



DEPUTY SECRETARY OF DEFENSE  
1010 DEFENSE PENTAGON  
WASHINGTON, DC 20301-1010

MAY 09 2023

MEMORANDUM FOR DEFENSE BUSINESS BOARD

SUBJECT: Terms of Reference — Review of Space Acquisition

In accordance with the Senate Armed Services Committee Report to Accompany the James M. Inhofe National Defense Authorization Act (NDAA) for Fiscal Year (FY) 2023, I direct the Defense Business Board (“the Board”), through its Business Operations Advisory Subcommittee (“the Subcommittee”), to review the unity of effort decision-making process for space acquisition. This review shall specifically ask whether the unity of effort process is agile enough for the rapid deployment of space systems to keep pace with today’s space industry. In conducting this review, the Board shall consider all options, from retaining the existing unity of effort structure to developing a clean sheet approach to space acquisition.

The Subcommittee shall submit its independent assessment and recommendations for the space acquisition decision-making process to the full Board for its thorough consideration and deliberation at a properly noticed and public meeting, unless that meeting must be closed pursuant to one or more of the exceptions found in title 5, U.S. Code, section 552b(c). The Board shall begin the study upon Terms of Reference (ToR) signature and submit its final, approved report to me not later than November 30, 2023. The report shall include:

- Recommendations for specific statutory or regulatory changes to revise conflicting authorities in space acquisition across the DoD and/or to improve the governance process, as applicable;
- Specific recommendations regarding the authorities and membership of the SAC to maximize integration, ensure effectiveness, and clarify the roles and responsibilities of the body;
- Recommendations to streamline acquisition business processes and enhance opportunities for innovation; and
- Any other related matters the Board determines are relevant to this task.

In conducting its work, the Board and its Subcommittee have my full support to meet with Department leaders. The Board staff, on behalf of the Board and the Subcommittee, may request the Office of the Secretary of Defense and DoD Component Heads to timely furnish as requested information, assistance, or access to personnel to the Board and the Subcommittee. All requests shall be consistent with applicable laws, applicable security classifications, DoD Instruction 5105.04, “Department of Defense Federal Advisory Committee Management Program,” and this ToR. To support the effort, the U.S. Space Force will provide a full-time detailee to the Office of the Secretary of Defense/Office of the Director of Administration and Management (OSD/ODA&M) to support the Board’s work on this study. The detailee shall be an acquisition professional from the Office of the Assistant Secretary of the Air Force for Space Acquisition and Integration and remain until the study is approved.



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Material provided to the Board becomes a permanent part of the Board's record. Components are reminded that all data/information provided is subject to public inspection unless the originating Component office properly marks the data/information with the appropriate classification and/or Freedom of Information Act exemption categories before the data/information is released to the Board. The Board has physical storage capability and electronic storage and communications capability on both unclassified and classified networks to support receipt of material up to the Secret level. Each Component should remember that Board members, as special government employee members of a DoD federal advisory committee, will not be given any access to the DoD network, including DoD email systems.

The Board and the Subcommittee will operate in conformity with and pursuant to the Board's charter; title 5, U.S. Code, chapter 10 (commonly known as the "Federal Advisory Committee Act"); title 5, U.S. Code, section 552b (commonly known as the "Government in the Sunshine Act"); and other applicable Federal statutes, regulations, and policy. Individual Board and Subcommittee members and the Subcommittee as a whole do not have the authority to make decisions or provide recommendations on behalf of the Board nor report directly to any Federal representative. The members of the Subcommittee and the Board are subject to certain Federal ethics laws, including title 18, U.S. Code, section 208, governing conflicts of interest, and the Standards of Ethical Conduct regulations in 5 C.F.R., Part 2635.

Thank you in advance for your cooperation and support to this critical undertaking to inform subsequent decisions on how the Department addresses national security challenges in the coming decades.

A handwritten signature in black ink, reading "Kathleen H. Hirsch". The signature is written in a cursive, flowing style.

cc:  
Senior Pentagon Leadership  
Directors of Defense Agencies  
Directors of DoD Field Activities  
Advisory Committee Management Officer, DA&M