

DEFENSE ADVISORY COMMITTEE ON WOMEN IN THE SERVICES (DACOWITS)

Quarterly Meeting Minutes

4–5 December 2014

The Defense Advisory Committee on Women in the Services (DACOWITS) held a full committee meeting on December 4th and December 5th, 2014. The meeting was held at the Westin Crystal City Hotel, 1800 Jefferson Davis Highway, Arlington, VA 22202.

4 December 2014

Opening Comments

DACOWITS Deputy Director, Ms. Jessica Myers, serving as the Designated Federal Officer, officially opened the meeting. LtGen (Ret) Frances Wilson, DACOWITS Chair, gave an overview of the meeting agenda. LtGen (Ret) Wilson acknowledged the service of Ms. Phyllis Brantley, who provided support to DACOWITS as the National Guard Bureau representative since 2002; Ms. Brantley was retired on December 4, 2014.

Ms. Myers reviewed the status of the Committee's Requests for Information (RFIs). The Committee received responses either in written form or briefing to all of its December RFIs, plus one follow-up September RFI on the Military Health System (MHS) review that was postponed until this meeting.

DoD Women in the Services Review (WISR) Implementation Plan Update

DACOWITS requested a response from DoD regarding plans to open closed units and positions to servicewomen no later than January 1, 2016. Specifically, the Committee inquired about DoD's timeline, plans, and actions that will occur before and after January 1, 2016. It requested information about how the implementation will be monitored and what end date will be/has been established for adding women into the training pipeline for previously closed occupations. Finally, the Committee inquired about what each Service deems as sufficiently meeting the established implementation deadline.

Ms. Juliet Beyler, Director, Officer and Enlisted Personnel Management, Military Personnel Policy, OUSD (P&R)

Ms. Beyler reviewed the timeline of what has happened to date, and what has been planned leading up to January 2016. Specifically, in January 2013, the ground combat rule was rescinded; in May 2013, the Services submitted their implementation plans; in July 2013, those plans were released. Plans for the future include the review and validation of occupational standards to be completed by September 2015, and research studies to be completed by October 2015. With regard to progress made in 2014, notifications to open closed positions were submitted to Congress. Updates on progress are provided to the Joint Chiefs of Staff (JCOS) on a quarterly

basis and Secretary Wright, the Under Secretary of Defense for Personnel and Readiness (USD(P&R)), delivers updates to the Secretary of Defense (SECDEF) on a quarterly basis. On the horizon, two Congressional notifications are pending: one regarding submarines and one regarding the Army's Bradley Crew Commander Course. Ms. Beyler also described the Government Accountability Office (GAO) report, pending release in February 2015, and the Marine Corps Ground Combat Element Integrated Task Force (GCEITF) that is to begin testing in California in 2015. Ms. Beyler expects additional notifications to be released after January 1, 2015.

Ms. Beyler provided an overview of the typical "notification to assignment" timeline and DoD's commitment to ensure that normal Service assignment processes are used even as new positions and units are opened. Typically, the Service chief first makes a recommendation, after which it is reviewed by the Chairman of the Joint Chiefs of Staff (CJCS) and then by the USD(P&R), who has the authority to notify Congress. Over the past few years, DoD has reduced the length of time it takes to submit a notification; however, current legislation mandates a waiting period of 30 continuous days when both the House and Senate are in session. The waiting period averages 93 days, but in some cases has taken as long as five months. In 2014, the last notifications had to be submitted in July to meet the deadline of December 12 (the last day of the Congressional session); if the deadline is not met and the waiting period runs over, the notification has to be resubmitted again the following year. DoD cannot take any action on implementation plans until the notification period expires.

A Committee member inquired about which entity or individual will make the January 1, 2016 decision; the SECDEF will make final announcements about any exceptions that have been approved and any additional final announcements about the issue at that time. One Committee member asked Ms. Beyler about DoD's plan to review the occupational standards. Shortly after the rule was rescinded, DoD contracted with the RAND Corporation to do a literature review to examine best practices for developing occupational standards to understand the latest and best methodology; the findings were shared with USSOCOM and the Services. The second phase of the review was RAND studying what each Service was doing and their methodologies; DoD receives a monthly update from RAND on its findings. Additionally, DoD, the Services, and Congress have been collaborating on a review of the occupational standards. USSOCOM is working on validating its occupational standards and there has been active sharing of information between USSOCOM and each of the Services. Ms. Beyler also confirmed that the Services are required to validate all occupational standards, not just those for fields that exclude servicewomen.

The Committee asked whether it will become mandatory for servicewomen to be in each of the newly opened positions and units; currently, no Service members are forced into an occupation, the recruiting environment is good, and all Services make assignments as necessary. DoD is prepared to discuss that issue if needed. A Committee member inquired about whether the number of positions that have been opened has been compared to the table of organization and manning; DoD has not yet reviewed that, but made a note to review that suggestion.

In response to a member's question about what the Committee can do to help, Ms. Beyler expressed the challenges DoD faces with the current 30-day Congressional review period. Specifically, Ms. Beyler described the challenge with the notification about the Bradley Crew Commander Course. DoD reviewed the Congressional calendar for the date that Congress would adjourn and selected a date for the notification to be submitted that was one week prior to the

schedule date of adjournment. The House recessed a full week early before the election and also was out for two additional days that were not scheduled to be recess days, which negatively impacted DoD's timeline for having the notification period completed while Congress was in session.

Concerning the infantry, one Committee member inquired about the Army's more-individualized standards and how they compare to the Marine Corps' more-collective (average assessment) standards. DoD is closely examining the variances among the Services' standards for similar fields, as well as how the different approaches align with the culture of each Service and whether differences are acceptable. In response to a Committee member's question about the role that ship configurations play in the ultimate decision about exceptions to policy, Ms. Beyler explained that decisions are based on a combination of cost, standards, and unit cohesion, and that these factors are considered holistically rather than by using a numerical formula. Each ship and submarine configuration is unique and reconfiguration is a difficult and costly task that needs careful consideration.

The Committee asked whether the January 1, 2016 deadline is attainable; DoD believes that the deadline is realistic, although the process will continue well past 2016, as additional decisions related to this issue are made. One Committee member questioned whether the Office of the Secretary of Defense (OSD) will have oversight over the development of the occupational standards; Ms. Beyler explained how there are multiple leadership forums and discussions that occur among the Joint Chiefs of Staff. A Committee member expressed her concern that physical standards may lead to potential discrimination and inquired about whether gender is a factor that will be examined continuously in setting and revising occupational standards. DoD confirmed the process is about the operational requirement and ensuring what it takes to do the mission; it is important to make sure the occupational standards are correct. Finally, one Committee member expressed concern that the training required for some currently closed positions could result in high injury rates that could prevent some highly qualified servicewomen from progressing into leadership roles. DoD is examining injury rates across genders closely. Ms. Beyler and the Committee discussed the possibility of receiving monthly updates from DoD on WISR implementation.

Health Affairs Briefing: Military Health System (MHS) Review

On May 28, 2014, the SECDEF directed a 90-day comprehensive review of the MHS. The SECDEF directed the review to be performed in a fully transparent manner and to focus on the core areas of access to care, safety of care, and quality of care. A final report, complete with specific recommendations to address standards of care and implementation timelines, was to be delivered to the SECDEF by August 29, 2014. DACOWITS requested a briefing from the Office of the Assistant Secretary of Defense (Health Affairs) (OASD(HA)) on the results of the MHS review, highlighting results and recommendations that may affect military servicewomen in particular.

Dr. Cara J. Krulewitch, Director, Women's Health, Medical Ethics and Patient Advocacy, Clinical and Policy Programs, OASD (Health Affairs), OUSD (P&R)

In May 2014, numerous news stories were released related to access to care at the U.S. Department of Veterans Affairs (VA) that raised concerns about the existence of similar issues within DoD. The SECDEF directed a comprehensive review of MHS with particular focus in the

areas of access, quality and safety. Each team was led by a Service Flag/General Officer, with DHA participation and HA oversight. At this time, MHS was already engaged with many external organizations to include The Joint Commission, the National Committee on Quality Assurance/Health Employer Data Information Set (HEDIS), the American College of Surgeons/National Surgical Quality Improvement Programs (NSQIP), and the National Perinatal Information Centers (NPIC). The review included six leading external experts: three to review the methodology and three to review performance. SECDEF was presented the final product on August 29, 2014. It included six overarching recommendations, with 77 specific recommendations.

Overarching findings include the following: 1) MHS provides good, quality care that is safe and timely and comparable to that found in the civilian sector; 2) there is wide performance variability; 3) there is no single set of metrics used across the enterprise to monitor performance in access, quality and safety; 4) direct care and purchased care components are not aligned in terms of data collected or metrics used; 5) greater transparency is required, both internal and external; and 6) MHS needs a better mechanism for patient input and feedback. On October 1, 2014, SECDEF announced an MHS Improvement Plan, and a follow-on action group was established to begin implementing recommendations. The action plan includes taking immediate action to improve low-performing outliers across all domains of access, safety and quality, establishing a common performance management system, establishing and implementing principles of a high-reliability organization, and expanding transparency. The MHS agrees with the summary findings outlined by the New York Times stories.

Dr. Krulewitch then provided data specific to perinatal care and outcomes. She described how there are no “national averages” for obstetric/perinatal quality outcomes. In absence of national standards, DoD participates in a comparative analysis through NPIC; these data come from 85 high-volume perinatal hospitals. From 2010 to the time of the briefing, DoD’s inborn mortality rates for infants were notably lower than NPIC benchmarks. MHS caesarean-section rates were consistently lower than participating NPIC civilian-sector facilities. However, DoD performed poorly when compared to civilian-sector facilities in the area of post-partum hemorrhage and birth trauma. Following trends across the country, DoD post-partum hemorrhage rates were higher than NPIC comparison rates; DoD is working to improve these rates and is collaborating with external partners to more effectively address post-partum hemorrhage. Trauma-to-infant rates are significantly higher in the MHS as compared to the NPIC average; this may be a result of erroneous coding of administrative data in identifying what constitutes “trauma.” Dr. Krulewitch also described the differences in the population included in NPIC data as compared to MHS data that may impact outcomes (e.g., a younger population within MHS).

DoD participates in NSQIP, which measures and improves the quality of surgical care. From July 2010 to the time of the briefing, DoD risk-adjusted surgical mortality rates were within national statistical norms for the 17 participating hospitals. DoD tracks overall morbidity, as well as performance across nine sub-measures of morbidity. Four facilities were statistically significant outliers for overall surgical morbidity in some capacity since 2010. Thirteen hospitals were within national norms. Of the nine reported morbidity measures, there is chronic underperformance for three sub-measures.

SECDEF required the Services to plan how to address outliers by October 1, 2015. One Committee member asked about the certification from The Joint Commission within MHS

facilities; by law, MHS facilities are not required to become certified, but to ensure high-quality patient care, they undergo the certification process.

Delayed Entry Program (DEP) and Basic Military Training Attrition

DACOWITS believes ensuring the Services maintain low attrition rates during the delayed entry program and basic military training is vital to the replenishment of new accessions to the U.S. military. The Committee requested a briefing from the Services on the current attrition rates for both men and women during delayed entry and basic military training, as well as what, if any, methods are being taken to lower the attrition rates for women.

Mr. Tom Defilippo, Army, Staff Program Integrator, Training and Doctrine Command

The Army Recruiting Command recruits for both the active Army and the Army Reserve, while each state recruits for its Army National Guard. The Army Reserve delayed entry attrition numbers have been slightly lower than for the regular Army, likely because soldiers who go into the Reserve are recruited and assigned to a specific troop unit immediately; Reservists have an organization that is already talking to future soldiers, and the unit can invite them to unit activities and functions. Soldiers recruited to active duty merely have a recruiter who maintains contact with them. The Army does not do anything different to reduce attrition for men than for women. The Future Soldier Training Program and Future Soldier Training System DEP Websites help to familiarize individuals with basic combat training, customs and courtesies, Army history, and Army values. Some training like Sexual Harassment/Assault Response (SHARP) and suicide prevention is conducted in person by a recruiter. All aspects of the Future Soldier Training Program are voluntary. The Army has seen reduced attrition rates in recent years, but it is hard to pinpoint what has caused this reduced attrition. In FY 2014, the total attrition rate for DEP was 9% for the regular Army (14% for women and 8% for men). For the Army Reserve, the total attrition rate was 7% (10% for women and 6% for men).

The Committee inquired about reasons for DEP attrition; the Army cited the period of up to 14 months during which a high school student can change his or her mind about enlisting. Recruiters maintain contact with future soldiers enrolled in DEP, but that becomes more difficult over time. The average delayed-entry timeline is about four months; it is reduced to three months for high school graduates. The impacts of the Future Soldier Training Program on reducing attrition are unclear.

Army Basic Combat Training attrition rates have remained steady over the past several years. In FY 2014, the total attrition rate from basic combat training was 7% (11% for women and 5% for men). Methods taken to reduce BCT attrition of women include the following: assigned one female Drill Sergeant per platoon as a model/mentor, implemented a standardized Physical Readiness Training across all training centers to reduce injuries and attrition, and implemented Musculoskeletal Actions Teams to mitigate injury reductions.

CDR Kertreck Brooks, Navy, Executive Officer, Recruit Training Command, and CDR Denise Spanier, Navy Recruiting Command Liaison

For the Navy Recruit Training Command, overall attrition for FY 2014 was 10%, with a rate of 14% for women and 9% for men, which is slightly below previous trends. The 15-year historical attrition rates (FY 1999 to FY 2013) were 14% for women and 10% for men. In FY 2014, out of total recruits, 3,806 individuals attrited. People attrite out of training typically due to pre-service

existing conditions (e.g., medical, drug use, psychological conditions); people also attrite because of physical fitness challenges. A Committee member inquired about the high number of attritions due to pre-existing conditions and whether that was failure to report or a failure of the screening process. CDR Brooks explained that a large portion of those attritions consist of people who fail to disclose a pre-existing medical condition at Military Entrance Processing Stations (MEPS).

There are several initiatives underway at the Recruit Training Command to reduce attrition. The Training Command adheres to an evidence-based physical fitness training matrix that has reduced stress fracture prevalence by 50%. The Command has adopted best practices from other services, such as the boot wear phase-in. The Navy also uses mentoring and peer-to-peer mentorship and provides proactive psychological assets to help increase resiliency. Of people who attrite on an annual basis, 41% attrited for psychological reasons like difficulty adjusting, being away from home, and anxiety. Individuals at risk are sent through the Personal Applied Skills and Streaming (PASS) program. In FY 2014, 1,193 individuals went to see a Counsel and Advocate in Recruit Environment (CARE) counselor; empowerment groups also help recruits get through boot camp. In addition, there are specific women's health initiatives and chaplains available at Navy boot camp. One Committee member asked about the spike in attrition in FY 2014 during December; CDR Brooks cited the holidays as a common time for attrition.

The Navy has reached a historic low for DEP attrition; in 2013, the total attrition rate was 12% (15% for women, 11% for men). Delayed entry usually lasts four to six months. There are several initiatives underway to reduce DEP attrition. The Future Sailor DEP includes both mandatory and voluntary requirements; DEP meetings are conducted and there is a mandatory indoctrination within 72 hours, completed at home, which builds credibility and rapport with the family and future sailor. There is also voluntary participation in an Initial Fitness Assessment (IFA). The Standards, Transition, Acknowledgement, Requirements, Training (START) Guide is a booklet that covers core values, terminology, and other topics. The Navy has increased the number of female recruiters (currently at 12%), and it conducts a monthly review of attrition data. The Committee inquired about how the Navy has reduced attrition from DEP over the years; the briefer attributed it to increasing contacts, increasing family involvement, and answering the future sailor and family's questions quickly and responsively.

LtCol Timothy Owens, Air Force, Deputy Chief of Technical Training Strategic Planning and Policy Division

The Air Force DEP does not have FY 2014 data available yet; however, in FY 2013, attrition rates were 9% for men and 15% for women. For the Air Force, the key to reducing attrition is a reduction in the length of time an individual spends in DEP as well as using monthly contacts, technology, and commander's calls. The Air Force also has improved the DEP guide to better educate recruits, improved pre-accession nutrition information to prepare recruits for basic military training (BMT) better, and mandated an interview by the recruiter's supervisor prior to release from the DEP pool. When asked about reasons for DEP attrition, LtCol Owens described medical disqualification, moral violations, and the pursuit of a civilian job.

The Air Force has put several initiatives in place at BMT. It has instituted an Air Force-wide developmental special duty nominative process. It also has increased Military Training Instructor (MTI) manning and improved the ratio of female MTIs, improved MTI deliberate developmental training, added Sexual Assault Response Coordinators (SARCs) and chaplains, and increased

reporting opportunities. The Air Force is addressing anemia and iron deficiencies in the trainee population and has redesigned the BMT to 7.5 weeks culminating with a final capstone week. Current attrition rates are higher for women than for men, and the Air Force is examining that and implementing actions to address and better understand the causes for this.

CDR Gina Freeman, Coast Guard, Gender Policy Advisor, Office of Diversity and Inclusion, Coast Guard Headquarters

The Coast Guard Recruiting Command does not track DEP attrition rates; instead, it relies on Training Center (TRACEN) Cape May attrition data to drive management and caretaking decisions for best preparing applicants to succeed in the Coast Guard. (The Coast Guard assesses attrition through the end of a Service member's first enlistment vice completion of basic military training.) In FY 2014, attrition rates were 16% overall (24% for women and 14% for men). In 2012, the Coast Guard spent \$230,000 on reversions and discharges annually due to injury and physical fitness failures among men and women. It conducted an in-house study on injury prevention and physical fitness and determined that the Coast Guard's overall attrition and reversion rates were not only impacted by physical conditioning, but also by an applicant's personal readiness to transition to military life. The results of the study led to a number of initiatives. While not specifically targeting attrition rates for women the Coast Guard Recruiting Command's Standardized Applicant Caretaking Guide, implemented in September 2013, prepares civilians mentally, culturally, and physically for the rigors of military training. Arrangements can also be made for recruits to visit various Coast Guard units for indoctrination into the culture, courtesies, ranks, and rates. Together, the recruit and the recruiter develop a schedule to guide their interactions; due to liability issues, recruiters do not have the ability to provide workouts for their recruits.

CDR Freeman described several recruit attrition efforts the Coast Guard is using. It has conducted aggressive social media outreach through the Facebook "Come Ready" campaign encouraging recruits to arrive at Cape May as prepared as possible. It has instituted arrival physical fitness standards to identify and separate immediately those at greatest risk of costly injury attrition. In conjunction with the Service-wide Sexual Assault Prevention and Response (SAPR) efforts, it has taken proactive measures to ensure that every recruit finds a training environment that is free of discrimination, recrimination, or intimidation. The Coast Guard also formalized the process by which it addresses recruits who want to leave or refuse to continue training. Prior to being discharged, the member is required to meet with a mental health professional and the commanding officer (CO) of TRACEN Cape May. Finally, recruits that are being considered for discharge due to poor performance or general unsuitability are given the opportunity to be heard by a Recruit Evaluation Board.

LtCol Jonathan Swope, Marine Corps, Branch Head, Enlisted Recruiting, Operations, Marine Corps Recruiting Command

The Marine Corps has been reducing the DEP attrition rate steadily over the past several years. In FY 2014, the attrition rate was 16% for men and 18% for women. The attrition rate was higher in FY 2011 and FY 2012 due to a higher pace, but now the Marine Corps is back to a steady state and it can implement its full program more efficiently and effectively. To reduce attrition, the Marine Corps conducts a detailed briefing with the pooler and parents within 72 hours of enlistment. The Marine Corps also offers weekly "pool functions" designed to inform and prepare the pool of applicants for the mental and physical rigors of Marine Corps Recruitment

Training; these functions include physical training, education on the history and customs of the Marine Corps, and preparation for the mental transition. For women, the Marine Corps offers female-only pool functions and mentorship programs at recruiting stations. Recruiters are held accountable for DEP attrition; each recruiter has a goal of 2–3 successful recruits per month.

One Committee member inquired about how recruiters are selected; a team goes to Marine Corps commands and finds men and women at sergeant or above with a clean record who are mentally, morally, and physically qualified. About 10% of recruiters are volunteers and the average recruiter has 10–15 recruits and up to five high schools he or she will work with in the assigned area. Attrition at basic training is reported separately for Recruit Depot San Diego (5% male attrition in FY 2014; females do not attend Recruit Depot San Diego) and Recruit Depot Parris Island (8% male attrition and 15% female attrition in FY 2014).

To mitigate attrition at basic training, the Marine Corps is using several initiatives. Both male and female recruits benefit from evidence-based physical training from individuals specifically trained in kinesiology, performance enhancement, and sports medicine. Physical training at the recruit depots are led by masters-level trained individuals who are Physical Fitness Advisors to the Commanding Generals. Civilian certified athletic trainers treat recruits as part of the Sports Medicine and Injury Prevention (SMIP) program; these trainers have the dual role of assisting the Physical Fitness Advisors and complementing existing Navy Medicine assets in dealing with musculoskeletal injuries. In response to a Committee member's question, LtCol Swope described how the Marine Corps is working on increasing the number of female recruiters.

Public Comment Period

There were no public comments.

5 December 2014

Opening Comments

DACOWITS Deputy Director, Ms. Jessica Myers, serving as the Designated Federal Officer, described the agenda topics for the day and facilitated the introductions of audience members.

Selective Service System (SSS) Program Overview

At the DACOWITS quarterly meeting in September 2014, Committee members expressed an interest in learning about the rules and regulations that dictate the Selective Service System (SSS). Specifically, the Committee was interested in the background of the SSS, how it operates, and what would be involved for the SSS to continue to operate if the law were changed to require women to register in addition to men.

Ms. Jessica Myers, DACOWITS, Deputy Director

Ms. Myers led the Committee members through a review of the “Selective Service System Annual Report to the Congress of the United States: Fiscal Year 2013.” According to its mission, the SSS will be an active partner in the national preparedness community that anticipates and responds to the changing needs of the nation. The SSS is a small, independent federal agency within the Executive Branch, operating with permanent authorization under the Military Selective Service Act (50 U.S.C. App. 451 *et seq.*). It exists to serve the emergency manpower needs of the military by conscripting untrained men, or personnel with professional health care skills, if directed by Congress and the president because of a national crisis. The current registration program for men born on or after 1960 has been in effect since 1980; it requires all men in the United States to register with the Selective Service within 30 days of reaching age 18. By registering with the Selective Service, every young man is reminded of his potential civic obligation to serve the nation in an emergency. If a draft becomes necessary, the public must see that it is fair and equitable. For that to happen, the maximum number of eligible men must be registered. By registering, men comply with the federal law and remain eligible for student financial aid, job training, and government employment opportunities. In 2012, the estimated registration compliance rate was 92%.

As a means of increasing registration compliance, the SSS uses a driver’s license initiative, online registration, early submission opportunities, and registrar programs at high schools. If a man fails to register, his name is referred to the U.S. Department of Justice (DoJ) for possible investigation and prosecution for his failure to register; during FY 2013, 35,669 names and addresses of suspected violators were provided to the DoJ.

Six bills affecting the SSS were introduced during the 113th Congress (2013–2014) prior to September 30, 2013. H.R. 747 was introduced to amend the Military Selective Service Act to require the registration of women in light of the DoD elimination of the rule excluding women from direct ground combat assignments; no action was taken. H.R. 748 would require every U.S. citizen and every other person ages 18 to 25 residing in the U.S., including females, to perform a two-year period of national service; no action was taken.

Another year of budget constraints limited, but did not eliminate SSS efforts to increase public awareness of the registration requirement. Outreach activities included themed exhibits which state, “It’s What a Man’s Go to Do!” Outreach exhibits target educational organizations’ annual

meetings, radio and television public service announcements, high school publicity kits, and outreach meetings with educators, print advertisements and social media, immigrant services, churches, and social service organizations. The SSS conducted a registration awareness program with state prisons to verify registrar contacts and to send supplies to correctional facilities for “men out of the mainstream.” On the local level, outreach also was conducted in three field regions covering all states and territories. Since 6,300 men turn 18 years old every day, the primary emphasis markets are both U.S. male citizens and immigrant men ages 16 through 25. A slogan used by the SSS in its outreach efforts is “it’s what a man’s got to do.”

From a human resources and logistics standpoint, the Selective Service Administration relies on a diverse workforce of full- and part-time civil servants, civilian volunteers, and part-time military reserve component personnel. The agency must be ready to recruit and process a massive influx of employees in case of a general mobilization. According to an e-mail sent to DACOWITS staff by Mariano Campos, Jr., Associate Director for Operations of the SSS, the agency would be capable of registering women. Current projections indicate that SSS would require an additional 30 full-time equivalents (FTEs) and approximately \$7.5 million in additional funding to accommodate the registration of women.

Ms. Myers then briefed the Committee on a 1998 GAO report, “Gender Issues: Changes Would Be Needed to Expand Selective Service Registration to Women.” According to this report, DoD views exemption of women from registration as concurrent with its policy on ground combat. DoD also cites a 1981 decision of the U.S. Supreme Court (*Rostker v. Goldberg*, 453 US 57) that upheld the exemption of women from registration as additional support for this view.

One Committee member commented that the cost implications seem minimal, especially when compared to the much larger marketing and advertising budgets for each of the Services. Concerns were raised in regards to SSS’ theme and the subliminal message the exhibits send to an already low propensed population of women. A Committee member commented that they were offended to learn that the SSS targets convicted criminals rather than qualified women. Another Committee member commented that there are implications for the SSS as a result of rescinding the combat exclusion policy. The Committee discussed potentially crafting and voting on a recommendation surrounding the exclusion of women from registration in the Selective Service; the Committee members ultimately decided to consider it as a study topic for 2015.

DoD Office of the General Counsel

To learn more about the rules and regulations that dictate the SSS, DACOWITS requested a briefing on the Constitutionality of the Selective Service Act.

Ms. Maria Fried, Associate Deputy General Counsel (Personnel and Health Policy)

From 1940 to 1973, during both peacetime and periods of conflict, men were drafted to fill vacancies in the military which could not be filled through voluntary means. In 1973, a policy of voluntary military service was implemented, but registration by males between ages 18 and 26 is still required by the Selective Service Act to augment the all-volunteer force in the event it is needed. Before 1991, women were precluded statutorily from flying Air Force or Navy combat aircraft or from serving on combat Navy vessels. The DoD risk rule precluded women from being assigned to non-combat units and positions and in other assignments where the combat risks equaled or exceeded those of combat assignments (e.g., infantry and artillery). With the

enactment of the National Defense Authorization Act for FY 1992, Congress repealed statutory limitations on assignment of women to combat aircraft and required the establishment of a Presidential Commission to study and to make recommendations on combat assignment restrictions for military women. In 1994, the Secretary of Defense's Direct Ground Combat Definition and Assignment (DGCA) Rule memo established the rule that was rescinded in 2013 governing combat assignments for women.

The controlling case governing the constitutionality of the Selective Service Act is still *Rostker v. Goldberg* (453 US 57). With this ruling in 1981, the Supreme Court upheld the constitutionality of the Act, finding that prohibitions on women serving in combat justified exempting women from registration. The Court explained that men and women "simply were not similarly situated for purposes of a draft or registration for a draft." Therefore, the Court concluded that male-only registration did not violate the Equal Protection Clause. The decision was based on its practice of military deference to what was necessary as well as gender discrimination case law that existed at the time. The Court made it clear that even the most fundamental rights can be modified in light of military needs and to preserve national security. In the *Rostker* case, the Court deferred to Congress because it had expertise and knowledge that was outside of the purview of the Court. Supreme Court litigation is pending regarding this topic.

Committee Presents 2014 Annual Report and Votes

LtGen (Ret) Frances Wilson, Ms. Monica Medina, and CAPT (Ret) Beverly Kelley summarized the 2014 DACOWITS Report, reading the Committee's recommendations and reasoning. The Committee discussed and approved its recommendations at its September meeting. The full report containing the Committee's recommendations and reasoning, installation visits summary, focus groups, briefings, and other research will be published on DACOWITS' website in the spring of 2015. The Committee voted unanimously in favor of approving the report (14 votes in support).

Committee Presents Draft 2015 Study Topics

CAPT (Ret) Beverly Kelley presented the draft Wellness study topics:

- Quality of Life and Family Issues for Military Servicewomen Impacted by Key State and Family Laws. This line of study would include issues such as child custody, childcare, accreditation for spouses, and other issues that affect families.
- Pregnancy and Postpartum Policies. The Committee plans to review pregnancy and postpartum policies, the impact of pregnancy on servicewomen's advancement, and medical recommendations regarding operational deferment and postpartum physical fitness testing.
- Impact of Social Media on Military Women. To study this issue brought up during the 2013 focus groups, the Committee will examine both the positive and negative impacts of social media on military women, particularly with regard to sexual harassment.
- Facilitators and Barriers to Reporting Sexual Harassment and Sexual Assault. The Committee plans to study the various factors that can influence a victim or bystander's decision about whether or not to report sexual harassment or sexual assault.

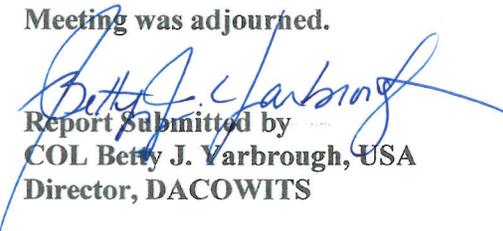
Ms. Monica Medina presented the 2015 draft Assignments study topics:

- Gender Integration. The Committee will continue to review how DoD is progressing with the full integration of women into previously closed units and positions. It will examine exclusions, talent management programs, initiatives for developing senior leaders within each Service of women and steps DoD is taking to ensure reductions in force do not increase underrepresentation in the military at all ranks.
- Career Progression. The Committee will examine why career progression for women is trailing that of men, how sexual assault reporting is affecting career progression, how the Services are tracking career progression of those who reported sexual assault, and how the Services can ensure career progression is not harmed by reporting.
- Accessions. DACOWITS will review how DoD plans to affect accessions for women, what DoD's goal is for female recruiting overall and what is the basis for that goal, what is the size of the eligible population that can be recruited, and how requiring women to register for the Selective Service would affect accessions.

Final Remarks

The Committee Chair, LtGen (Ret) Fran Wilson, thanked the Service points of contact, briefers, and public attendees. The next DACOWITS meeting is scheduled for 11-12 March. Designated Federal Officer and DACOWITS Deputy Director, Ms. Jessica Myers, closed the public meeting.

Meeting was adjourned.


Report Submitted by
COL Betty J. Yarbrough, USA
Director, DACOWITS


Report Certified by
LtGen (Ret) Frances Wilson
DACOWITS Chair

MEMBERS IN ATTENDANCE

LtGen (Ret) Frances Wilson

CMSgt (Ret) Bernise F. Belcer
FLTCM (Ret) Jacqueline DiRosa
CAPT (Ret) Beverly G. Kelley
MG (Ret) John Macdonald
Ms. Donna M. McAleer
RADM (Ret) Elizabeth Morris
MG (Ret) Gale S. Pollock

Ms. Teresa Christenson
Ms. Charlotte Dixon
Rev. Dr. Cynthia R. Lindenmeyer
FORCM (Ret) Laura A. Martinez
Ms. Monica Medina
LTC (Ret) Hae-Sue Park
SMA (Ret) Kenneth Preston