



DEPARTMENT OF DEFENSE  
OFFICE OF GENERAL COUNSEL  
1600 DEFENSE PENTAGON  
WASHINGTON, DC 20301-1600

OCT 02 2001

The Honorable Richard B. Cheney  
President of the Senate  
Washington, DC 20510

Dear Mr. President:

The Department of Defense proposes the enclosed legislation relating to the annual survey of racial, ethnic, and gender issues. This proposal is part of the Department's legislative program for the First Session of the 107<sup>th</sup> Congress, and we urge its enactment.

The Department proposes to change the frequency and to separate the administration of the components of the annual survey on racial, ethnic, and gender issues required by section 481 of title 10, United States Code. Under this legislation, the racial and ethnic component of the survey would be administered separately from the gender issues component of the survey. Each survey would be administered every four years, rather than annually, to make it easier to monitor behavioral shifts. The surveys would be staggered so that one of the two surveys would be fielded every two years. These changes are designed to improve the data collected by the surveys, which due to their length and frequency do not provide the optimum survey data.

The Office of Management and Budget advises that, from the standpoint of the Administration's program, there is no objection to the presentation of this proposal for your consideration and for the consideration of the Congress.

Sincerely,

A handwritten signature in cursive script that reads "Daniel J. Dell'Orto".

Daniel J. Dell'Orto  
Principal Deputy General Counsel

Enclosure  
As Stated





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1600 DEFENSE PENTAGON  
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OCT 02 2001

The Honorable J. Dennis Hastert  
Speaker of the House of Representatives  
Washington, DC 20515

Dear Mr. Speaker:

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**SEC. \_\_\_\_ . SURVEYS OF RACIAL, ETHNIC, AND GENDER ISSUES.**

1 (a) FREQUENCY OF SURVEYS.—Section 481(a) of title 10, United States Code, is amended  
2 to read as follows:

3 “(a) QUADRENNIAL SURVEYS.—The Secretary of Defense shall carry out quadrennial  
4 surveys to measure the state of racial, ethnic, and gender issues and discrimination among  
5 members of the Armed Forces serving on active duty and the extent (if any) of activity among  
6 such members that may be seen as so-called "hate group" activity. A survey on gender issues,  
7 harassment and discrimination shall be administered every four years. A separate survey on  
8 racial and ethnic issues, harassment and discrimination shall be administered every four years.  
9 One of the two surveys shall be fielded every two years. The surveys shall solicit information on  
10 the racial, ethnic and gender relations climate in the Armed Forces, including—

11 (1) indicators of positive and negative trends of relations among all racial and  
12 ethnic groups and between the sexes;

13 (2) the effectiveness of Department of Defense policies designed to improve race,  
14 ethnic, and gender relations; and

15 (3) the effectiveness of current processes for complaints on and investigations into  
16 racial, ethnic, and gender discrimination.”.

17 (b) TITLES OF SURVEYS.—Section 481(b) of such title is amended to read as follows:

18 “(b) The Secretary shall carry out each survey through the entities in the Department of  
19 Defense known as the Armed Forces Survey on Racial and Ethnic Issues and the Armed Forces  
20 Survey on Gender Issues.”.

21 (c) CONFORMING AND CLERICAL AMENDMENTS.—(1) The heading for such section is  
22 amended to read as follows:

1     “§ 481. Surveys of racial, ethnic, and gender issues”.

2             (2) Section 481(c) of such title is amended by striking the word “annual”.

### Sectional Analysis

This proposal would amend section 481 of title 10, United States Code, to change the frequency, and separate the administration, of the racial/ethnic and the gender/sexual harassment surveys. Both surveys would be administered every four years rather than annually as currently required. This proposal also would separate the administration of the two surveys so that one of the two surveys would be fielded every two years.

These surveys should not be conducted annually. Both the race/ethnic and the gender/sexual harassment surveys were designed to benchmark behavioral changes. However, behavioral change is incremental, so attitudinal changes from year to year are usually small. Whatever change occurs is subject to over-interpretation. Therefore, shifts in these behaviors are best tracked through surveys conducted periodically, so trends can be monitored. For example, the U. S. Merit Systems Protection Board, responsible for tracking Federal civilian sexual harassment incidence rates, administered its survey in 1980, 1987, and 1994. This proposal would change the frequency of the Department of Defense surveys from annually to once every four years.

Furthermore, administering a single survey to measure both racial/ethnic attitudes and gender issues is not recommended. Complicated, large-scale surveys are already lengthy. The current racial/ethnic and sexual harassment surveys are each 16 pages long. Combining them into one extremely lengthy survey would certainly adversely affect survey response rates. Furthermore, both survey efforts involve over-sampling the two distinct population subgroups: racial/ethnic minority groups and women. Technically, this is necessary to support survey analyses, but this over-sampling is very complicated and precludes combining the two surveys.