

der discrimination, and hate group activity: annual survey and report” in item 481.

2001—Pub. L. 107-107, div. A, title X, §1042(b), Dec. 28, 2001, 115 Stat. 1218, added item 480.

1999—Pub. L. 106-65, div. A, title II, §241(a)(2), title III, §361(d)(3), title IX, §923(b)(2), Oct. 5, 1999, 113 Stat. 550, 575, 725, added items 486 and 487 and repealed Pub. L. 105-261, §373(d)(2). See 1998 Amendment note below.

1998—Pub. L. 105-261, div. A, title IX, §923(b)(2), title X, §1069(a)(1), Oct. 17, 1998, 112 Stat. 2105, 2135, substituted “Annual report” for “Report” in item 484 and added item 485.

Pub. L. 105-261, div. A, title III, §373(d)(2), Oct. 17, 1998, 112 Stat. 1992, which directed amendment of analysis, effective June 1, 2001, by striking out item 482, was repealed by Pub. L. 106-65, div. A, title III, §361(d)(3), Oct. 5, 1999, 113 Stat. 575.

1997—Pub. L. 105-85, div. A, title III, §§322(a)(2), 323(b), 324(a)(2), Nov. 18, 1997, 111 Stat. 1675, 1677, substituted “Quarterly reports: personnel and unit readiness” for “Quarterly readiness reports” in item 482 and added items 483 and 484.

1996—Pub. L. 104-201, div. A, title V, §571(c)(2), title XI, §§1112(a)(1), 1123(a)(4), Sept. 23, 1996, 110 Stat. 2532, 2677, 2688, substituted “Race relations, gender discrimination, and hate group activity: annual survey and report” for “Racial and ethnic issues; biennial survey; biennial report” in item 451, renumbered chapter 22 of this title as this chapter, and redesignated items 451 and 452 as 481 and 482, respectively.

Pub. L. 104-106, div. A, title III, §361(a)(2), Feb. 10, 1996, 110 Stat. 273, added item 452.

§ 480. Reports to Congress: submission in electronic form

(a) REQUIREMENT.—Whenever the Secretary of Defense or any other official of the Department of Defense submits to Congress (or any committee of either House of Congress) a report that the Secretary (or other official) is required by law to submit, the Secretary (or other official) shall provide to Congress (or such committee) a copy of the report in an electronic medium.

(b) EXCEPTION.—Subsection (a) does not apply to a report submitted in classified form.

(c) DEFINITION.—In this section, the term “report” includes any certification, notification, or other communication in writing.

(Added Pub. L. 107-107, div. A, title X, §1042(a), Dec. 28, 2001, 115 Stat. 1218; amended Pub. L. 107-314, div. A, title X, §1042, Dec. 2, 2002, 116 Stat. 2646.)

AMENDMENTS

2002—Subsec. (a). Pub. L. 107-314 substituted “shall provide to Congress (or” for “shall, upon request by any committee of Congress to which the report is submitted or referred, provide to Congress (or each”.

§ 481. Racial and ethnic issues; gender issues: surveys

(a) IN GENERAL.—(1) The Secretary of Defense shall carry out four surveys in accordance with this section to identify and assess racial and ethnic issues and discrimination, and to identify and assess gender issues and discrimination, among members of the armed forces. Each such survey shall be conducted so as to identify and assess the extent (if any) of activity among such members that may be seen as so-called “hate group” activity.

(2) The four surveys shall be as follows:

(A) To identify and assess racial and ethnic issues and discrimination among members of the armed forces serving on active duty.

(B) To identify and assess racial and ethnic issues and discrimination among members of the armed forces in the reserve components.

(C) To identify and assess gender issues and discrimination among members of the armed forces serving on active duty.

(D) To identify and assess gender issues and discrimination members of the armed forces in the reserve components.

(3) The surveys under this section relating to racial and ethnic issues and discrimination shall be known as the “Armed Forces Workplace and Equal Opportunity Surveys”. The surveys under this section relating to gender issues and discrimination shall be known as the “Armed Forces Workplace and Gender Relations Surveys”.

(4) Each survey under this section shall be conducted separately from any other survey conducted by the Department of Defense.

(b) ARMED FORCES WORKPLACE AND EQUAL OPPORTUNITY SURVEYS.—The Armed Forces Workplace and Equal Opportunity Surveys shall be conducted so as to solicit information on racial and ethnic issues, including issues relating to harassment and discrimination, and the climate in the armed forces for forming professional relationships among members of the armed forces of various racial and ethnic groups. Both such surveys shall be conducted so as to solicit information on the following:

(1) Indicators of positive and negative trends for professional and personal relationships among members of all racial and ethnic groups.

(2) The effectiveness of Department of Defense policies designed to improve relationships among all racial and ethnic groups.

(3) The effectiveness of current processes for complaints on and investigations into racial and ethnic discrimination.

(c) ARMED FORCES WORKPLACE AND GENDER RELATIONS SURVEYS.—The Armed Forces Workplace and Gender Relations Surveys shall be conducted so as to solicit information on gender issues, including issues relating to gender-based harassment, assault, and discrimination, and the climate in the armed forces for forming professional relationships between male and female members of the armed forces. Both such surveys shall be conducted so as to solicit information on the following:

(1) Indicators of positive and negative trends for professional and personal relationships between male and female members of the armed forces.

(2) The specific types of assault that have occurred, and the number of times each respondent has been assaulted during the preceding year.

(3) The effectiveness of Department of Defense policies designed to improve professional relationships between male and female members of the armed forces.

(4) The effectiveness of current processes for complaints on and investigations into gender-based discrimination, harassment, and assault.

(5) Any other issues relating to discrimination, harassment, or assault as the Secretary of Defense considers appropriate.

(d) WHEN SURVEYS REQUIRED.—(1) One of the two Armed Forces Workplace and Gender Relations Surveys shall be conducted in 2014 and then every second year thereafter and the other Armed Forces Workplace and Gender Relations Survey shall be conducted in 2015 and then every second year thereafter, so that one of the two surveys is being conducted each year.

(2) The two Armed Forces Workplace and Equal Opportunity Surveys shall be conducted at least once every four years. The two surveys may not be conducted in the same year.

(e) REPORTS TO CONGRESS.—Upon the completion of a survey under this section, the Secretary shall submit to Congress a report containing the results of the survey.

(f) INAPPLICABILITY TO COAST GUARD.—This section does not apply to the Coast Guard.

(Added Pub. L. 103-337, div. A, title V, §554(a)(1), Oct. 5, 1994, 108 Stat. 2773, §451; renumbered §481 and amended Pub. L. 104-201, div. A, title V, §571(c)(1), title XI, §1121(a), Sept. 23, 1996, 110 Stat. 2532, 2687; Pub. L. 107-314, div. A, title V, §561(a)(1), Dec. 2, 2002, 116 Stat. 2553; Pub. L. 112-239, div. A, title V, §570, Jan. 2, 2013, 126 Stat. 1752.)

AMENDMENTS

2013—Subsec. (a)(1). Pub. L. 112-239, §570(b)(1), substituted “four surveys” for “four quadrennial surveys (each in a separate year)”.

Subsec. (c). Pub. L. 112-239, §570(a)(1), substituted “harassment, assault, and discrimination” for “harassment and discrimination” in introductory provisions.

Subsec. (c)(2) to (4). Pub. L. 112-239, §570(a)(2)–(4), added par. (2), redesignated former pars. (2) and (3) as (3) and (4), respectively, and substituted “discrimination, harassment, and assault” for “discrimination” in par. (4).

Subsec. (c)(5). Pub. L. 112-239, §570(a)(5), added par. (5).

Subsec. (d). Pub. L. 112-239, §570(b)(2), added subsec. (d) and struck out former subsec. (d). Prior to amendment, text read as follows: “Each of the four quadrennial surveys conducted under this section shall be conducted in a different year from any other survey conducted under this section, so that one such survey is conducted during each year.”

2002—Pub. L. 107-314 substituted “Racial and ethnic issues; gender issues: surveys” for “Race relations, gender discrimination, and hate group activity: annual survey and report” as section catchline and amended text generally, substituting provisions requiring four quadrennial surveys and report for provisions requiring an annual survey and report.

1996—Pub. L. 104-201, §1121(a), renumbered section 451 of this title as this section.

Pub. L. 104-201, §571(c)(1), substituted “Race relations, gender discrimination, and hate group activity: annual survey and report” for “Racial and ethnic issues; biennial survey; biennial report” as section catchline and amended text generally, substituting provisions requiring an annual survey and report for provisions requiring a biennial survey and report.

EFFECTIVE DATE OF 2002 AMENDMENT

Pub. L. 107-314, div. A, title V, §561(b), Dec. 2, 2002, 116 Stat. 2554, provided that: “The first survey under section 481 of title 10, United States Code, as amended by subsection (a)(1), shall be carried out during 2003.”

TRANSFER OF FUNCTIONS

For transfer of authorities, functions, personnel, and assets of the Coast Guard, including the authorities and functions of the Secretary of Transportation relat-

ing thereto, to the Department of Homeland Security, and for treatment of related references, see sections 468(b), 551(d), 552(d), and 557 of Title 6, Domestic Security, and the Department of Homeland Security Reorganization Plan of November 25, 2002, as modified, set out as a note under section 542 of Title 6.

ANNUAL REPORT ON STATUS OF FEMALE MEMBERS OF THE ARMED FORCES

Pub. L. 107-314, div. A, title V, §562, Dec. 2, 2002, 116 Stat. 2554, provided that:

“(a) REQUIREMENT FOR REPORT.—The Secretary of Defense shall submit to Congress, for each of fiscal years 2002 through 2006, a report on the status of female members of the Armed Forces. Information in the annual report shall be shown for the Department of Defense as a whole and separately for each of the Army, Navy, Air Force, and Marine Corps.

“(b) MATTERS TO BE INCLUDED.—The report for a fiscal year under subsection (a) shall include the following information:

“(1) The positions, weapon systems, and fields of skills for which, by policy, female members are not eligible for assignment, as follows:

“(A) In the report for fiscal year 2002—

“(i) an identification of each position, weapon system, and field of skills for which, by policy, female members are not eligible; and

“(ii) the rationale for the applicability of the policy to each such position, weapon system, and field.

“(B) In the report for each fiscal year after fiscal year 2002, the positions, weapon systems, and fields for which policy on the eligibility of female members for assignment has changed during that fiscal year, including a discussion of how the policy has changed and the rationale for the change.

“(2) Information on joint spouse assignments, as follows:

“(A) The number of cases in which members of the Armed Forces married to each other are in assignments to which they were jointly assigned during that fiscal year, as defined in the applicable Department of Defense and military department personnel assignment policies.

“(B) The number of cases in which members of the Armed Forces married to each other are in assignments to which they were assigned during that fiscal year, but were not jointly assigned (as so defined).

“(3) Promotion selection rates for female members, for male members, and for all personnel in the reports submitted by promotion selection boards in that fiscal year for promotion to grades E-7, E-8, and E-9, and, in the case of commissioned officers, promotion to grades O-4, O-5, and O-6.

“(4) Retention rates for female members in each grade and for male members in each grade during that fiscal year.

“(5) Selection rates for female members and for male members for assignment to grade O-6 and grade O-5 command positions in reports of command selection boards that were submitted during that fiscal year.

“(6) Selection rates for female members and for male members for attendance at intermediate service schools (ISS) and, separately, for attendance at senior service schools (SSS) in reports of selection boards that were submitted during that fiscal year.

“(7) The extent of assignments of female members during that fiscal year in each field in which at least 80 percent of the Armed Forces personnel assigned in the field are men.

“(8) The incidence of sexual harassment complaints made during that fiscal year, stated as the number of cases in which complaints of sexual harassment were filed under procedures of military departments that are applicable to the submission of sexual harassment complaints, together with the number and percent of the complaints that were substantiated.

“(9) Satisfaction (based on surveys) of female active-duty members, female dependents of active-duty members, and female dependents of nonactive duty members entitled to health care provided by the Department of Defense with access to, and quality of, women’s health care benefits provided by the Department of Defense.

“(c) TIME FOR REPORT.—The report for a fiscal year under this section shall be submitted not later than 120 days after the end of that fiscal year.”

FIRST REPORT REQUIRED UNDER SUBSECTION (c)

Pub. L. 103–337, div. A, title V, § 554(b), Oct. 5, 1994, 108 Stat. 2773, required Secretary of Defense to submit first report under former subsec. (c) of this section not later than May 1, 1995.

§ 481a. Workplace and gender relations issues: surveys of Department of Defense civilian employees

(a) IN GENERAL.—(1) The Secretary of Defense shall carry out every other fiscal year a survey of civilian employees of the Department of Defense to solicit information on gender issues, including issues relating to gender-based assault, harassment, and discrimination, and the climate in the Department for forming professional relationships between male and female civilian employees of the Department.

(2) Each survey under this section shall be known as a “Department of Defense Civilian Employee Workplace and Gender Relations Survey”.

(b) ELEMENTS.—Each survey conducted under this section shall be conducted so as to solicit information on the following:

(1) Indicators of positive and negative trends for professional and personal relationships between male and female civilian employees of the Department of Defense.

(2) The specific types of assault on civilian employees of the Department by other personnel of the Department (including contractor personnel) that have occurred, and the number of times each respondent has been so assaulted during the preceding fiscal year.

(3) The effectiveness of Department policies designed to improve professional relationships between male and female civilian employees of the Department.

(4) The effectiveness of current processes for complaints on and investigations into gender-based assault, harassment, and discrimination involving civilian employees of the Department.

(5) Any other issues relating to assault, harassment, or discrimination involving civilian employees of the Department that the Secretary considers appropriate.

(c) REPORT TO CONGRESS.—Upon the completion of a survey under this section, the Secretary shall submit to Congress a report containing the results of the survey.

(Added Pub. L. 113–291, div. A, title X, § 1073(a)(1), Dec. 19, 2014, 128 Stat. 3517.)

INITIAL SURVEY

Pub. L. 113–291, div. A, title X, § 1073(a)(3), Dec. 19, 2014, 128 Stat. 3518, provided that: “The Secretary of Defense shall carry out the first survey required by section 481a of title 10, United States Code (as added by this subsection), during fiscal year 2016.”

§ 482. Quarterly reports: personnel and unit readiness

(a) QUARTERLY REPORTS REQUIRED.—Not later than 45 days after the end of each calendar-year quarter, the Secretary of Defense shall submit to Congress a report regarding the military readiness of the active and reserve components. Each report shall contain the information required by subsections (b), (d), (e), (f), (g), (h), and (i).

(b) READINESS PROBLEMS AND REMEDIAL ACTIONS.—Each report shall specifically describe—

(1) each readiness problem and deficiency identified using the assessments considered under subsection (c);

(2) planned remedial actions; and

(3) the key indicators and other relevant information related to each identified problem and deficiency.

(c) CONSIDERATION OF READINESS ASSESSMENTS.—The information required under subsection (b) to be included in the report for a quarter shall be based on readiness assessments that are provided during that quarter—

(1) to any council, committee, or other body of the Department of Defense—

(A) that has responsibility for readiness oversight; and

(B) whose membership includes at least one civilian officer in the Office of the Secretary of Defense at the level of Assistant Secretary of Defense or higher;

(2) by senior civilian and military officers of the military departments and the commanders of the unified and specified commands; and

(3) as part of any regularly established process of periodic readiness reviews for the Department of Defense as a whole.

(d) PREPOSITIONED STOCKS.—Each report shall also include a military department-level or agency-level assessment of the readiness of prepositioned stocks, including—

(1) an assessment of the fill and materiel readiness of stocks by geographic location;

(2) an overall assessment by military department or Defense Agency of the ability of the respective stocks to meet operation and contingency plans; and

(3) a mitigation plan for any shortfalls or gaps identified under paragraph (1) or (2) and a timeline associated with corrective action.

(e) READINESS OF NATIONAL GUARD TO PERFORM CIVIL SUPPORT MISSIONS.—(1) Each report shall also include an assessment of the readiness of the National Guard to perform tasks required to support the National Response Framework for support to civil authorities.

(2) Any information in an assessment under this subsection that is relevant to the National Guard of a particular State shall also be made available to the Governor of that State.

(3) The Secretary shall ensure that each State Governor has an opportunity to provide to the Secretary an independent evaluation of that State’s National Guard, which the Secretary shall include with each assessment submitted under this subsection.

(f) COMBATANT COMMAND ASSIGNED MISSION ASSESSMENTS.—(1) Each report shall also include