

(2) Data setting forth victim demographics, injuries, autopsy findings, homicide or suicide methods, weapons, police information, assailant demographics, and household and family information.

(3) Legal disposition.

(4) System intervention and failures, if any, within the Department of Defense.

(5) A discussion of significant findings.

(6) Recommendations for systemic changes, if any, within the Department of the Navy and the Department of Defense.

(c) OSD GUIDANCE.—The Secretary of Defense shall prescribe guidance, which shall be uniform for the military departments, for the conduct of reviews by the Secretary under subsection (a).

(Added Pub. L. 108-136, div. A, title V, §576(b)(1), Nov. 24, 2003, 117 Stat. 1487, §6036; renumbered §8226, Pub. L. 115-232, div. A, title VIII, §807(b)(7), Aug. 13, 2018, 132 Stat. 1834.)

Editorial Notes

PRIOR PROVISIONS

A prior section 8230, added Pub. L. 85-861, §1(164)(B), Sept. 2, 1958, 72 Stat. 1515, provided that members of Air Force who are detailed for any duty with agencies of United States outside the Department of Defense on a reimbursable basis not be counted in computing strengths under any law, prior to repeal by Pub. L. 96-513, title II, §232, Dec. 12, 1980, 94 Stat. 2886, effective Sept. 15, 1981.

AMENDMENTS

2018—Pub. L. 115-232 renumbered section 6036 of this title as this section.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2018 AMENDMENT

Amendment by Pub. L. 115-232 effective Feb. 1, 2019, with provision for the coordination of amendments and special rule for certain redesignations, see section 800 of Pub. L. 115-232, set out as a note preceding section 3001 of this title.

EFFECTIVE DATE

Section applicable to fatalities that occur on or after Nov. 24, 2003, see section 576(d) of Pub. L. 108-136, set out as a note under section 7381 of this title.

§ 8227. Notifications on manning of afloat naval forces

(a) IN GENERAL.—The Secretary of the Navy shall notify the congressional defense committees, in writing, not later than 30 days after the end of each fiscal year quarter, of each covered ship (if any) that met either condition as follows:

(1) The manning fit for such ship was less than 87 percent for more than 14 days during such fiscal year quarter.

(2) The manning fill for such ship was less than 90 percent for more than 14 days during such fiscal year quarter.

(b) ELEMENTS.—The notification required by subsection (a) shall include, with respect to a covered ship, the following:

(1) The name and hull number of the ship.

(2) The homeport location of the ship.

(3) The current manning fit and fill of the ship.

(4) If the lowest level of manning fit or manning fill for the ship occurred during the fiscal year quarter concerned, the level concerned and the date on which such level occurred.

(5) If the lowest level of manning fit or manning fill for the ship is projected to occur after the fiscal year quarter concerned, the projected level and the date on which such level is projected to occur.

(6) If not achieved as of the date of the notification the projected date on which the Navy will achieve a manning fit and fill at least 87 percent and 90 percent, respectively, for the ship.

(7) If not achieved as of the date of the notification, the projected date on which the Navy will achieve a manning fit and fill of at least 92 percent and 95 percent, respectively, for the ship.

(8) A description of the reasons the Navy has not achieved, or will not achieve, as applicable, manning fit and fill of at least 87 percent and 90 percent, respectively, for the ship, including a detailed description of the specific ratings or skillset areas that must be manned to achieve those percentages.

(9) A description of corrective actions the Navy is taking to improve manning fit or manning fill on the ship.

(c) SPECIAL RULE.—For purposes of determining whether a percentage of manning fit or manning fill has been achieved, a sailor in a more senior paygrade may count as filling the billet of a more junior paygrade, but a sailor in a more junior paygrade may not count as filling the billet of a more senior paygrade.

(d) CREWING OF A SURFACE COMBATANT VESSEL; PROHIBITION; EXCEPTION.—(1) Beginning on October 1, 2025, the Secretary of the Navy may not assign more than one crew to a covered ship that is a surface combatant vessel if any surface combatant vessel was included in a notification under subsection (a) during the 12 months preceding such assignment.

(2) The prohibition under paragraph (1) shall not apply to a littoral combat ship configured to conduct mine countermeasures if the Secretary of the Navy submits to the congressional defense committees a certification and detailed explanation that such ship is unable to meet operational requirements regarding mine countermeasures, determined by the commander of a combatant command concerned, with only one crew.

(e) DEFINITIONS.—In this section:

(1) The term “covered ship” means a commissioned battle force ship that is included in the battle force count of the Naval Vessel Register.

(2) The term “manning fill”, in the case of a ship, means the total number of military personnel assigned to the ship by rating when compared with the ship manpower document requirement and billets authorized for the ship by rating.

(3) The term “manning fit”, in the case of a ship, means the skills (rating), specialty skills (Navy Enlisted Classifications), and experience (paygrade) for the ship when compared with the ship manpower document requirement and billets authorized for such skills and experience.

(4) The term “surface combatant vessel” means any littoral combat ship (including the LCS-1 and LCS-2 classes), frigate (including the FFG-62 class), destroyer (excluding the DDG-1000 class), or cruiser (including the CG-47 class).

(Added Pub. L. 117-263, div. A, title V, § 592(d)(1), Dec. 23, 2022, 136 Stat. 2612.)

Editorial Notes

CODIFICATION

Section is based on Pub. L. 116-92, div. A, title V, § 597(a)–(e), Dec. 20, 2019, 133 Stat. 1418, 1419, as amended by Pub. L. 117-263, div. A, title V, § 592(a)(1), (b), (c), Dec. 23, 2022, 136 Stat. 2612, which was formerly set out as a note under section 8013 of this title before being transferred to this chapter and renumbered as this section by Pub. L. 117-263, § 592(d)(1).

CHAPTER 827—RATIONS

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| Sec. | |
| 8241. | Navy ration: persons entitled to. |
| 8242. | Rations. |
| 8243. | Fixing cost on certain vessels and stations. |
| 8244. | Enlisted members assigned to mess: basic allowance for subsistence paid to mess. |
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Editorial Notes

AMENDMENTS

2018—Pub. L. 115-232, div. A, title VIII, § 807(e)(2)(A), (f)(1), Aug. 13, 2018, 132 Stat. 1837, 1838, redesignated chapter 557 of this title as this chapter and items 6081 to 6087 as 8241 to 8247, respectively.

2006—Pub. L. 109-364, div. A, title X, § 1071(a)(31), Oct. 17, 2006, 120 Stat. 2399, substituted colon for semicolon in item 6086.

1991—Pub. L. 102-25, title VII, § 701(e)(7), Apr. 6, 1991, 105 Stat. 115, inserted a period after “6082” in item 6082.

1990—Pub. L. 101-510, div. A, title V, § 557(b), Nov. 5, 1990, 104 Stat. 1571, amended item 6082 generally, substituting “Rations” for “Navy ration: composition” in item 6082.

§ 8241. Navy ration: persons entitled to

(a) Each enlisted member of the naval service is entitled to a Navy ration for each day that he is on active duty, including each day that he is on leave.

(b) Each midshipman is entitled to a Navy ration for each day that he is on active duty, including each day that he is on leave.

(c) The Secretary of the Navy may prescribe regulations stating the conditions under which the ration shall be allowed under subsection (b).

(Aug. 10, 1956, ch. 1041, 70A Stat. 379, § 6081; Pub. L. 87-649, § 5(c), Sept. 7, 1962, 76 Stat. 494; Pub. L. 105-85, div. A, title VI, § 602(b)(2), Nov. 18, 1997, 111 Stat. 1772; renumbered § 8241, Pub. L. 115-232, div. A, title VIII, § 807(b)(8), Aug. 13, 2018, 132 Stat. 1835.)

HISTORICAL AND REVISION NOTES

| Revised section | Source (U.S. Code) | Source (Statutes at Large) |
|-----------------|-----------------------------------|---|
| 6081 | 34 U.S.C. 901a (1st 2 sentences). | Aug. 2, 1946, ch. 756, § 17(a) (1st 2 sentences), 60 Stat. 855. |

HISTORICAL AND REVISION NOTES—CONTINUED

| Revised section | Source (U.S. Code) | Source (Statutes at Large) |
|-----------------|--------------------|---|
| | 5 U.S.C. 421g (b). | Aug. 2, 1946, ch. 756, § 40(b), 60 Stat. 858. |

So much of 34 U.S.C. 901a as authorizes a commuted ration for enlisted members of the naval service under conditions and at rates prescribed by the Secretary of the Navy is superseded by § 301 of the Career Compensation Act of 1949 (37 U.S.C. 251). That section established a basic allowance for subsistence for enlisted members entitled to basic pay who are not subsisting at Government expense and prescribes the conditions under which the basic allowance for subsistence shall be paid and the amount of the allowance. Pursuant to Executive Order No. 10119, March 30, 1950, 15 F.R. 1757, the Secretary of Defense is authorized to make supplemental regulations to carry out the provisions of § 301. The words “or to a per diem in place of subsistence” are inserted to reflect the subsistence allowance authorized by § 303(a) of the Career Compensation Act of 1949 (37 U.S.C. 253a) to members in travel status.

In subsection (a) reference to the Coast and Geodetic Survey is omitted since there are no enlisted personnel in that service, and reference to the Coast Guard is omitted as covered by 14 U.S.C. 478.

In subsections (a) and (b) the words “or furlough therefrom” are omitted as surplusage, and the words “for each day” are inserted to make clear the fact that a ration is a daily allowance of food and that, in subsection (b), the commuted ration is credited on a daily basis. The words “and cadets” are omitted as there are no cadets in the Navy or Marine Corps entitled to a Navy ration. Aviation cadets are entitled to the basic allowance for subsistence prescribed for officers (34 U.S.C. 850c).

In subsection (c) the words “prescribed by law” and “in accordance with law” are omitted as surplusage.

Editorial Notes

AMENDMENTS

2018—Pub. L. 115-232 renumbered section 6081 of this title as this section.

1997—Subsec. (a). Pub. L. 105-85 substituted “Each enlisted member” for “Except when entitled to a basic allowance for subsistence or to a per diem in place of subsistence, each enlisted member”.

1962—Subsec. (b). Pub. L. 87-649 struck out provisions which permitted payment of the commuted value of the ration in money. See section 422(b) of Title 37, Pay and Allowances of the Uniformed Services.

Subsec. (c). Pub. L. 87-649 struck out provisions which permitted the Secretary to prescribe regulations for the allowance of the commuted value of the ration. See section 422(b) of Title 37, Pay and Allowances of the Uniformed Services.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2018 AMENDMENT

Amendment by Pub. L. 115-232 effective Feb. 1, 2019, with provision for the coordination of amendments and special rule for certain redesignations, see section 800 of Pub. L. 115-232, set out as a note preceding section 3001 of this title.

EFFECTIVE DATE OF 1997 AMENDMENT

Amendment by Pub. L. 105-85 effective Jan. 1, 1998, see section 602(g) of Pub. L. 105-85, set out as a note under section 402 of Title 37, Pay and Allowances of the Uniformed Services.

EFFECTIVE DATE OF 1962 AMENDMENT

Amendment by Pub. L. 87-649 effective Nov. 1, 1962, see section 15 of Pub. L. 87-649, set out as an Effective Date note preceding section 101 of Title 37, Pay and Allowances of the Uniformed Services.