

QUESTIONS IN SURVEYS REGARDING EXTREMIST
ACTIVITY IN THE WORKPLACE

Pub. L. 116-92, div. A, title V, §593, Dec. 20, 2019, 133 Stat. 1415, as amended by Pub. L. 116-283, div. A, title V, §553, Jan. 1, 2021, 134 Stat. 3633, provided that:

“(a) QUESTIONS REQUIRED.—The Secretary of Defense shall include in appropriate surveys administered by the Department of Defense questions regarding whether respondents have ever—

“(1) experienced or witnessed extremist, racist, anti-Semitic, or supremacist activity in the workplace; or

“(2) reported such activity.

“(b) BRIEFING.—Not later than March 1, 2021, the Secretary shall provide to the Committees on Armed Services of the Senate and the House of Representatives a briefing including—

“(1) the text of the questions included in surveys under subsection (a); and

“(2) which surveys include such questions.”

§ 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 (including unwanted sexual contact), 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 (including unwanted sexual contact) 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 (including unwanted sexual contact).

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

(d) WHEN SURVEYS REQUIRED.—(1) The Armed Forces Workplace and Gender Relations Surveys of the Active Duty and the Armed Forces Workplace and Gender Relations Survey of the Reserve Components shall each be conducted once every two years. The surveys may be conducted