

network; pilot program for provision of satellite tracking support to entities outside United States Government.

2008—Subsec. (i). Pub. L. 110-417 substituted “September 30, 2010” for “September 30, 2009”.

2006—Subsec. (i). Pub. L. 109-364 substituted “may be conducted through September 30, 2009” for “shall be conducted during the three-year period beginning on a date specified by the Secretary of Defense, which date shall be not later than 180 days after the date of the enactment of this section”.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2009 AMENDMENT

Pub. L. 111-84, div. A, title IX, §912(c), Oct. 28, 2009, 123 Stat. 2431, provided that: “The amendments made by this section [amending this section] shall take effect on October 1, 2009, or the date of the enactment of this Act [Oct. 28, 2009], whichever is later.”

PROCESS AND PLAN FOR SPACE FORCE SPACE SITUATIONAL AWARENESS

Pub. L. 118-31, div. A, title XVI, §1609, Dec. 22, 2023, 137 Stat. 588, provided that:

“(a) IN GENERAL.—The Assistant Secretary of the Air Force for Space Acquisition and Integration, in consultation with Chief of Space Operations, shall—

“(1) establish a process to regularly identify and evaluate commercial space situational awareness capabilities, including the extent to which commercial space situational awareness data could meet needs of the Space Force with respect to maintaining situational awareness in space; and

“(2) develop and implement a plan to integrate the unified data library into the operational systems of the Space Force, including operational systems for space situational awareness and space command and control missions.

“(b) REPORT.—Not later than 180 days after the date of the enactment of this Act [Dec. 22, 2023], the Assistant Secretary of the Air Force for Space Acquisition and Integration shall submit to the congressional defense committees [Committees on Armed Services and Appropriations of the Senate and the House of Representatives] a report that includes a description of the process and plan developed under subsection (a).”

LIMITATION ON AVAILABILITY OF FUNDING FOR JOINT SPACE OPERATIONS CENTER MISSION SYSTEM

Pub. L. 115-91, div. A, title XVI, §1610, Dec. 12, 2017, 131 Stat. 1728, provided that:

“(a) LIMITATION.—Of the funds authorized to be appropriated by this Act [see Tables for classification] or otherwise made available for fiscal year 2018 for the Joint Space Operations Center mission system, not more than 75 percent may be obligated or expended until the date on which the Secretary of the Air Force certifies to the congressional defense committees [Committees on Armed Services and Appropriations of the Senate and the House of Representatives] that the Secretary has developed the plan under subsection (b).

“(b) PLAN.—The Secretary shall develop and implement a plan to operationalize existing commercial space situational awareness capabilities to address warfighter requirements, consistent with the best-in-breed concept. Except as provided by subsection (c), the Secretary shall commence such implementation by not later than May 30, 2018.

“(c) WAIVER.—The Secretary may waive the implementation of the plan developed under subsection (b) if the Secretary determines that existing commercial capabilities will not address national security requirements or existing space situational awareness capability gaps. The authority under this subsection may not be delegated below the Deputy Secretary of Defense.”

[§ 2275. Repealed. Pub. L. 118-159, div. A, title XVI, § 1603(b), Dec. 23, 2024, 138 Stat. 2160]

Section, added Pub. L. 112-239, div. A, title IX, §911(a), Jan. 2, 2013, 126 Stat. 1870; amended Pub. L. 113-291, div. A, title X, §1071(e)(3), Dec. 19, 2014, 128 Stat. 3509; Pub. L. 116-92, div. A, title IX, §902(29), Dec. 20, 2019, 133 Stat. 1546; Pub. L. 116-283, div. A, title XVIII, §§1845(c)(3), 1846(i)(5), Jan. 1, 2021, 134 Stat. 4247, 4252; Pub. L. 117-263, div. A, title XVI, §1603, Dec. 23, 2022, 136 Stat. 2930; Pub. L. 118-31, div. A, title XVIII, §1801(a)(21), Dec. 22, 2023, 137 Stat. 684, related to reports on integration of acquisition and capability delivery schedules for segments of major satellite acquisition programs and funding for such programs. See section 2275c of this title.

A prior section 2275, act Aug. 10, 1956, ch. 1041, 70A Stat. 126, which related to award of contracts and review of decisions, was repealed by Pub. L. 103-160, div. A, title VIII, §821(a)(1), Nov. 30, 1993, 107 Stat. 1704.

§ 2275a. Requirements for protection of satellites

(a) ESTABLISHMENT OF REQUIREMENTS.—Before a major satellite acquisition program achieves Milestone A approval, or equivalent, the Chief of Staff of the Space Force, in consultation with the Commander of the United States Space Command, shall establish requirements for the defense and resilience of the satellites under that program against the capabilities of adversaries to target, degrade, or destroy the satellites.

(b) DEFINITIONS.—In this section:

(1) The term “major satellite acquisition program” has the meaning given that term in section 2275 of this title.

(2) The term “Milestone A approval” has the meaning given that term in section 4251 of this title 10.

(Added Pub. L. 117-263, div. A, title XVI, §1601, Dec. 23, 2022, 136 Stat. 2929.)

§ 2275b. Requirements for appropriate classification guidance

(a) IN GENERAL.—Before a space major defense acquisition program achieves Milestone B approval, or equivalent, the milestone decision authority shall determine whether the classification guidance for the program remains appropriate and—

(1) if such guidance is determined to be appropriate, submit to the congressional defense committees a certification of such determination; or

(2) if such guidance is determined to be inappropriate, initiate an update to such guidance.

(b) DEFINITIONS.—In this section:

(1) The term “Milestone B approval” has the meaning given such term in section 4172(e)(7) of this title.

(2) The term “major defense acquisition program” has the meaning given such term in section 4201 of this title.

(3) The term “space major defense acquisition program” means a major defense acquisition program for the acquisition of a satellite, ground system, or command and control system.

(Added Pub. L. 118-31, div. A, title XVI, §1602, Dec. 22, 2023, 137 Stat. 584; amended Pub. L. 118-159, div. A, title XVII, §1701(a)(27), Dec. 23, 2024, 138 Stat. 2204.)

Editorial Notes

AMENDMENTS

2024—Pub. L. 118–159 struck out period at end of section catchline.

§ 2275c. Space Force satellite ground systems

(a) **REQUIREMENT.**—The Assistant Secretary of the Air Force for Space Acquisitions and Integration, acting as the service acquisition executive for the Air Force for space systems and programs, may not authorize a launch associated with a Space Force satellite acquisition program unless—

(1) the associated ground systems and modifications are completed and ready for operation at the time of the launch; and

(2) the applicable satellite capabilities may be used on completion of the launch.

(b) **WAIVER.**—(1) The Secretary of the Air Force may waive the requirement under subsection (a) if the Secretary determines that such waiver is necessary for reasons of national security.

(2) Not later than 10 days after making a waiver under paragraph (1), the Secretary shall notify the congressional defense committees of such waiver.

(Added Pub. L. 118–159, div. A, title XVI, § 1603(a), Dec. 23, 2024, 138 Stat. 2160.)

Editorial Notes

PRIOR PROVISIONS

Provisions requiring reports on integration of acquisition and capability delivery schedules for segments of major satellite acquisition programs and funding for such programs were contained in section 2275 of this title, prior to repeal by Pub. L. 118–159, div. A, title XVI, § 1603(b), Dec. 23, 2024, 138 Stat. 2160.

§ 2276. Commercial space launch cooperation

(a) **AUTHORITY.**—The Secretary of Defense may take such actions as the Secretary considers to be in the best interest of the Federal Government to—

(1) maximize the use of the capacity of the space transportation infrastructure of the Department of Defense by the private sector in the United States;

(2) maximize the effectiveness and efficiency of the space transportation infrastructure of the Department of Defense;

(3) reduce the cost of services provided by the Department of Defense related to space transportation infrastructure at launch support facilities and space recovery support facilities;

(4) encourage commercial space activities by enabling investment by covered entities in the space transportation infrastructure of the Department of Defense; and

(5) foster cooperation between the Department of Defense and covered entities.

(b) **AUTHORITY FOR CONTRACTS AND OTHER AGREEMENTS RELATING TO SPACE TRANSPORTATION INFRASTRUCTURE.**—The Secretary of Defense—

(1) may enter into an agreement with a covered entity to provide the covered entity with

support and services related to the space transportation infrastructure of the Department of Defense; and

(2) upon the request of such covered entity, may include such support and services in the space launch and reentry range support requirements of the Department of Defense if—

(A) the Secretary determines that the inclusion of such support and services in such requirements—

(i) is in the best interest of the Federal Government;

(ii) does not interfere with the requirements of the Department of Defense; and

(iii) does not compete with the commercial space activities of other covered entities, unless that competition is in the national security interests of the United States; and

(B) any commercial requirement included in the agreement has full non-Federal funding before the execution of the agreement.

(c) **CONTRIBUTIONS.**—

(1) **IN GENERAL.**—The Secretary of Defense may enter into an agreement with a covered entity on a cooperative and voluntary basis to accept contributions of funds, services, and equipment to carry out this section.

(2) **USE OF CONTRIBUTIONS.**—Any funds, services, or equipment accepted by the Secretary under this subsection—

(A) may be used only for the objectives specified in this section in accordance with terms of use set forth in the agreement entered into under this subsection; and

(B) shall be managed by the Secretary in accordance with regulations of the Department of Defense.

(3) **REQUIREMENTS WITH RESPECT TO AGREEMENTS.**—An agreement entered into with a covered entity under this subsection—

(A) shall address the terms of use, ownership, and disposition of the funds, services, or equipment contributed pursuant to the agreement; and

(B) shall include a provision that the covered entity will not recover the costs of its contribution through any other agreement with the United States.

(d) **DEFENSE COOPERATION SPACE LAUNCH ACCOUNT.**—

(1) **ESTABLISHMENT.**—There is established in the Treasury of the United States a special account to be known as the “Defense Cooperation Space Launch Account”.

(2) **CREDITING OF FUNDS.**—Funds received by the Secretary of Defense under subsection (c) shall be credited to the Defense Cooperation Space Launch Account.

(3) **USE OF FUNDS.**—Funds deposited in the Defense Cooperation Space Launch Account under paragraph (2) are authorized to be appropriated and shall be available for obligation only to the extent provided in advance in an appropriation Act for costs incurred by the Department of Defense in carrying out subsection (b). Funds in the Account shall remain available until expended.

[(e) Repealed. Pub. L. 115–232, div. A, title VIII, § 813(a)(2), Aug. 13, 2018, 132 Stat. 1851.]