



Photo by: SpaceX

Congress approved the Space Force. Now What?

BY Kaitlyn Johnson

HERE WE ARE, at the beginning of what will likely be a long and winding road for the Space Force. And it's exciting! Whether or not you thought the Space Force was the right organizational structure, or if this is the right time for a change, the Space Force is moving forward with the passing of the Fiscal Year 2020 National Defense Authorization Act (NDAA). The best next step is to support the servicemembers launching the new military service. While discussing important aspects of the new service, like culture, acquisition structure, and interoperability, will likely be overshadowed in the media by the less-important aspects (e.g., Netflix's Space Force series, rank structure, and uniforms), we first need to understand what the Congress agreed on – and what has been left out.

Earlier this year, I wrote about the similarities and differences between the legislative proposal submitted

by the Department of Defense, the NDAA language from the Senate, and the accompanying language from the House of Representatives. The main items of contention were:

1. Title 10 authorities;
2. The name of the new service and what to call its senior military leader; and
3. How space acquisition would be structured.

What was authorized in the Fiscal Year 2020 NDAA?

First and foremost, the U.S. Armed Forces will create a new military service for space with the full Title 10 authorities that give the legal backing for the new

Kaitlyn Johnson is the Associate Director of the Aerospace Security Project at the Center for Strategic and International Studies in Washington, D.C.

service to organize, train, and equip. Title 10 authority writes into law the legal responsibilities and organization of the services.¹ The U.S. Space Force will be the sixth armed force, and it will be under the Department of the Air Force, much like how the U.S. Marine Corps is within the Department of the Navy.

However, the Space Force is not being created from scratch. The already-existing Air Force Space Command – which includes “more than 26,000 space professionals world-wide” – will be redesignated as the U.S. Space Force and then elevated in its authorities and responsibilities through Title 10.² The NDAA details that the Space Force shall provide “freedom of operation for the United States in, from, and to space; and prompt and sustained space operations.”³ Furthermore, its core duties will be to “protect the interests of the United States in space; deter aggression in, from, and to space; and conduct space operations.”⁴

The Space Force will be led by the Chief of Space Operations, a four-star military servicemember who will, after the first year, permanently sit on the Joint Chiefs of Staff. Like the other service chiefs, this military general will be appointed by the President and approved by the Senate. The Chief of Space Operations will serve under the leadership and direction of the Secretary of the Air Force.

Notably, there is a provision in the bill allowing for the current Commander of U.S. Space Command, General Jay Raymond, to serve as interim-Chief of Staff of Space Operations for the first year.

Since the Space Force is being created from an already-existing organization in the Air Force and remains within the Department of the Air Force, the current Secretary of the Air Force, Barbara Barrett, is charged with the responsibility of assigning members from the Air Force to the Space Force. However, the Secretary is not authorized to create new military billets (positions) within the Space Force. This is likely due to Congress’

concern on keeping the costs minimal for the Space Force.

Unique to the Space Force will be the Space Force Acquisition Council. Created by Congress and not in the original DoD proposal, this is a clear attempt to sort out the complicated decision-making authorities in space acquisitions. The Council will be located within the Office of the Secretary of the Air Force and include: the Under Secretary of the Air Force; the Assistant Secretary of the Air Force for Space Acquisition and Integration (whom will act as the chair of the Council), the Assistant Secretary of Defense for Space Policy (an existing position that has been elevated with this NDAA), the Director of the National Reconnaissance Office, the Chief of Space Operations, and the Commander of U.S. Space Command. However, this council is eerily reminiscent of previous space council constructs, and it remains to be seen if adding an oversight board will help coordinate or further confuse military space acquisitions.

The Assistant Secretary of the Air Force for Space Acquisition and Integration position is also a redesignation of an already-existing position. This position will oversee (with direction from the Council) the Space and Missile Systems Center (SMC), the Space Rapid Capabilities Office (SpRCO), and the newly-created Space Development Agency (SDA). Likely a contested decision, this NDAA requires the transition of the SDA out from under the Under Secretary of Defense for Research and Engineering (USD R&D) and into the Space Force. Initial funding and activities will remain under USD R&E until FY 2022, when the organization will complete the transition into the Space Force. Eventually this position will serve as the Service Acquisition Executive of the Department of the Air Force for Space Systems and Programs. This position is a Senate-confirmed role. These changes in acquisition oversight favor the original Senate bill language, as the House bill did not provide a similar provision.

Importantly, the NDAA gives the Space Force acquisition independence. A key leader in the Air Force, Assistant Secretary of the Air Force for Acquisition, Technology and Logistics Will Roper, argued strongly to keep space acquisitions within the Air Force.⁵ However, Congress decided that the Space Force should be allowed to direct and manage its own space acquisition programs and have a separate acquisition executive focused exclusively on space systems.

In the table below, it is clear that the final NDAA language walked the line between the Senate and the House desires for the Space Force. While the decision on Title 10 authorities favored the House, many of the details of implementation favored the Senate, including the name of the new service and how space acquisition would be structured. ➔

	DoD Legislative Proposal	SASC FY20 NDAA	HASC FY20 NDAA	Final FY 2020 NDAA
Creates a new military department?	No	No	No	No
Creates a new service within the Air Force?	Yes	Yes*	Yes	Yes
Creates a new civilian space position in the Air Force	Yes, Under Secretary of the Air Force for Space	No	No	No, but it elevates an already-existing position as Assistant Secretary of the Air Force for Space Acquisition and Integration
Senior OSD civilian position	No	Elevates Deputy Assistant Secretary of Defense (DASD) for Space to be Assistant Secretary of Defense (ASD) for Space Policy	No	Yes, Elevates Deputy Assistant Secretary of Defense (DASD) for Space to be Assistant Secretary of Defense (ASD) for Space Policy
Military leadership	Chief of Staff and Vice Chief of Staff	Commander and Vice Commander	Commandant	Chief of Space Operations**
Representation on the Joint Chiefs of Staff	Yes	Yes	Yes	Yes, after first year

New civil service positions	Yes and gives greater flexibility for recruiting, hiring, and pay for civilians in the Space Force	No, transfers existing billets	No, transfers existing billets	Not addressed
New military positions	Yes, allows the Secretary of Defense to authorize new military positions for the Space Force	No, transfers existing billets	No, transfers existing billets	No, transfers existing billets
Includes NRO and other intelligence agencies?	No	No	No	No
Includes Army and Navy space components?	Yes	No	Not immediately but requires DoD to submit a report to Congress advising necessity	No, but does not prohibit it in the future
Includes National Guard and Reserve Components?	Included associated reservists, but left out the National Guard	Yes	Not addressed	Not addressed
Mentions the SDA?	No, but it established the SDA in parallel under USD/R&E	Yes	Yes	Yes, moves SDA from USD/R&E to the Space Force by FY 2022
Estimated Budget	Gives DoD authority to transfer funds and establish a headquarters for the Space Force	Intended to be budget neutral	Requires a report on the estimated funding requirements to establish and operate the Space Corps through the FYDP (2021-2025)	Authorizes \$72.4M for establishment of the Space Force***
New Service Transition Timeline	5 years from enactment	Not Addressed	December 30, 2023	Variable

* Unlike DoD's legislative proposal or HASC's amendment, SASC's NDAA markup does not overtly state that a new service is being established under Title X within the Department of the Air Force.

** For the first year, the Commander of U.S. Space Command will also serve as the Commander of the U.S. Space Force.

***While \$72.4M was authorized, the Appropriations Bill for Fiscal Year 2020 has only appropriated \$40M for Space Force.

Notes

1. Kaitlyn Johnson, "Space Force or Space Corps?" (Washington, D.C.: CSIS, June 2019), https://csis-prod.s3.amazonaws.com/s3fs-public/publication/190626_Johnson_SpaceForceLegislation_layout_v1.pdf.
2. "About Us" Air Force Space Command, <https://www.afspc.af.mil/About-Us/>.
3. National Defense Authorization Act for Fiscal Year 2020, 116th Congress, 1st Session, 904, <http://aerospace.csis.org/wp-content/uploads/2019/12/FY20-NDAA-Conference-Report.pdf>.
4. Ibid.
5. Sandra Erwin, "Air Force contends Space Force should not have separate acquisition office," Space News, September 4, 2019, <https://spacenews.com/air-force-contends-the-space-force-should-not-have-a-separate-acquisition-office/>.
6. The total Air Force budget includes both Air Force "blue" funding and the pass-through funding that goes to other agencies.

About CSIS

Established in Washington, D.C., over 50 years ago, the Center for Strategic and International Studies (CSIS) is a bipartisan, nonprofit policy research organization dedicated to providing strategic insights and policy solutions to help decisionmakers chart a course toward a better world.

In late 2015, Thomas J. Pritzker was named chairman of the CSIS Board of Trustees. Mr. Pritzker succeeded former U.S. senator Sam Nunn (D-GA), who chaired the CSIS Board of Trustees from 1999 to 2015. CSIS is led by John J. Hamre, president and chief executive officer since April 2000.

Founded in 1962 by David M. Abshire and Admiral Arleigh Burke, CSIS is one of the world's preeminent international policy institutions focused on defense and security; regional study; and transnational challenges ranging from energy and trade to global development and economic integration. For the past eight years consecutively, CSIS has been named the world's number one think tank for international security by the University of Pennsylvania's "GoTo Think Tank Index."

The Center's over 220 full-time staff and large network of affiliated scholars conduct research and analysis and develop policy initiatives that look to the future and anticipate change. CSIS is regularly called upon by Congress, the executive branch, and the media to explain the day's events and offer bipartisan recommendations to improve U.S. strategy.

CSIS does not take specific policy position; accordingly, all views expressed herein should be understood to be solely those of the author(s).