force and Secretary of Defense to submit the following reports and briefings to the congressional defense committees on the establishment of the United States Space Force:

(1) A report and accompanying briefing on a comprehensive plan for the organizational structure of the Space Force, to be submitted by the Secretary of the Air Force not later than February 1, 2020. The report should include the following elements:

(a) A detailed description of the structure and organizational elements required for the Space Force to perform its mission;

(b) A detailed description of the organization and staff required to support the CSO;

(c) A detailed explanation of the manner in which the Space Force is expected to affect the composition and function of current space elements of the Armed Forces;

(d) A description of the manner in which the Space Force will be organized, trained, and equipped; and

(e) A description of the manner in which the Space Force will coordinate with SPACECOM and other space elements of the Armed Forces;

(2) A report and accompanying briefing on the anticipated funding requirements for the establishment of the Space Force and for its operations and activities from fiscal year 2021 through fiscal year 2025, to be submitted by the Secretary of Defense not later than February 1, 2020. The report should include the budget activity, line number, line item, line item title, and a description of the requirements specific to the Space Force for each account of the following:

(a) Procurement accounts;

(b) Research, development, test, and evaluation accounts;

(c) Operation and maintenance accounts; and

(d) Military personnel accounts.

The report should also include, for each project under military construction accounts, the country, location, project title, and project amount by fiscal year, and, for any expenditures and proposed appropriations not included, an explanation with a level of detail at least equivalent to the level of detail provided in the future year's defense program submitted to Congress. The report may be submitted in unclassified form, but may include a classified annex;

(3) A report setting forth a comprehensive legislative proposal for amendments to the laws under the jurisdiction of the congressional defense committees to fully integrate the Space Force as an Armed Force, and the regular and reserve military and the civilian personnel of the Space Force, into current law, to be submitted by the Secretary of Defense not later than 60 days after the date of the enactment of this Act;

(4) A plan to ensure the quality of the military and civilian personnel of the Space Force, to include:

(a) Mechanisms to define career professional milestones and manage the career progression of members and civilian employees of the Space Force throughout their careers;

(b) Identification and establishment of space-related career fields;

(c) Pay and incentive structures;

(d) The management and oversight of the space cadre;

(e) Training relating to planning and executing warfighting missions and operations in space;

(f) Conducting periodic cadre-wide professional assessments to determine how the cadre is developing as a group;

(g) Establishing a centralized method to control personnel assignments and distribution;

(h) The identification of future space-related career fields that the Secretary determines appropriate, including a space acquisition career field; and

(i) Identification of overlap among the operations and acquisition career fields to identify opportunities for cross-functional careers.

The Secretary should submit to the congressional defense committees a report on such plan not later than 180 days after the date of the enactment of this Act.

The conferees also direct the Secretary of Defense, in coordination with the Director of National Intelligence, to submit to the congressional defense committees a report containing the results of a review on processes designed to achieve more effective integration of capabilities among the NRO, National Security Agency, National Geospatial Intelligence Agency (NGA), and SPACECOM for joint operations. This report should be submitted not later than 180 days after the enactment of this Act.

Finally, this amendment would limit the total amount of funds to be obligated and expended in fiscal year 2020 for the establishment of the Space Force to the amount requested for the Space Force in the President's budget request for fiscal year 2020. The amendment would require the Secretary of the Air Force to implement the establishment of the United States Space Force not later than 18 months after the date of the enactment of this Act. The amendment would also require the Secretary and the CSO to jointly provide to the congressional defense committees briefings on the status of the current missions, operations and activities, manpower requirements, budget and funding requirements, and implementation not later than 60 days after the date of the enactment of this Act and every 60 days thereafter until March 31, 2023.

The conferees note that nothing in this provision is intended to be construed as mandating any changes to the mission or operations of the NRO or NGA.