

§ 2263. United States contributions to the North Atlantic Treaty Organization common-funded budgets

(a) IN GENERAL.—The total amount contributed by the Secretary of Defense in any fiscal year for the common-funded budgets of NATO may be an amount in excess of the maximum amount that would otherwise be applicable to those contributions in such fiscal year under the fiscal year 1998 baseline limitation.

(b) DEFINITIONS.—In this section:

(1) COMMON-FUNDED BUDGETS OF NATO.—The term “common-funded budgets of NATO” means the Military Budget, the Security Investment Program, and the Civil Budget of the North Atlantic Treaty Organization (and any successor or additional account or program of NATO).

(2) FISCAL YEAR 1998 BASELINE LIMITATION.—The term “fiscal year 1998 baseline limitation” means the maximum annual amount of Department of Defense contributions for common-funded budgets of NATO that is set forth as the annual limitation in section 3(2)(C)(ii) of the resolution of the Senate giving the advice and consent of the Senate to the ratification of the Protocols to the North Atlantic Treaty of 1949 on the Accession of Poland, Hungary, and the Czech Republic (as defined in section 4(7) of that resolution), approved by the Senate on April 30, 1998.

(Added Pub. L. 110-417, [div. A], title X, §1004(a)(1), Oct. 14, 2008, 122 Stat. 4582; amended Pub. L. 115-91, div. A, title X, §1051(a)(12), Dec. 12, 2017, 131 Stat. 1561.)

Editorial Notes

REFERENCES IN TEXT

The resolution of ratification of the Protocols to the North Atlantic Treaty of 1949 on the Accession of Poland, Hungary, and the Czech Republic approved by the Senate on April 30, 1998, referred to in subsec. (b)(2), was adopted in the 105th Congress and is not classified to the Code. See Cong. Rec., vol. 144, pt. 5, p. 7555, Apr. 30, 1998.

AMENDMENTS

2017—Subsecs. (b), (c). Pub. L. 115-91 redesignated subsec. (c) as (b) and struck out former subsec. (b) which required annual reports on contributions to the common-funded budgets of NATO.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE

Pub. L. 110-417, [div. A], title X, §1004(b), Oct. 14, 2008, 122 Stat. 4583, provided that: “The amendments made by this section [enacting this section] shall take effect on October 1, 2008, and shall apply to fiscal years that begin on or after that date.”

§ 2264. Reimbursement for assistance provided to nongovernmental entertainment-oriented media producers

(a) IN GENERAL.—There shall be credited to the applicable appropriations account or fund from which the expenses described in subsection (b) were charged any amounts received by the Department of Defense as reimbursement for such expenses.

(b) DESCRIPTION OF EXPENSES.—The expenses referred to in subsection (a) are any expenses—

(1) incurred by the Department of Defense as a result of providing assistance to a nongovernmental entertainment-oriented media producer;

(2) for which the Department of Defense requires reimbursement under section 9701 of title 31 or any other provision of law; and

(3) for which the Department of Defense received reimbursement after December 19, 2014.

(Added Pub. L. 113-291, div. A, title VIII, §859(a), Dec. 19, 2014, 128 Stat. 3461; amended Pub. L. 115-91, div. A, title X, §1081(a)(29), Dec. 12, 2017, 131 Stat. 1595.)

Editorial Notes

AMENDMENTS

2017—Subsec. (b)(3). Pub. L. 115-91 substituted “December 19, 2014” for “the date of the enactment of the Carl Levin and Howard P. ‘Buck’ McKeon National Defense Authorization Act for Fiscal Year 2015”.

CHAPTER 135—SPACE PROGRAMS

Sec.

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- [2279a. Repealed.]
- 2279b. Council on Oversight of the Department of Defense Positioning, Navigation, and Timing Enterprise.
- [2279c. Renumbered.]
- 2279d. Limitation on construction on United States territory of satellite positioning ground monitoring stations of certain foreign governments.

Editorial Notes

AMENDMENTS

2021—Pub. L. 117-81, div. A, title XVI, §1601(a)(2), Dec. 27, 2021, 135 Stat. 2073, added item 2277.

Pub. L. 116-283, div. A, title X, §1081(a)(35), Jan. 1, 2021, 134 Stat. 3872, struck out item 2279c “Air Force Space Command”.

2018—Pub. L. 115-232, div. A, title X, §1081(a)(18)(B), Aug. 13, 2018, 132 Stat. 1984, added item 2279d.

2017—Pub. L. 115-91, div. A, title X, §1051(a)(13)(B), title XVI, §§1601(a)(2), (b)(2)(B), (b)(2), 1603(d)(2), Dec. 12, 2017, 131 Stat. 1561, 1719, 1720, 1723, added item 2279c, substituted “Space Rapid Capabilities Office” for “Operationally Responsive Space Program Office” in item 2273a and “Foreign commercial satellite services and foreign launches” for “Foreign commercial satellite services” in item 2279, and struck out items 2277

“Report on foreign counter-space programs” and 2279a “Principal Advisor on Space Control”.

2015—Pub. L. 114-92, div. A, title XVI, §§1602(b), 1603(b), Nov. 25, 2015, 129 Stat. 1096, 1098, added items 2279a and 2279b.

2013—Pub. L. 113-66, div. A, title IX, §911(b), title XVI, §1602(a)(2), Dec. 26, 2013, 127 Stat. 823, 942, added items 2278 and 2279.

Pub. L. 112-239, div. A, title IX, §§911(b), 912(b), 913(c)(2), Jan. 2, 2013, 126 Stat. 1872, 1874, 1876, added items 2275 to 2277.

2009—Pub. L. 111-84, div. A, title IX, §912(b), Oct. 28, 2009, 123 Stat. 2431, added item 2274 and struck out former item 2274 “Space surveillance network: pilot program for provision of satellite tracking support to entities outside United States Government”.

2006—Pub. L. 109-364, div. A, title IX, §913(b)(2), Oct. 17, 2006, 120 Stat. 2357, substituted “Operationally Responsive Space Program Office” for “Operationally responsive national security payloads and buses: separate program element required” in item 2273a.

2004—Pub. L. 108-375, div. A, title IX, §913(a)(2), Oct. 28, 2004, 118 Stat. 2028, added item 2273a.

2003—Pub. L. 108-136, div. A, title IX, §§911(a)(2), 912(b), 913(b), Nov. 24, 2003, 117 Stat. 1564, 1565, 1567, added items 2272 to 2274.

§ 2271. Management of space programs: joint program offices and officer management programs

(a) JOINT PROGRAM OFFICES.—The Secretary of Defense shall take appropriate actions to ensure, to the maximum extent practicable, that space development and acquisition programs of the Department of Defense are carried out through joint program offices.

(b) OFFICER MANAGEMENT PROGRAMS.—(1) The Secretary of Defense shall take appropriate actions to ensure, to the maximum extent practicable, that—

(A) Army, Navy, and Marine Corps officers, as well as Air Force officers, are assigned to the space development and acquisition programs of the Department of Defense; and

(B) Army, Navy, and Marine Corps officers, as well as Air Force officers, are eligible, on the basis of qualification, to hold leadership positions within the joint program offices referred to in subsection (a).

(2) The Secretary of Defense shall designate those positions in the Office of the National Security Space Architect of the Department of Defense (or any successor office) that qualify as joint duty assignment positions for purposes of chapter 38 of this title.

(Added Pub. L. 107-107, div. A, title IX, §911(a), Dec. 28, 2001, 115 Stat. 1195.)

Editorial Notes

PRIOR PROVISIONS

A prior section 2271, act Aug. 10, 1956, ch. 1041, 70A Stat. 123, related to competitions for designs of aircraft, aircraft parts, and aeronautical accessories, prior to repeal by Pub. L. 103-160, div. A, title VIII, §821(a)(1), Nov. 30, 1993, 107 Stat. 1704.

Statutory Notes and Related Subsidiaries

LIMITATION ON USE OF COMMERCIAL SATELLITE SERVICES AND ASSOCIATED SYSTEMS

Pub. L. 117-81, div. A, title XVI, §1607(b), Dec. 27, 2021, 135 Stat. 2079, provided that:

“(1) IN GENERAL.—Except as provided by paragraph (2), the Secretary of Defense may not rely solely on the

use of commercial satellite services and associated systems to carry out operational requirements, including command and control requirements, targeting requirements, or other requirements that are necessary to execute strategic and tactical operations.

“(2) MITIGATION MEASURES.—The Secretary may rely solely on the use of commercial satellite services and associated systems to carry out an operational requirement described in paragraph (1) if the Secretary has taken measures to mitigate the vulnerability of any such requirement.”

CLASSIFICATION REVIEW OF PROGRAMS OF THE SPACE FORCE

Pub. L. 117-81, div. A, title XVI, §1609, Dec. 27, 2021, 135 Stat. 2081, provided that:

“(a) CLASSIFICATION REVIEW.—The Secretary of Defense shall—

“(1) not later than 120 days after the date of the enactment of this Act [Dec. 27, 2021], conduct a review of each classified program managed under the authority of the Space Force to determine whether—

“(A) the level of classification of the program could be changed to a lower level; or

“(B) the program could be declassified; and

“(2) not later than 90 days after the date on which the Secretary completes such review, commence the change to the classification level or the declassification as determined in such review.

“(b) COORDINATION.—The Secretary shall carry out the review under subsection (a)(1) in coordination with the Assistant Secretary of Defense for Space Policy and, as the Secretary determines appropriate, the heads of other elements of the Department of Defense.

“(c) REPORT.—Not later than 60 days after the date on which the Secretary completes the review under subsection (a)(1), the Secretary, in coordination with the Assistant Secretary of Defense for Space Policy, shall submit to the congressional defense committees [Committees on Armed Services and Appropriations of the Senate and the House of Representatives] a report identifying each program managed under the authority of the Space Force covered by a determination regarding changing the classification level of the program or declassifying the program, including—

“(1) the timeline for implementing such change or declassification; and

“(2) any risks that exist in implementing such change or declassification.”

COMMERCIAL SPACE DOMAIN AWARENESS CAPABILITIES

Pub. L. 116-283, div. A, title XVI, §1607, Jan. 1, 2021, 134 Stat. 4047, provided that:

“(a) PROCUREMENT.—Not later than 90 days after the date of the enactment of this Act [Jan. 1, 2021], the Secretary of the Air Force shall procure commercial space domain awareness services by awarding at least two contracts for such services.

“(b) LIMITATION.—Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2021 for the Office of the Secretary of the Air Force, not more than 75 percent may be obligated or expended until the date on which the Secretary of Defense, without delegation, certifies to the congressional committees that the Secretary of the Air Force has awarded the contracts under subsection (a).

“(c) REPORT.—Not later than January 31, 2021, the Chief of Space Operations, in coordination with the Secretary of the Air Force, shall submit to the congressional defense committees [Committees on Armed Services and Appropriations of the Senate and the House of Representatives] a report detailing the commercial space domain awareness services, data, and analytics of objects in low-Earth orbit that have been purchased during the two-year period preceding the date of the report. The report shall be submitted in unclassified form.

“(d) COMMERCIAL SPACE DOMAIN AWARENESS SERVICES DEFINED.—In this section, the term ‘commercial space