

117TH CONGRESS
1ST SESSION

H. R. 6209

To improve information collection and reporting on sexual assaults and racial and ethnic demographics in the military justice system, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 9, 2021

Mr. BROWN of Maryland (for himself, Ms. STRICKLAND, and Mr. JONES) introduced the following bill; which was referred to the Committee on Armed Services

A BILL

To improve information collection and reporting on sexual assaults and racial and ethnic demographics in the military justice system, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Military Justice Re-
5 porting Improvement Act”.

1 **SEC. 2. INCLUSION OF RACE AND ETHNICITY IN ANNUAL**
2 **REPORTS ON SEXUAL ASSAULTS; REPORTING**
3 **ON RACIAL AND ETHNIC DEMOGRAPHICS IN**
4 **THE MILITARY JUSTICE SYSTEM.**

5 (a) ANNUAL REPORTS ON RACIAL AND ETHNIC DE-
6 MOGRAPHICS IN THE MILITARY JUSTICE SYSTEM.—

7 (1) IN GENERAL.—Chapter 23 of title 10,
8 United States Code, is amended by inserting after
9 section 485 the following new section:

10 **“§ 486. Annual reports on racial and ethnic demo-**
11 **graphics in the military justice system**

12 “(a) IN GENERAL.—Not later than March 1 of each
13 year, the Secretary of each military department shall sub-
14 mit to the Secretary of Defense a report on racial, ethnic,
15 and sex demographics in the military justice system dur-
16 ing the preceding year. In the case of the Secretary of
17 the Navy, separate reports shall be prepared for the Navy
18 and for the Marine Corps. In the case of the Secretary
19 of the Air Force, separate reports shall be prepared for
20 the Air Force and for the Space Force.

21 “(b) CONTENTS.—The report of a Secretary of a
22 military department for an Armed Force under subsection
23 (a) shall contain, to the extent possible, statistics on of-
24 fenses under chapter 47 of this title (the Uniform Code
25 of Military Justice), during the year covered by the report,
26 including—

1 “(1) the number of offenses in the Armed
2 Force that were reported to military officials,
3 disaggregated by—

4 “(A) statistical category as related to the
5 victim; and

6 “(B) statistical category as related to the
7 principal;

8 “(2) the number of offenses in the Armed
9 Forces that were investigated, disaggregated by sta-
10 tistical category as related to the principal;

11 “(3) the number of offenses in which adminis-
12 trative action was imposed, disaggregated by statis-
13 tical category as related to the principal and each
14 type of administrative action imposed;

15 “(4) the number of offenses in which non-
16 judicial punishment was imposed under section 815
17 of this title (article 15 of the Uniform Code of Mili-
18 tary Justice), disaggregated by statistical category
19 as related to the principal;

20 “(5) the number of offenses in which charges
21 were preferred, disaggregated by statistical category
22 as related to the principal;

23 “(6) the number of offenses in which charges
24 were referred to court-martial, disaggregated by sta-

1 tistical category as related to the principal and type
2 of court-martial;

3 “(7) the number of offenses which resulted in
4 conviction at court-martial, disaggregated by statis-
5 tical category as related to the principal and type of
6 court-martial; and

7 “(8) the number of offenses which resulted in
8 acquittal at court-martial, disaggregated by statis-
9 tical category as related to the principal and type of
10 court-martial.

11 “(c) SUBMISSION TO CONGRESS.—Not later than
12 April 30 of each year in which the Secretary of Defense
13 receives reports under subsection (a), the Secretary of De-
14 fense shall forward the reports to the Committees on
15 Armed Services of the Senate and the House of Represent-
16 atives.

17 “(d) DEFINITIONS.—In this section:

18 “(1) The term ‘statistical category’ means each
19 of the following categories:

20 “(A) Race.

21 “(B) Sex.

22 “(C) Ethnicity.

23 “(D) Rank.

1 “(E) offense enumerated under chapter 47
2 of this title (the Uniform Code of Military Jus-
3 tice).

4 “(2) The term ‘principal’ has the meaning given
5 that term in section 877 of this title (article 77 of
6 the Uniform Code of Military Justice).”.

7 (2) CLERICAL AMENDMENT.—The table of sec-
8 tions at the beginning of chapter 23 of such title is
9 amended by inserting after the item relating to sec-
10 tion 485 the following new item:

“486. Annual reports on racial and ethnic demographics in the military justice
system.”.

11 (b) POLICY REQUIRED.—

12 (1) REQUIREMENT.—Not later than two years
13 after the date of the enactment of this Act, the Sec-
14 retary of Defense shall prescribe a policy requiring
15 information on the race and ethnicity of accused in-
16 dividuals to be included to the maximum extent
17 practicable in the annual report required under sec-
18 tion 1631 of the Ike Skelton National Defense Au-
19 thorization Act for Fiscal Year 2011 (Public Law
20 111–383; 10 U.S.C. 1561 note).

21 (2) EXCLUSION.—The policy prescribed under
22 paragraph (1) may provide for the exclusion of such
23 information based on privacy concerns, impacts on
24 accountability efforts, or other matters of impor-

1 tance as determined and identified in such policy by
2 the Secretary.

3 (3) PUBLICLY AVAILABLE.—The Secretary of
4 Defense shall make publicly available the informa-
5 tion described in paragraph (1), subject to the exclu-
6 sion of such information pursuant to paragraph (2).

7 (4) SUNSET.—The requirements of this sub-
8 section shall terminate on May 1, 2028.

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