

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 relating 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.)

TERMINATION OF REPORTING REQUIREMENTS

For termination, effective Dec. 31, 2021, of provisions in subsec. (c) of this section requiring submittal of report to Congress, see section 1061 of Pub. L. 114-328, set out as a note under section 111 of this title.

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 30 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. The reports for the first and third quarters of a calendar year shall contain the information required by subsections (b), (d), (e), (f), and (g). The reports for the second and fourth quarters of a calendar year shall contain the information required by subsection (j).

(b) READINESS PROBLEMS.—A report for the second or fourth quarter of a calendar year shall specifically describe—

- (1) each readiness problem and deficiency in the ground, sea, air, space, and cyber forces, and in such other such areas as determined by the Secretary of Defense, identified using the assessments considered under subsection (c); and
- (2) 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) COMBATANT COMMAND ASSESSMENTS.—(1) A report for the second or fourth quarter of a calendar year shall also include an assessment by each commander of a geographic or functional combatant command of the ability of the command to successfully execute each of the assigned missions of the command. Each such assessment for a combatant command shall also include a list of the mission essential tasks for each assigned mission of the command and an

assessment of the ability of the command to successfully complete each task within prescribed timeframes.

(2) A report for the second or fourth quarter of a calendar year under this section shall also include an assessment by each commander of a geographic or functional combatant command of the readiness of the command to conduct operations in a multidomain battle that integrates ground, air, sea, space, and cyber forces.

(3) For purposes of this subsection, the term “assigned mission” means any contingency response program plan, theater campaign plan, or named operation that is approved and assigned by the Joint Chiefs of Staff.

(e) RISK ASSESSMENT OF DEPENDENCE ON CONTRACTOR SUPPORT.—A report for the second or fourth quarter of a calendar year shall also include an assessment by the Chairman of the Joint Chiefs of Staff of the level of risk incurred by using contract support in contingency operations as required under Department of Defense Instruction 1100.22, “Policies and Procedures for Determining Workforce Mix”.

(f) COMBAT SUPPORT AND RELATED AGENCIES ASSESSMENT.—(1) A report for the second or fourth quarter of a calendar year shall also include an assessment by the Secretary of Defense of the military readiness of the combat support and related agencies, including, for each such agency—

(A) a determination with respect to the responsiveness and readiness of the agency to support operating forces in the event of a war or threat to national security, including—

- (i) a list of mission essential tasks and an assessment of the ability of the agency to successfully perform those tasks;
- (ii) an assessment of how the ability of the agency to accomplish the tasks referred to in subparagraph (A) affects the ability of the military departments and the unified and geographic combatant commands to execute operations and contingency plans by number;
- (iii) any readiness deficiencies and actions recommended to address such deficiencies; and
- (iv) key indicators and other relevant information related to any deficiency or other problem identified;

(B) any recommendations that the Secretary considers appropriate.

(2) In this subsection, the term “combat support and related agencies” means any of the following Defense Agencies:

- (A) The Defense Information Systems Agency.
- (B) The Defense Intelligence Agency.
- (C) The Defense Logistics Agency.
- (D) The National Geospatial-Intelligence Agency (but only with respect to combat support functions that the agencies perform for the Department of Defense).
- (E) The Defense Contract Management Agency.
- (F) The Defense Threat Reduction Agency.
- (G) The National Reconnaissance Office.
- (H) The National Security Agency (but only with respect to combat support functions that