AMENDMENT TO H.R. 2500

OFFERED BY MR. COOPER OF TENNESSEE AND MR. ROGERS OF ALABAMA

At the appropriate place in title IX, add the following new sections:

SEC. 9___. ESTABLISHMENT OF UNITED STATES SPACE CORPS IN THE DEPARTMENT OF THE AIR FORCE.

(a) ESTABLISHMENT.—Part I of subtitle D of title 10, United States Code, is amended by adding at the end the following new chapter:

"CHAPTER 909—THE SPACE CORPS

"Sec.
"9091. Establishment of the Space Corps.
"9093. Commandant of the Space Corps.
"9095. Officer career field for space.

"§ 9091. Establishment of the Space Corps

"(a) ESTABLISHMENT.—There is established a United States Space Corps as an armed force within the Department of the Air Force.

"(b) COMPOSITION.—(1) The Space Corps shall be composed of the following:

"(A) The Commandant of the Space Corps.

1 "(B) The space forces and such assets as may
2 be organic therein.
3 "(2)(A) The space forces specified in paragraph
4 (1)(B) shall include the personnel and assets of the Air
5 Force transferred to the Space Corps pursuant to the Na-
6 tional Defense Authorization Act for Fiscal Year 2020.
7 "(B) The space forces specified in paragraph (1)(B)
8 may not include the personnel or assets of the National
9 Reconnaissance Office or the National Geospatial-Intel-
10 ligence Agency. Nothing in this section shall affect the au-
11 thorities, duties, or responsibilities of the Director of the
12 National Reconnaissance Office and the Director of the
13 National Geospatial-Intelligence Agency, including with
14 respect to the authority of each such Director to—
15 "(i) carry out the research, development, test,
16 and evaluation and procurement of satellites and
17 user satellite terminals of the Defense Agency of the
18 Director;
19 "(ii) operate such terminals; and
20 "(iii) develop requirements to ensure that the
21 space programs of the Department of Defense sup-
22 port the mission of the Director.
23 "(c) FUNCTIONS.—The Space Corps shall be orga-
24 nized, trained, and equipped to provide—

1 "(1) freedom of operation for the United States
2 in, from, and to space; and
3 "(2) prompt and sustained space operations.
4 "(d) DUTIES.—It shall be the duty of the Space
5 Corps to—
6 "(1) protect the interests of the United States
7 in space;
8 "(2) deter aggression in, from, and to space;
9 and
10 "(3) conduct space operations.
11 "(e) ACQUISITION SYSTEM.—(1) The Secretary of
12 the Air Force may establish a separate, alternative acqui-
13 sition system for defense space acquisitions, including with
14 respect to procuring space vehicles, ground segments re-
15 lating to such vehicles, and satellite terminals, pursuant
16 to the plan specified in paragraph (2).
17 "(2) The Deputy Secretary of Defense shall develop
18 the plan, and submit such plan to the congressional de-
19 fense committees, under section 1601(b) of the John S.
20 McCain National Defense Authorization Act for Fiscal
21 Year 2019 (Public Law 115–232; 132 Stat. 2103).
22 "(3) The alternative acquisition system under para-
23 graph (1) shall cover defense space acquisitions except
24 with respect to the National Reconnaissance Office and
25 other elements of the Department of Defense that are ele-

1 ments of the intelligence community (as defined in section
2 3 of the National Security Act of 1947 (50 U.S.C. 3003)).
3 "(f) PERSONNEL DEVELOPMENT.—(1) The Sec-
4 retary may ensure the quality of the members of the Space
5 Corps pursuant to the plan specified in paragraph (2) and
6 section 9095 of this title.
7 "(2) The Secretary shall develop the plan, and submit
8 such plan to the congressional defense committees, under
9 section 1601(c) of the John S. McCain National Defense
10 Authorization Act for Fiscal Year 2019 (Public Law 115–
11 232; 132 Stat. 2103).
12 "(3) In carrying out paragraph (1), the Secretary
13 shall address the following:
14 "(A) Managing the career progression of mem-
15 bers of the Space Corps and civilian employees of
16 the Space Corps throughout the military or civilian
17 career of the member or the employee, as the case
18 may be, including with respect to—
19 "(i) defining career professional mile-
20 stones;
21 "(ii) pay and incentive structures;
22 "(iii) the management and oversight of the
23 Space Corps;

"(iv) training relating to planning and executing warfighting missions and operations in space;

"(v) conducting periodic Space Corps-wide professional assessments to determine how the Space Corps is developing as a group; and

"(vi) establishing a centralized method to control personnel assignments and distribution.

"(B) The identification of future space-related career fields that the Secretary determines appropriate, including a space acquisition career field.

"(C) The identification of any overlap that exists among operations and acquisitions career fields to determine opportunities for cross-functional career opportunities.

"§ 9093. Commandant of the Space Corps

"(a) APPOINTMENT.—(1) There is a Commandant of the Space Corps, appointed by the President, by and with the advice and consent of the Senate, from the general officers of the Air Force. The Commandant serves at the pleasure of the President.

"(2) The Commandant shall be appointed for a term of four years. In time of war or during a national emergency declared by Congress, the Commandant may be reappointed for a term of not more than four years.

1 "(b) GRADE.—The Commandant, while so serving,
2 has the grade of general without vacating the permanent
3 grade of the officer.

4 "(c) RELATIONSHIP TO THE SECRETARY OF THE AIR
5 FORCE.—Except as otherwise prescribed by law and sub-
6 ject to section 9013(f) of this title, the Commandant per-
7 forms the duties of such position under the authority, di-
8 rection, and control of the Secretary of the Air Force and
9 is directly responsible to the Secretary.

10 "(d) DUTIES.—Subject to the authority, direction,
11 and control of the Secretary of the Air Force, the Com-
12 mandant shall—

13 "(1) exercise supervision, consistent with the
14 authority assigned to commanders of unified or spec-
15 ified combatant commands under chapter 6 of this
16 title, over such of the members and organizations of
17 the Space Corps as the Secretary determines; and

18 "(2) perform such other military duties, not
19 otherwise assigned by law, as are assigned to the
20 Commandant by the President, the Secretary of De-
21 fense, or the Secretary of the Air Force.

22 "(e) JOINT CHIEFS OF STAFF.—(1) The Com-
23 mandant shall also perform the duties prescribed for the
24 Commandant as a member of the Joint Chiefs of Staff
25 under section 151 of this title.

1 "(2) To the extent that such action does not impair
2 the independence of the Commandant in the performance
3 of the duties of the Commandant as a member of the Joint
4 Chiefs of Staff, the Commandant shall inform the Sec-
5 retary of the Air Force regarding military advice rendered
6 by members of the Joint Chiefs of Staff on matters affect-
7 ing the Department of the Air Force.
8 "(3) Subject to the authority, direction, and control
9 of the Secretary of Defense, the Commandant shall keep
10 the Secretary of the Air Force fully informed of significant
11 military operations affecting the duties and responsibilities
12 of the Secretary.".
13 (d) CONFORMING AMENDMENTS.—
14 (1) JOINT CHIEFS OF STAFF.—
15 (A) MEMBERSHIP.—Section 151(a) of title
16 10, United States Code, is amended—
17 (i) by redesignating paragraph (7) as
18 paragraph (8); and
19 (ii) by inserting after paragraph (6)
20 the following new paragraph:
21 "(7) The Commandant of the Space Corps.".
22 (B) APPOINTMENT.—Section 152(b)(1)(B)
23 of such title is amended by striking "or the
24 Commandant of the Marine Corps" and insert-

ing "the Commandant of the Marine Corps, or the Commandant of the Space Corps".

(2) OFFICER CAREERS.—Chapter 907 of such title is amended as follows:

(A) In section 9084, by striking "officers in the Air Force" and inserting "officers in the Space Corps".

(B) By transferring section 9084, as amended by subparagraph (A), to chapter 909 and redesignating such section as section 9095.

(C) In the table of sections, by striking the item relating to section 9084.

(3) SECRETARY OF THE AIR FORCE.—Section 9013 of such title is amended—

(A) in subsection (f), by inserting "and Space Corps" after "Officers of the Air Force"; and

(B) in subsection (g)(1), by inserting "and Space Corps" after "members of the Air Force".

(4) DEFINITIONS.—Section 101 of such title is amended—

(A) in subsection (a)—

(i) in paragraph (4), by inserting "Space Corps," after "Marine Corps,"; and

(ii) in paragraph (9)(C), by inserting "and the Space Corps" after "concerning the Air Force"; and

(B) in subsection (b)—

(i) in paragraph (4), by striking "or Marine Corps" and inserting "Marine Corps, or Space Corps"; and

(ii) in paragraph (13), by striking "or Marine Corps" and inserting "Marine Corps, or Space Corps".

(e) CLERICAL AMENDMENT.—The table of chapters for part I of subtitle D of title 10, United States Code, is amended by adding at the end the following new item:

"909. The Space Corps".

SEC. 9___. TRANSFER OF PERSONNEL, FUNCTIONS, AND ASSETS TO THE SPACE CORPS.

(a) TRANSFERS.—

(1) TRANSFER OF MILITARY PERSONNEL.—

(A) IN GENERAL.—The Secretary of the Defense shall, during the transition period, transfer all covered military personnel to the Space Corps.

1 (B) RETENTION IN GRADE AND STATUS.—
2 Covered military personnel transferred to the
3 Space Corps pursuant to subparagraph (A)
4 shall retain the grade and date of obtaining
5 such grade that the individual person had be-
6 fore the date of the transfer unless otherwise
7 altered or terminated in accordance with law.
8 (2) TRANSFER OF FUNCTIONS.—Except as oth-
9 erwise directed by the Secretary of the Defense, all
10 functions, assets, and obligations of the space ele-
11 ments of the Air Force (including all property,
12 records, installations, activities, facilities, agencies,
13 and projects of such elements) shall be transferred
14 to the Space Corps.
15 (b) CONFORMING REPEAL.—
16 (1) IN GENERAL.—Chapter 135 of title 10,
17 United States Code, is amended by striking section
18 2279c.
19 (2) CLERICAL AMENDMENT.—The table of sec-
20 tions at the beginning of such chapter is amended
21 by striking the item relating to section 2279c.
22 (3) EFFECTIVE DATE.—The amendments made
23 by paragraphs (1) and (2) shall take effect on the
24 date on which the transition period terminates, as
25 determined by the Secretary of Defense in accord-

1 ance with subsection (c), which date shall be not
2 later than December 30, 2023.
3 (c) NOTICE TO CONGRESS.—Not later than 30 days
4 before the date on which the transition period terminates,
5 the Secretary of Defense shall submit to the congressional
6 defense committees a certification that identifies the date
7 on which transition period will terminate.
8 (d) DEFINITIONS.—In this section:
9 (1) The term "covered military personnel"
10 means commissioned officers and enlisted members
11 of the space elements of the Air Force who are as-
12 signed to such elements as of the date on which such
13 officers and members are transferred under sub-
14 section (a)(1).
15 (2) The term "transition period" means a pe-
16 riod prescribed by the Secretary of Defense that—
17 (A) begins on January 1, 2021; and
18 (B) ends not later than December 30,
19 2023.
20 **SEC. 9___. REPORTS ON SPACE CORPS.**
21 (a) REPORT ON STRUCTURE OF SPACE CORPS.—
22 (1) IN GENERAL.—The Secretary of Defense
23 shall submit to the congressional defense committees
24 a report that includes a detailed plan for the organi-
25 zational structure of the Space Corps.

1 (2) ELEMENTS.—The report required under
2 paragraph (1) shall include—
3 (A) a detailed description of the structure
4 and organizational elements required for the
5 Space Corps to perform its mission;
6 (B) a detailed description of the organiza-
7 tion and staff required to support the Com-
8 mandant of the Space Corps;
9 (C) a detailed explanation of how establish-
10 ment of the Space Corps is expected to affect
11 the composition and function of the space ele-
12 ments of the Armed Forces;
13 (D) a description of how the Space Corps
14 will be organized, trained, and equipped;
15 (E) a description of how the Space Corps
16 will exercise acquisition authorities;
17 (F) a description of how the Space Corps
18 will coordinate with the United States Space
19 Command, the Space Development Agency, and
20 other space elements of the Armed Forces; and
21 (G) any other matters determined to be
22 appropriate by the Secretary.
23 (b) REPORT ON MILITARY PERSONNEL.—
24 (1) IN GENERAL.—The Secretary of Defense
25 shall submit to the congressional defense committees

1 a report on the military personnel requirements of
2 the Space Corps.
3 (2) ELEMENTS.—The report required under
4 paragraph (1) shall include—
5 (A) a detailed plan setting forth—
6 (i) the proposed military personnel
7 composition and structure of the Space
8 Corps; and
9 (ii) plans for the transfer or reassign-
10 ment of military personnel from the space
11 elements of the Armed Forces to the Space
12 Corps;
13 (B) the number of officer and enlisted per-
14 sonnel to be transferred or reassigned to the
15 Space Corps by functional area;
16 (C) a detailed description of the billet re-
17 quirements for the Space Corps, including the
18 staff organizational and rank structure; and
19 (D) the number of additional officer and
20 enlisted billets that will be required for the
21 Space Corps and a description of such billets.
22 (c) REPORT ON CIVILIAN PERSONNEL.—
23 (1) IN GENERAL.—The Secretary of Defense
24 shall submit to the congressional defense committees

1 a report on the civilian personnel requirements of
2 the Space Corps.
3 (2) ELEMENTS.—The report required under
4 paragraph (1) shall include—
5 (A) an assessment of the projected size of
6 the civilian workforce of the Space Corps in fis-
7 cal year 2021 and in each fiscal year covered by
8 the most recent future-years defense program
9 submitted to Congress under section 221 of
10 title 10, United States Code;
11 (B) a detailed explanation of any projected
12 changes to the size of the civilian workforce of
13 the Space Corps from year-to-year; and
14 (C) a detailed plan for the transfer of civil-
15 ian personnel from the space elements of the
16 Armed Forces to the Space Corps.
17 (d) REPORT ON TRANSFER OF FUNCTIONS AND AS-
18 SETS.—
19 (1) IN GENERAL.—The Secretary of Defense
20 shall submit to the congressional defense committees
21 a report includes a detailed plan for the transfer of
22 the functions, assets, and obligations of the space
23 elements of the Armed Forces (including any prop-
24 erty, records, installations, activities, facilities, agen-

1 cies, and projects of such elements) to the Space
2 Corps in accordance with [section 9____].
3 (2) ELEMENTS.—The report required under
4 paragraph (1) shall include—
5 (A) a detailed list of the functions and as-
6 sets to be transferred;
7 (B) a justification for each transfer pro-
8 posed to be made under subparagraph (A);
9 (C) the location and value of each item
10 proposed to be transferred under subparagraph
11 (A); and
12 (D) the date on which each item is ex-
13 pected to be transferred.
14 (e) REPORT ON FUNDING REQUIREMENTS.—
15 (1) IN GENERAL.—The Secretary of Defense
16 shall submit to the congressional defense committees
17 a report on the funding requirements for the Space
18 Corps.
19 (2) ELEMENTS.—The report required under
20 paragraph (1) shall include a detailed estimate of
21 the funding that will be required to establish the
22 Space Corps and to conduct the activities and oper-
23 ations of the Corps, including estimated expendi-
24 tures and proposed appropriations for each of fiscal
25 years 2021 through 2025 as follows:

1 (A) With respect to procurement ac-
2 counts—
3 (i) amounts displayed by account,
4 budget activity, line number, line item, and
5 line item title; and
6 (ii) a description of the requirements
7 for each such amount specific to the Space
8 Corps.
9 (B) With respect to research, development,
10 test, and evaluation accounts—
11 (i) amounts displayed by account,
12 budget activity, line number, program ele-
13 ment, and program element title; and
14 (ii) a description of the requirements
15 for each such amount specific to the Space
16 Corps.
17 (C) With respect to operation and mainte-
18 nance accounts—
19 (i) amounts displayed by account title,
20 budget activity title, line number, and sub-
21 activity group title; and
22 (ii) a description of how such amounts
23 will specifically be used.
24 (D) With respect to military personnel ac-
25 counts—

1 (i) amounts displayed by account,
2 budget activity, budget sub-activity, and
3 budget sub-activity title; and
4 (ii) a description of the requirements
5 for each such amount specific to the Space
6 Corps.
7 (E) With respect to each project under
8 military construction accounts (including with
9 respect to unspecified minor military construc-
10 tion and amounts for planning and design), the
11 country, location, project title, and project
12 amount by fiscal year.
13 (F) With respect to any expenditures and
14 proposed appropriations not included the mate-
15 rials submitted under subparagraphs (A)
16 through (E), an explanation with a level of de-
17 tail equivalent to or greater than the level of de-
18 tail provided in the future-years defense pro-
19 gram submitted to Congress under section 221
20 of title 10, United States Code.
21 (3) FORM OF REPORT.—The report required by
22 paragraph (1) shall be submitted in unclassified
23 form, but may include a classified annex.
24 (f) DEADLINE FOR SUBMITTAL.—Each of the reports
25 required under subsections (a) through (e) shall be sub-

1 mitted to the congressional defense committees not later

2 than February 1, 2020.