

tion, and timing enterprise that, as determined by the Council, provides insufficient funds for such activities for the period covered by such bill, the Council shall notify the congressional defense committees of the determination.

(g) NOTIFICATION OF ANOMALIES.—(1) The Secretary of Defense shall submit to the congressional defense committees written notification of an anomaly in the Department of Defense positioning, navigation, and timing enterprise that is reported to the Secretary or the Council by not later than 14 days after the date on which the Secretary or the Council learns of such anomaly, as the case may be.

(2) In this subsection, the term “anomaly” means any unplanned, irregular, or abnormal event, whether unexplained or caused intentionally or unintentionally by a person or a system.

(h) TERMINATION.—The Council shall terminate on the date that is 10 years after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2016.

(Added Pub. L. 114-92, div. A, title XVI, §1603(a), Nov. 25, 2015, 129 Stat. 1096.)

REFERENCES IN TEXT

The date of the enactment of the National Defense Authorization Act for Fiscal Year 2016, referred to in subsec. (h), is the date of enactment of Pub. L. 114-92, which was approved Nov. 25, 2015.

§ 2279c.¹ Air Force Space Command

(a) COMMANDER.—(1) The head of the Air Force Space Command shall be the Commander of the Air Force Space Command, who shall be appointed in accordance with section 601 of this title. The officer serving as Commander, while so serving, has the grade of general without vacating the permanent grade of the officer.

(2) The Commander shall be appointed to serve a term of six years. The Secretary may propose to promote the individual serving as the Commander during that term of appointment.

(3) The incumbent Commander may serve as the first Commander after the date of the enactment of this Act.

(b) AUTHORITIES.—In addition to the authorities and responsibilities assigned to the Commander before the date of the enactment of this section, the Commander has the sole authority with respect to each of the following:

(1) Organizing, training, and equipping personnel and operations of the space forces of the Air Force.

(2) Subject to the direction of the Secretary of the Air Force, serving as the service acquisition executive under section 1704 of this title for defense space acquisitions.

(3) In consultation with the Chief Information Officer of the Department of Defense, procurement of commercial satellite communications services for the Department of Defense for such services entered into on or after the date that is one year after the date of the enactment of this section.

(Added Pub. L. 115-91, div. A, title XVI, §1601(a)(1), Dec. 12, 2017, 131 Stat. 1718.)

¹ Another section 2279c is set out after this section.

REFERENCES IN TEXT

The date of the enactment of this Act, referred to in subsec. (a)(3), probably means the date of enactment of Pub. L. 115-91, which enacted this section and was approved Dec. 12, 2017.

The date of the enactment of this section, referred to in subsec. (b), is the date of enactment of Pub. L. 115-91, which was approved Dec. 12, 2017.

CONSTRUCTION

Pub. L. 115-91, div. A, title XVI, §1601(a)(3), Dec. 12, 2017, 131 Stat. 1719, provided that: “Nothing in subsection (b)(1) of section 2279c of title 10, United States Code, as added by paragraph (1), may be construed to prohibit or otherwise affect the authority of the Secretary of the Air Force to provide to the space forces of the Air Force the services of the Department of the Air Force relating to basic personnel functions, the United States Air Force Academy, recruitment, and basic training.”

§ 2279c.¹ Limitation on construction on United States territory of satellite positioning ground monitoring stations of certain foreign governments.²

(a) LIMITATION.—

(1) CERTIFICATION.—

(A) IN GENERAL.—The President may not authorize or permit the construction of a global navigation satellite system ground monitoring station directly or indirectly controlled by a foreign government (including a ground monitoring station owned, operated, or controlled on behalf of a foreign government) in the territory of the United States unless the Secretary of Defense and the Director of National Intelligence jointly certify to the appropriate congressional committees that such ground monitoring station will not possess the capability or potential to be used for the purpose of gathering intelligence in the United States or improving any foreign weapon system.

(B) FORM.—Each certification under subparagraph (A) shall be submitted in unclassified form, but may include a classified annex.

(2) NATIONAL SECURITY WAIVER.—The Secretary of Defense and the Director of National Intelligence may jointly waive the certification requirement in paragraph (1) for a ground monitoring station if—

(A) the Secretary and the Director jointly determine that the waiver is in the vital interests of the national security of the United States; and

(B) the Secretary and the Director ensure that—

(i) all data collected or transmitted from ground monitoring stations covered by the waiver are not encrypted;

(ii) all persons involved in the construction, operation, and maintenance of such ground monitoring stations are United States persons;

(iii) such ground monitoring stations are not located in geographic proximity to sensitive United States national security sites;

¹ Another section 2279c is set out preceding this section.

² So in original. The period probably should not appear.