

The Senate and House Armed Services Committees in a compromise National Defense Authorization Act for Fiscal Year 2022 removed language that would have created a Space National Guard, and included a provision directing DoD to identify space programs that could be declassified. The bipartisan compromise bill, released by the committees 7 December 2021, directs DoD to report back on future investments in space launch capabilities and commercial space technologies. The agreement authorizes \$768 billion for national security spending, or \$25 billion more than what the Biden administration requested. The House passed the compromise bill the evening of 7 DEC by a vote of 363-70 and sent it to the Senate.

No Space National Guard. The House initially had a provision to establish a Space National Guard as a reserve component of the U.S. Space Force. The proposal was opposed by the Senate and by the Biden administration, and was removed from the compromise bill, although the NDAA still requires DoD to study options to stand up a reserve component for the Space Force. The Senate had proposed renaming the Air National Guard the Air and Space National Guard. That language also was removed.

Classification review of space programs. The NDAA directs DoD to examine all Space Force programs to determine if the level of classification of any of these programs could be changed to a lower level or declassified entirely.

DoD can spend money to relocate U.S. Space Command. The House version of the NDAA had a provision that prohibited DoD from using fiscal year 2022 funds to plan, design or construct a U.S. Space Command headquarters building until the DoD Inspector General and the Government Accountability Office complete their reports on the basing process for U.S. Space Command. The provision was removed in the compromise bill.

National Security Space Launch. The NDAA mandates a report from DoD and the intelligence community on efforts to improve innovation and competition in the National Security Space - 7 - Launch (NSSL) program run by the U.S. Space Force, and to provide a plan for future investments on technologies for space access, mobility and logistics. The bill also directs DoD to submit to defense committees details of the pricing terms of NSSL missions awarded to launch providers SpaceX and United Launch Alliance under the NSSL Phase 2 contract. For contracts to launch National Reconnaissance Office payloads, the pricing terms have to be submitted to the intelligence committees.

Defense agencies and NRO should use NSSL launch services. The bill says DoD and NRO should procure launch services through the NSSL program as much as possible, rather than use commercial contracts to buy services directly from providers.

Tactically responsive launch. The NDAA directs DoD and the intelligence community to support the tactically responsive launch program, which Congress established two years ago to provide launch tactically responsive launch program opportunities for commercial small-satellite launch companies. DoD has to submit a report on future plans to invest in launch providers that can provide fast-response services during emergencies or conflicts.

Plans to buy services from non-GEO satellites. The bill notes the growth of non-geostationary orbit satellite services and directs DoD to report back on its plans to use non-GEO commercial satellite communications capabilities and accelerate the integration of these capabilities into military networks.

Space Development Agency. The secretary of the Air Force has to submit a report by March 31, 2022, on how the realignment of SDA into the Space Force will be carried out. The bill notes that a priority for SDA is to have a streamlined chain of command so it can meet its deadlines for satellite deployments and launches.