

by subsection (b) [amending this section] shall apply with respect to the quarterly report required under section 482 of title 10, United States Code, for the second quarter of fiscal year 2009 and each subsequent report required under that section.”

QUARTERLY READINESS REPORT REQUIREMENT

Pub. L. 105-261, div. A, title III, §373(d)(1), Oct. 17, 1998, 112 Stat. 1992, which provided that effective Jan. 15, 2000, or the date on which the first report of the Secretary of Defense is submitted under section 117(e) of this title, whichever is later, the Secretary of Defense was to cease to submit reports under this section, was repealed by Pub. L. 106-65, div. A, title III, §361(d)(3), Oct. 5, 1999, 113 Stat. 575.

IMPLEMENTATION PLAN TO EXAMINE READINESS INDICATORS

Pub. L. 105-85, div. A, title III, §322(b), Nov. 18, 1997, 111 Stat. 1675, directed the Secretary of Defense, not later than Jan. 15, 1998, to submit to the congressional defense committees a plan specifying the manner in which the additional reporting requirement of subsec. (d) of this section would be implemented and the criteria proposed to be used to evaluate the readiness indicators identified in subsec. (d).

TRANSITION TO COMPLETE REPORT

Pub. L. 105-85, div. A, title III, §322(d), Nov. 18, 1997, 111 Stat. 1675, provided that until the report under this section for the third quarter of 1998 was submitted, the Secretary of Defense was authorized to omit the information required by subsec. (d) of this section if the Secretary determined that it was impracticable to comply.

[§ 483. Repealed. Pub. L. 113-66, div. A, title X, § 1084(a)(1)(A), Dec. 26, 2013, 127 Stat. 871]

Section, added Pub. L. 105-85, div. A, title III, §323(a), Nov. 18, 1997, 111 Stat. 1675; amended Pub. L. 106-65, div. A, title X, §1067(1), Oct. 5, 1999, 113 Stat. 774; Pub. L. 106-398, §1 [[div. A], title III, §372], Oct. 30, 2000, 114 Stat. 1654, 1654A-80, related to reports on transfers from high-priority readiness appropriations.

§ 484. Quarterly cyber operations briefings

(a) **BRIEFINGS REQUIRED.**—The Secretary of Defense shall provide to the congressional defense committees quarterly briefings on all offensive and significant defensive military operations in cyberspace carried out by the Department of Defense during the immediately preceding quarter.

(b) **ELEMENTS.**—Each briefing under subsection (a) shall include, with respect to the military operations in cyberspace described in such subsection, the following:

(1) An update, set forth separately for each geographic and functional command, that describes the operations carried out by the command and any hostile cyber activity directed at the command.

(2) An overview of authorities and legal issues applicable to the operations, including any relevant legal limitations.

(3) An outline of any interagency activities and initiatives relating to the operations.

(4) Any other matters the Secretary determines to be appropriate.

(Added Pub. L. 112-239, div. A, title IX, §939(a), Jan. 2, 2013, 126 Stat. 1888; amended Pub. L. 115-91, div. A, title XVI, §1632(a), Dec. 12, 2017, 131 Stat. 1738; Pub. L. 116-92, div. A, title XVI, §1634(a), Dec. 20, 2019, 133 Stat. 1747.)

AMENDMENT OF SUBSECTION (b)

Pub. L. 116-92, div. A, title XVI, §1634(a), (d), Dec. 20, 2019, 133 Stat. 1747, 1748, provided that, effective on the date that is 180 days after Dec. 20, 2019, subsection (b) of this section is amended by redesignating paragraph (4) as paragraph (5) and by inserting after paragraph (3) the following new paragraph (4):

(4) An overview of the readiness of the Cyber Mission Forces to perform assigned missions that—

(A) address all of the abilities of such Forces to conduct cyberspace operations based on capability and capacity of personnel, equipment, training, and equipment condition—

(i) using both quantitative and qualitative metrics; and

(ii) in a way that is common to all military departments; and

(B) is consistent with readiness reporting pursuant to section 482 of this title.

See 2019 Amendment note below.

PRIOR PROVISIONS

A prior section 484, added Pub. L. 105-85, div. A, title III, §324(a)(1), Nov. 18, 1997, 111 Stat. 1677, which related to annual report on aircraft inventory, was repealed by Pub. L. 112-81, div. A, title X, §1061(6)(A), Dec. 31, 2011, 125 Stat. 1583.

AMENDMENTS

2019—Subsec. (b)(4), (5). Pub. L. 116-92 added par. (4) and redesignated former par. (4) as (5).

2017—Pub. L. 115-91 designated existing provisions as subsec. (a), inserted heading, substituted “congressional defense committees” for “Committees on Armed Services of the House of Representatives and the Senate”, and added subsec. (b).

EFFECTIVE DATE OF 2019 AMENDMENT

Pub. L. 116-92, div. A, title XVI, §1634(d), Dec. 20, 2019, 133 Stat. 1748, provided that: “The amendments made by subsection (a) [amending this section] shall take effect on the date that is 180 days after the date of the enactment of this Act [Dec. 20, 2019].”

EFFECTIVE DATE OF 2017 AMENDMENT

Pub. L. 115-91, div. A, title XVI, §1632(b), Dec. 12, 2017, 131 Stat. 1738, provided that: “The amendments made by subsection (a) [amending this section] shall take effect on the date of the enactment of this Act [Dec. 12, 2017], and shall apply with respect to briefings required [to] be provided under section 484 of title 10, United States Code, on or after that date.”

INITIAL BRIEFING

Pub. L. 112-239, div. A, title IX, §939(b), Jan. 2, 2013, 126 Stat. 1888, provided that: “The first briefing required under section 484 of title 10, United States Code, as added by subsection (a), shall be provided not later than March 1, 2013.”

§ 485. Monthly counterterrorism operations briefings

(a) **BRIEFINGS REQUIRED.**—The Secretary of Defense shall provide to the congressional defense committees monthly briefings outlining Department of Defense counterterrorism operations and related activities.

(b) **ELEMENTS.**—Each briefing under subsection (a) shall include each of the following:

(1) A global update on activity within each geographic combatant command and how such

activity supports the respective theater campaign plan.

(2) An overview of authorities and legal issues, including limitations.

(3) An overview of interagency activities and initiatives.

(4) Any other matters the Secretary considers appropriate.

(Added Pub. L. 113-66, div. A, title X, §1042(a)(1), Dec. 26, 2013, 127 Stat. 857; amended Pub. L. 114-328, div. A, title X, §1031(a), (b), Dec. 23, 2016, 130 Stat. 2389.)

PRIOR PROVISIONS

A prior section 485, added Pub. L. 105-261, div. A, title IX, §923(b)(1), Oct. 17, 1998, 112 Stat. 2105; amended Pub. L. 106-65, div. A, title IX, §931, title X, §1067(1), Oct. 5, 1999, 113 Stat. 726, 774; Pub. L. 107-107, div. A, title IX, §922, Dec. 28, 2001, 115 Stat. 1198; Pub. L. 110-417, [div. A], title II, §241(a), Oct. 14, 2008, 122 Stat. 4395, related to biennial reports on joint and service concept development and experimentation, prior to repeal by Pub. L. 112-81, div. A, title X, §1061(7)(A), Dec. 31, 2011, 125 Stat. 1583.

AMENDMENTS

2016—Pub. L. 114-328, §1031(b), substituted “Monthly” for “Quarterly” in section catchline.

Subsec. (a). Pub. L. 114-328, §1031(a), substituted “monthly” for “quarterly”.

[§ 486. Repealed. Pub. L. 112-81, div. A, title X, § 1061(8)(A), Dec. 31, 2011, 125 Stat. 1583]

Section, added Pub. L. 106-65, div. A, title II, §241(a)(1), Oct. 5, 1999, 113 Stat. 549, related to quadrennial report on emerging operational concepts.

[§ 487. Repealed. Pub. L. 112-81, div. A, title X, § 1061(9)(A), Dec. 31, 2011, 125 Stat. 1583]

Section, added Pub. L. 106-65, div. A, title IX, §923(b)(1), Oct. 5, 1999, 113 Stat. 724; amended Pub. L. 108-136, div. A, title V, §541(c), Nov. 24, 2003, 117 Stat. 1477; Pub. L. 108-375, div. A, title X, §1084(d)(4), Oct. 28, 2004, 118 Stat. 2061, related to annual report on unit operations tempo and personnel tempo.

§ 488. Management and review of electromagnetic spectrum

(a) ORGANIZATION.—The Secretary of Defense shall—

(1) ensure the effective organization and management of the electromagnetic spectrum used by the Department of Defense; and

(2) establish an enduring review and evaluation process that—

(A) considers all requirements relating to such spectrum; and

(B) ensures that all users of such spectrum, regardless of the classification of such uses, are involved in the decision-making process of the Department concerning the potential sharing, reassigning, or reallocating of such spectrum, or the relocation of the uses by the Department of such spectrum.

(b) REPORTS.—(1) From time to time as the Secretary and the Chairman of the Joint Chiefs of Staff determine useful for the effective oversight of the access by the Department to electromagnetic spectrum, but not less frequently than every two years, the Secretary and the

Chairman shall jointly submit to the congressional defense committees a report on national policy plans regarding implications for such access in bands identified for study for potential reallocation, or under consideration for potential reallocation, by the Policy and Plans Steering Group established by the National Telecommunications and Information Administration.

(2) Each report under paragraph (1) shall address, with respect to the electromagnetic spectrum used by the Department that is covered by the report, the implications to the missions of the Department resulting from sharing, reassigning, or reallocating the spectrum, or relocating the uses by the Department of such spectrum, if the Secretary and the Chairman jointly determine that such sharing, reassigning, reallocating, or relocation—

(A) would potentially create a loss of essential military capability to the missions of the Department, as determined under feasibility assessments to ensure comparable capability; or

(B) would not likely be possible within the 10-year period beginning on the date of the report.

(Added Pub. L. 108-136, div. A, title X, §1054(a), Nov. 24, 2003, 117 Stat. 1615; amended Pub. L. 113-66, div. A, title X, §1072(a), (b)(1), Dec. 26, 2013, 127 Stat. 868, 869; Pub. L. 113-291, div. A, title X, §1071(f)(7), Dec. 19, 2014, 128 Stat. 3510; Pub. L. 114-328, div. A, title X, §1065(a)(1), Dec. 23, 2016, 130 Stat. 2409.)

AMENDMENTS

2016—Pub. L. 114-328 amended section generally. Prior to amendment, section required Secretary of Defense, in consultation with Director of National Intelligence and Secretary of Commerce, to prepare strategic plan for the management of the electromagnetic spectrum.

2014—Subsec. (a). Pub. L. 113-291 inserted a comma after “Every three years” in introductory provisions.

2013—Pub. L. 113-66, §1072(b)(1), struck out “: biennial strategic plan” after “spectrum” in section catchline.

Subsec. (a). Pub. L. 113-66, §1072(a)(1), substituted “three years” for “other year, and in time for submission to Congress under subsection (b),”, inserted “, in consultation with the Director of National Intelligence and the Secretary of Commerce,” after “Secretary of Defense”, substituted “the national security of the United States. Each such strategic plan shall include each of the following:” for “the mission of the Department of Defense.”, and added pars. (1) to (3).

Subsec. (b). Pub. L. 113-66, §1072(a)(2), added subsec. (b). Former subsec. (b) redesignated (c).

Subsec. (c). Pub. L. 113-66, §1072(a)(3), designated existing provisions as par. (1) and added par. (2).

Pub. L. 113-66, §1072(a)(2), redesignated subsec. (b) as (c).

ISSUANCE OF INSTRUCTION OR DIRECTIVE

Pub. L. 114-328, div. A, title X, §1065(b), Dec. 23, 2016, 130 Stat. 2410, provided that: “The Secretary of Defense shall—

“(1) not later than 180 days after the date of the enactment of this Act [Dec. 23, 2016], issue a Department of Defense Instruction or a Department of Defense Directive to carry out section 488(a) of title 10, United States Code, as amended by subsection (a); and

“(2) upon the date of the issuance of the instruction or directive issued under paragraph (1), submit to the congressional defense committees [Committees on Armed Services and Appropriations of the Senate and