''(2) The Comptroller General shall submit to the committees referred to in subsection (b) two reports on the review under paragraph (1), as follows:

''(A) Not later than June 15, 2004, the Comptroller General shall submit a report that assesses how effective that Department of Defense strategy and the efforts by the military departments, when implemented, are likely to be for developing the personnel required by each of the military departments who are expert in development of space doctrine and concepts of space operations, the development of space systems, and operation of space systems.

''(B) Not later than March 15, 2005, the Comptroller General shall submit a report that assesses, as of the date of the report—

''(i) the effectiveness of that Department of Defense strategy and the efforts by the military departments in developing the personnel required by each of the military departments who are expert in development of space doctrine and concepts of space operations, the development of space systems, and in operation of space systems; and

''(ii) progress made in integrating the space career fields of the military departments.''

COMPTROLLER GENERAL ASSESSMENT OF IMPLEMENTATION OF RECOMMENDATIONS OF SPACE COMMISSION

Pub. L. 107–107, div. A, title IX, § 914, Dec. 28, 2001, 115 Stat. 1197, directed the Comptroller General to carry out an assessment through Feb. 15, 2003, of the actions taken by the Secretary of Defense in implementing the recommendations in the report of the Space Commission submitted to Congress pursuant to Pub. L. 106–65, § 1623, formerly set out as a note under section 111 of this title, that were applicable to the Department of Defense, and to submit reports to committees of Congress, not later than Feb. 15, 2002, and Feb. 15, 2003, setting forth the results of the assessment.

§ 2272. Space science and technology strategy: coordination

(a) SPACE SCIENCE AND TECHNOLOGY STRATEGY.—(1) The Secretary of Defense and the Director of National Intelligence shall jointly develop and implement a space science and technology strategy and shall review and, as appropriate, revise the strategy annually. Functions of the Secretary under this subsection shall be carried out jointly by the Assistant Secretary of Defense for Research and Engineering and the official of the Department of Defense designated as the Department of Defense Executive Agent for Space.

(2) The strategy under paragraph (1) shall, at a minimum, address the following issues:

(A) Short-term and long-term goals of the space science and technology programs of the Department of Defense.

(B) The process for achieving the goals identified under subparagraph (A), including an implementation plan for achieving those goals.

(C) The process for assessing progress made toward achieving those goals.

(D) The process for transitioning space science and technology programs to new or existing space acquisition programs.

(3) The strategy under paragraph (1) shall be included as part of the annual National Security Space Plan developed pursuant to Department of Defense regulations and shall be provided to Department of Defense components and science and technology entities of the Department of Defense to support the planning, programming, and budgeting processes of the Department.

(4) The strategy under paragraph (1) shall be developed in consultation with the directors of research laboratories of the Department of Defense, the directors of the other Department of Defense research components, and the heads of other organizations of the Department of Defense as identified by the Assistant Secretary of Defense for Research and Engineering and the Department of Defense Executive Agent for Space.

(5) The Secretary of Defense and the Director of National Intelligence shall biennially submit the strategy developed under paragraph (1) to the congressional defense committees every other year on the date on which the President submits to Congress the budget for the next fiscal year under section 1105 of title 31.

(b) REQUIRED COORDINATION.—In carrying out the space science and technology strategy developed under subsection (a), the directors of the research laboratories of the Department of Defense, the directors of the other Department of Defense research components, and the heads of all other appropriate organizations identified jointly by the Assistant Secretary of Defense for Research and Engineerin and the Department of Defense Executive Agent for Space shall each—

(1) identify research projects in support of that strategy that contribute directly and uniquely to the development of space technology; and

(2) inform the Assistant Secretary of Defense for Research and Engineering and the Department of Defense Executive Agent for Space of the planned budget and planned schedule for executing those projects.

(c) DEFINITIONS.—In this section:

(1) The term ''research laboratory of the Department of Defense'' means any of the following:

(A) The Air Force Research Laboratory.

(B) The Naval Research Laboratory.

(C) The Office of Naval Research.

(D) The Army Research Laboratory.

(2) The term ''other Department of Defense research component'' means either of the following:

(A) The Defense Advanced Research Projects Agency.

(B) The National Reconnaissance Office.

(Added Pub. L. 108–136, div. A, title IX, § 911(a)(1), Nov. 24, 2003, 117 Stat. 1563; amended Pub. L. 111–84, div. A, title IX, § 911(a)(1)–(3), Oct. 28, 2009, 123 Stat. 2428, 2429; Pub. L. 111–383, div. A, title IX, § 901(j)(2), Jan. 7, 2011, 124 Stat. 4324.)

PRIOR PROVISIONS

A prior section 2272, act Aug. 10, 1956, ch. 1041, 70A Stat. 124, related to contracts to obtain designs submitted in design competitions, prior to repeal by Pub. L. 103–160, div. A, title VIII, § 821(a)(1), Nov. 30, 1993, 107 Stat. 1704.

AMENDMENTS

2011—Subsecs. (a), (b). Pub. L. 111–383 substituted ''Assistant Secretary of Defense for Research and Engineering'' for ''Director of Defense Research and Engineering'' wherever appearing.

2009—Subsec. (a)(1). Pub. L. 111–84, § 911(a)(1), substituted ''The Secretary of Defense and the Director of National Intelligence shall jointly develop'' for ''The Secretary of Defense shall develop''.

Subsec. (a)(2)(D). Pub. L. 111–84, §911(a)(2), added subpar. (D).

Subsec. (a)(5). Pub. L. 111–84, §911(a)(3), amended par. (5) generally. Prior to amendment, par. (5) read as follows: ''The strategy shall be available for review by the congressional defense committees.''

EFFECTIVE DATE OF 2011 AMENDMENT

Amendment by Pub. L. 111–383 effective Jan. 1, 2011, see section 901(p) of Pub. L. 111–383, set out as a note under section 131 of this title.

INITIAL REPORT

Pub. L. 111–84, div. A, title IX, §911(a)(4), Oct. 28, 2009, 123 Stat. 2429, provided that: ''The first space science and technology strategy required to be submitted under paragraph (5) of section 2272(a) of title 10, United States Code, as amended by paragraph (3) of this subsection, shall be submitted on the date on which the President submits to Congress the budget for fiscal year 2012 under section 1105 of title 31, United States Code.''

§ 2273. Policy regarding assured access to space: national security payloads

(a) POLICY.—It is the policy of the United States for the President to undertake actions appropriate to ensure, to the maximum extent practicable, that the United States has the capabilities necessary to launch and insert United States national security payloads into space whenever such payloads are needed in space.

(b) INCLUDED ACTIONS.—The appropriate actions referred to in subsection (a) shall include, at a minimum, providing resources and policy guidance to sustain—

(1) the availability of at least two space launch vehicles (or families of space launch vehicles) capable of delivering into space any payload designated by the Secretary of Defense or the Director of National Intelligence as a national security payload; and

(2) a robust space launch infrastructure and industrial base.

(c) COORDINATION.—The Secretary of Defense shall, to the maximum extent practicable, pursue the attainment of the capabilities described in subsection (a) in coordination with the Administrator of the National Aeronautics and Space Administration.

(Added Pub. L. 108–136, div. A, title IX, §912(a)(1), Nov. 24, 2003, 117 Stat. 1565; Pub. L. 110–181, div. A, title IX, §931(a)(12), Jan. 28, 2008, 122 Stat. 285; Pub. L. 110–417, [div. A], title IX, §932(a)(11), Oct. 14, 2008, 122 Stat. 4576; Pub. L. 111–84, div. A, title X, §1073(c)(10), Oct. 28, 2009, 123 Stat. 2475.)

PRIOR PROVISIONS

A prior section 2273, acts Aug. 10, 1956, ch. 1041, 70A Stat. 125; Apr. 2, 1982, Pub. L. 97–164, title I, §160(a)(4), 96 Stat. 48; Oct. 29, 1992, Pub. L. 102–572, title IX, §902(b)(1), 106 Stat. 4516, related to right of United States to designs, rights of designers to patents, and rights to sue United States, prior to repeal by Pub. L. 103–160, div. A, title VIII, §821(a)(1), Nov. 30, 1993, 107 Stat. 1704.

AMENDMENTS

2009—Subsec. (b)(1). Pub. L. 111–84 repealed Pub. L. 110–417, §932(a)(11). See 2008 Amendment note below.

2008—Subsec. (b)(1). Pub. L. 110–181 and Pub. L. 110–417, §932(a)(11), amended par. (1) identically, substituting ''Director of National Intelligence'' for ''Director of Central Intelligence''. Pub. L. 110–417, §932(a)(11), was repealed by Pub. L. 111–84.

EFFECTIVE DATE OF 2009 AMENDMENT

Pub. L. 111–84, div. A, title X, §1073(c), Oct. 28, 2009, 123 Stat. 2474, provided that the amendment made by section 1073(c)(10) is effective as of Oct. 14, 2008, and as if included in Pub. L. 110–417 as enacted.

§ 2273a. Operationally Responsive Space Program Office

(a) ESTABLISHMENT.—The Secretary of Defense shall establish within the Department of Defense an office to be known as the Operationally Responsive Space Program Office (in this section referred to as the ''Office'').

(b) HEAD OF OFFICE.—The head of the Office shall be—

(1) the Department of Defense Executive Agent for Space; or

(2) the designee of the Secretary of Defense, who shall report to the Department of Defense Executive Agent for Space.

(c) MISSION.—The mission of the Office shall be—

(1) to contribute to the development of low-cost, rapid reaction payloads, busses, spacelift, and launch control capabilities in order to fulfill joint military operational requirements for on-demand space support and reconstitution; and

(2) to coordinate and execute operationally responsive space efforts across the Department of Defense with respect to planning, acquisition, and operations.

(d) ELEMENTS.—The Secretary of Defense shall select the elements of the Department of Defense to be included in the Office so as to contribute to the development of capabilities for operationally responsive space and to achieve a balanced representation of the military departments in the Office to ensure proper acknowledgment of joint considerations in the activities of the Office, except that the Office shall include the following:

(1) A science and technology element that shall pursue innovative approaches to the development of capabilities for operationally responsive space through basic and applied research focused on (but not limited to) payloads, bus, and launch equipment.

(2) An acquisition element that shall undertake the acquisition of systems necessary to integrate, sustain, and launch assets for operationally responsive space.

(3) An operations element that shall—

(A) sustain and maintain assets for operationally responsive space prior to launch;

(B) integrate and launch such assets; and

(C) operate such assets in orbit.

(4) A combatant command support element that shall serve as the primary intermediary between the military departments and the combatant commands in order to—

(A) ascertain the needs of the commanders of the combatant commands; and

(B) integrate operationally responsive space capabilities into—

(i) operations plans of the combatant commands;