

DEFENSE ADVISORY COMMITTEE ON WOMEN IN THE SERVICES

Quarterly Meeting Minutes

1 March 2012

The Defense Advisory Committee on Women in the Services (DACOWITS) held a full committee meeting on March 1st, 2012. The meeting was held at the Sheraton Suites, 801 North Saint Asaph Street, Alexandria, Virginia, 22314.

Opening Comments

The Designated Federal Officer and DACOWITS Military Director, COL Ines White, opened the meeting and introduced Ms. Holly Hemphill, the recently appointed DACOWITS Chair.

Ms. Hemphill acknowledged Ms. Nancy Duff Campbell, who served as Acting Chair for the Committee prior to Ms. Hemphill's appointment, for her guidance and contributions to the Committee, particularly for her leadership on the 2011 Report, which was available for distribution at the meeting. Ms. Hemphill also recognized Pat Gormley, who passed away on 21 February, 2012. Ms. Gormley was a former member and longtime supporter of DACOWITS and its mission.

At Ms. Hemphill's request, all meeting attendees introduced themselves. The meeting agenda is located in Tab A. ¹

Department of Defense (DoD) Response to the Government Accountability Office (GAO)

Review of Sexual Harassment

Mr. Jimmy Love, Office of Diversity Management and Equal Opportunity, Defense Equal Opportunity Management Institute Liaison

A recent report by the Government Accountability Office (GAO) raised concerns about DoD leadership commitment and oversight of sexual harassment prevention efforts in the military. Sexual harassment in the military has been an ongoing concern for the Committee and DACOWITS has identified this subject as a study topic for 2012. Mr. Love briefed the Committee on the DoD response to the GAO report. Mr. Love's prepared PowerPoint slides can be found in TAB B. A brief summary of Mr. Love's presentation is provided below.

¹ All TABs referenced in this document refer to materials enclosed in the binder entitled *DACOWITS Business Meeting 29 Feb – 2 Mar 2012*, which was distributed to attendees.

In their report, GAO recognized that DoD had addressed sexual harassment in the past, most recently involving a 1995 task force report, but found there was continued room for improvement. GAO recommended that DoD take five actions to address sexual harassment: 1) develop a strategy for holding leaders accountable for enforcing DoD sexual harassment policies; 2) track leaders' compliance in conducting command climate assessments; 3) develop guidance on how sexual harassment incidents are to be handled in joint Service environments; 4) establish uniform data elements for collecting and reporting formal sexual harassment complaints across Services; and 5) implement an oversight framework.

Mr. Love said that DoD concurred with GAO's findings and is developing a plan to address all five recommendations. Regarding the fourth recommendation specifically, Mr. Love remarked that DoD previously has possessed no common database or data elements across the Services to provide aggregated reports on sexual harassment information. DoD is currently implementing a database system to address this. Regarding the command climate assessment recommendation, Mr. Love noted that it is necessary for commanders to have an understanding of the climate in their organizations and take actions to address any deficiencies. To achieve this, one option is to have DEOMI administer a command climate assessment using multiple methods such as surveys, focus groups, and training. Upon its completion, DEOMI could then inform the commander whether sexual harassment or other forms of discrimination exist in the unit.

At the Committee's request, Mr. Love also addressed how DoD will handle complaints of discrimination on the basis of sexual orientation. He noted that the Secretary of Defense policy does not include sexual orientation as a basis for discrimination under the Military Equal Opportunity (MEO) Program. If someone reports discrimination on the basis of sexual orientation, under DoD policy the complaint will be referred to the chain of command. The Inspector General (IG) will then handle the complaint if it cannot be resolved by the chain of command. However, if there is a complaint of *sexual harassment* based on sexual orientation, the MEO Office will handle this complaint the same way that all sexual harassment complaints are handled. The distinction between the two is a matter of definition. Unlawful discrimination for MEO purposes includes complaints based on race, color, religion, national origin, and sex. It does not include sexual orientation and therefore complaints based on sexual orientation are not under the purview of MEO. Sexual harassment, by contrast, is not a gender- or sexual orientation-dependent offense.

The decision not to change the categories of protected classes for MEO purposes was made as part of policy in implementing the repeal of Don't Ask Don't Tell (DADT). A recommendation by the Comprehensive Review Working Group (CRWG) informed this decision. Mr. Love noted that the MEO Office was not intimately involved in the process leading to this decision and

suggested that DACOWITS could invite a representative from the CRWG, if further information is desired.

Mr. Love stated the Coast Guard does not have an IG system like DoD. Therefore, they have a different policy for handling discrimination complaints on the basis of sexual orientation. The Coast Guard will handle these complaints through the same channels as sexual harassment complaints, except Coast Guard will not accept sexual orientation claims for processing beyond counseling and mediation. Beyond that, it is up to the commanding officer to determine further action.

The following are points from the question-and-comment period after the briefing:

- At Committee members' request, Mr. Love addressed the leadership accountability issue in greater detail. From the DoD perspective, accountability involves getting information to senior leaders so they can take actions to address the effectiveness of their programs. MEO stops at the Service Secretary level, and it is the Service Secretary's responsibility to take action and address this with their commanders. There are several initiatives at the Service Secretary level to address leadership accountability. Mr. Love suggested that DACOWITS may wish to invite the Services for a briefing on their various initiatives addressing leadership accountability.
- Mr. Love said that requiring the command climate assessments be reported above the local commanders will not be mandated, though commanders have the option of reporting the results of the assessment to their superiors. DoD wants commanders to use these assessments as a tool, and not a report card. Mr. Love reported that if leaders at higher levels wanted to learn about any command climate issues, they would use the various resources at their disposal, such as talking to their advisors and conducting climate surveys.
- An audience member encouraged DACOWITS to look into the leadership accountability issue further, noting that command climate surveys are conducted within the first 90 days of a commander taking over a unit to establish a baseline, and not as a measure of the current commander's performance. However, there is frequently no follow-up, as the commander's assignment may change before the next command climate survey is conducted. Therefore, it is possible that the commander's performance in setting the climate may not be captured.
- In response to a question about the Army's combining sexual harassment and sexual assault claims under the Sexual Harassment/Assault Response Program (SHARP), Mr. Love said his office encourages the Services to use initiative in instances such as this and is not opposed to combining sexual assault and harassment under the SHARP program.

Health Issues of Deployed Military Women

Dr. Lucinda Frost, Health Affairs and Dr. Sharon Ludwig, Armed Forces Health Surveillance Center

Dr. Frost and Dr. Ludwig briefed the Committee about health issues of deployed military women. As one of its 2012 study topics, DACOWITS is interested in health concerns of deployed women, particularly since women are increasingly deployed in operational field environments, taking on ground combat roles. The prepared PowerPoint slides for this briefing can be found in TAB C. A brief summary of Dr. Frost's and Dr. Ludwig's presentation is provided below.

Dr. Ludwig noted that the Armed Forces Health Surveillance Center (AFHSC) produced the October 2009 Medical Surveillance Monthly (MSM) Report as a special focus report examining health issues of women after deployment in support of OEF/OIF. MSM reports can be found at <http://www.afhsc.mil/msmrToc>. In their analysis, the AFHSC compared illness and injury incidence rates among women who had previously been deployed to OIF/OEF against other control populations. There were three control groups used in analyses: 1) women Service members who had not yet deployed; 2) women Service members deployed to Korea but not to OIF/OEF; and 3) men who had deployed to OIF/OEF. Compared to the control populations, the women who had deployed to OIF/OEF reported consistently higher incidence rates of the following health issues: migraine; disorders of the back and neck; anxiety, depression, mood and other mental disorders; upper respiratory illness; pregnancy, labor, delivery and fertility-related conditions; and medical treatments related to routine care that was probably deferred during deployment.

As the study focused on health issues reported only in the two years following deployment, Dr. Ludwig stated it is virtually impossible to know if the above conditions occurred in these women *during* deployment. Dr. Ludwig said that AFHSC could examine, if a formal, specific request were made, the health issues occurring in women *during* deployment. She noted that such a study would require a very complex methodology.

Dr. Frost said that AFHSC does not routinely collect information on women's health issues only; rather, men's and women's health data are collected together. Dr. Ludwig, remarking on what remains to be done to address these issues, said that AFHSC is currently requesting the establishment of an interagency workgroup including key stakeholders in the VA and DoD to focus on healthcare issues for women Service members and Veterans.

The following are points from the question-and-comment period after the briefing:

- Dr. Ludwig stated that the February 2012 issue of MSM (Volume 19, Number 2) lists the common reasons for evacuation from the field. Common reasons for evacuation of women include battle injury, musculoskeletal disorders, mental disorders, “signs, symptoms, and ill-defined conditions,” and non-battle injuries. The methodology used for this analysis is slightly different than that of the study in this presentation.
- A separate special report in the December 2011 issue (Volume 18, Number 12) of *Medical Surveillance Monthly* also focuses on women’s health issues generally.
- Dr. Ludwig said that AFHSC focuses on epidemiology and not treatment, so she was not able to comment on how the issues identified in her presentation are treated in the field.
- Dr. Ludwig said she can only speculate on why the health issues identified in her presentation are more common in deployed women. It may have to do with healthcare-seeking behavior, or the jobs women are in. A more in-depth scientific study would be required to tease that out, which is beyond the scope of AFHSC.
- Asked to comment on the efforts being undertaken to address urinary tract infections (UTIs) in the field, Dr. Ludwig stated that female urinary devices are great in theory, but they are hard to obtain and hard to use. A complicated study would be needed to assess the effects these devices have had. She has not seen any such study so far.
- An audience member, MAJ Brianna Perata, reported that the Army Surgeon General’s Office had recently formed a task force to address health issues during deployment. The task force was sent to Afghanistan, and one of their focuses was women-specific health issues. In their research, they conducted surveys and town-hall meetings with women. The report should be released in March of this year. The report will address issues such as UTIs, dehydration, fit of uniform, psychosocial issues, and logistical issues such as informing women of the urinary devices and obtaining these devices.
- A representative from the office of the Joint Staff Surgeon General said that the Joint Staff is very interested in the issues addressed in the presentation. She reported they are currently looking into mental health issues affecting deployed Service members.

**Leadership Accountability in the Prevention of Sexual Assault and Sexual Harassment:
DACOWITS Wellness Working Group Report**

In the 2011 report, DACOWITS recommended that measures of sexual assault and harassment be included in command climate assessments. In addition, as one of their continuing concerns, the Committee is interested in whether leaders’ effectiveness in combating sexual assault and harassment should be included in individual performance evaluations. DACOWITS has been told repeatedly that leadership accountability is key in combating sexual assault and harassment,

but it is not yet clear to the Committee how or indeed whether, this accountability occurs. On 29 February, DACOWITS Wellness Working Group members met with MajGen Mary Kay Hertog, Sexual Assault Prevention and Response Office Director, and four officers who have served or currently serving in command positions, one from each DoD Service. The main points from the discussion are summarized below:

- COL. (Ret.) Margarethe Cammermeyer, DACOWITS member, summarized the meeting. The discussion focused on how sexual assault/sexual harassment measures could be included in leaders' assessments. While there is a command climate assessment survey tool available to commanders, only the commander, and not the commander's supervisor, sees the results of the assessment. The military officer participants in the meeting felt that command climate and leadership are intrinsic characteristics that are very difficult to quantify.
- Ms. Nancy Duff Campbell, DACOWITS member, added that the commanders in the meeting felt that command climate was already being measured. In the end, they were unable to suggest how, specifically, to evaluate leaders on command climate with respect to sexual assault and sexual harassment.
- Ms. Campbell also observed that GAO found that the command climate assessments are not utilized enough. The Honorable Deborah James, DACOWITS member, suggested that the command climate assessments be factored into individual fitness reports if this is not already the case. She said that assessment of leadership skills is becoming a more common practice in private industry. An Army representative said that the command climate assessments are an inspectable item. Currently, the results of the assessment are briefed at the company level. Further, it is the Equal Opportunity Advisor's job to be informed of these issues and bring them to leadership's attention. BG (Ret.) Julia Cleckley, DACOWITS member, observed that in her experience as an EO advisor, leadership has the power to "tuck away" these assessments if they do not like the results.

In the following discussion, audience members raised cautions about mandating that the results of the command climate assessments be briefed to the commanders' supervisor or included as part of the commanders' performance assessment, including:

- The command climate assessments are conducted when a commander begins the command of a new unit. A poor climate assessment might give the unfair impression that the new commander is responsible.
- A commander might encourage more reporting of sexual harassment and assault. This might have the effect of *increasing* the number of reports of sexual harassment and assault in a unit.

- Command climate assessments may not reflect the whole picture. As an example, a commander may make an unpopular, though correct, decision. This could result in an unfavorable view of the commander, and might lead to low scores on the command climate assessment.
- The command climate assessments were designed as a tool commanders could use to evaluate the command climate; these assessments were not designed as a tool for assessing commanders' performance.
- Command climate assessments are conducted within 90 days of a commander taking over, and are usually conducted annually thereafter. However, if commanders switch commands after 12-18 months, there is not enough time for a follow-up assessment to measure progress.

DACOWITS members were of the view that the important thing to take from the command climate assessment is what commanders do to address problems identified in the assessment. Ms. Hemphill, in closing the discussion, said that there is room for improvement in holding leaders accountable for combating sexual assault and harassment. She thanked everyone for their input on this matter, and noted this would be something the Committee will continue to explore.

Women in the Services Restrictions (WISR) Report

Ms. Juliet Beyler, Office of the Undersecretary of Defense (Personnel and Readiness)

DACOWITS, in its 2010 and 2011 reports, recommended that DoD and the Services eliminate the 1994 ground combat restrictions for women. This briefing is part of DACOWITS' continuing examination of this issue. Ms. Beyler's prepared PowerPoint slides can be found in TAB D. A brief summary of Ms. Beyler's presentation is provided below.

As part of the FY2011 National Defense Authorization Act (NDAA), Congress mandated that DoD conduct a review of gender-restrictive assignment policies as described in the 1994 direct ground combat definition and assignment rule. As a result of the review, DoD is eliminating the optional co-location assignment restriction. The review concluded that the current battlefield is non-linear and restricting positions based on co-location is no longer logical. As a result of eliminating the co-location restriction, the Army will be opening 13,139 positions to women. These 13,139 positions will come from six military occupational specialties: Multiple Launch Rocket System (MLRS) Crewmember, MLRS Operations/Fire Detection Specialist, Field Artillery Firefinder Radar Operator Specialist, M1 Abrams Tank System Maintainer, Bradley Fighting Vehicle System Maintainer, and Artillery Mechanic. Additionally, the Army and the Marine Corps requested an exception to policy to open specific positions in select units previously restricted to women by DoD policy. The approval of this exception to policy allows

Army, Marine Corps and Navy the ability to assign women to direct ground combat units at the battalion level rather than the brigade level. Previously, women could only be attached, and not assigned, to these units at the battalion level (the battalion level is below the brigade level). The changes may be implemented following the expiration of a statutory 30-day notice period to Congress.

Ms. Beyler said that Secretary Panetta sees this as a beginning, not the end, of a process. DoD is focused on assigning members on the basis of ability and not gender. To do this, the Services will develop gender-neutral occupational standards. Secretary Panetta has provided guidance to the Service Chiefs to identify gender-neutral occupational standards for each MOS, and identify new positions that could be opened to women in the future.

The following are points from the question-and-comment period after the briefing:

- A 1998 GAO study reported that 89,000 positions were closed on the basis of co-location, and a 2006 report to Congress showed Air Force and Navy as well as Army with positions closed due to co-location. Ms. Beyler had reported that 13,000 Army positions were now being opened as the result of eliminating the co-location rule. Ms. Beyler was not familiar with the earlier reports and could only speculate on why this discrepancy exists. The OSD Military Personnel Policy (MPP) Office representative, Lt Col Mark Horner, clarified that the Services needed to only provide one reason for why a position was closed to women. Therefore, in cases where co-location was cited as a reason for not allowing women to serve in a job, there may have been other reasons, not cited, that still apply even after the co-location restriction is lifted. Lt Col Horner was asked to provide a report for DACOWITS detailing *all* the reasons currently being used to close each position. Committee members expressed general concern that the Services seem to be using subjective judgment when determining which positions should be restricted to women rather than using valid criteria.
- Ms. Hemphill stated that, since 1994, no positions have ever been closed on the stated grounds that job-related physical requirements would necessarily exclude the vast majority of women service members, a reason for closure under the 1994 policy that was permitted but not required. Furthermore, combining the general ground combat restriction and the optional physical requirement restriction is confusing as to why the positions are actually closed to women. Committee members noted that part of their concern lies with the fact that women have now been performing in ground combat for years, yet have not received the credit for doing so.
- One of the reasons identified for delaying the opening of additional positions to women is the fact that physical standards for specific positions do not yet exist and the Services have been directed to create such standards. The Committee observed that men have been

assigned to these positions despite the absence of such standards. Ms. Beyler acknowledged this inconsistency and said that, following the creation of standards, some men will likely be unable to meet the position-specific standards. Ms. Beyler verified that, in such a case, these men would not be able to serve in positions for which they were unable to meet the standards.

- Committee members asked why DoD did not recommend eliminating the entire ground combat rule, especially considering that women have been performing admirably over the past ten years while attached to ground combat units. Ms. Beyler replied that DoD and the Services want to target specific positions first rather than open up all positions at once. Ms. Beyler added that the ability to assign women at the battalion level in direct ground combat is a significant change because there is a “world of difference” between being permanently assigned and being attached to a unit.
- Ms. Beyler verified that Army and Marine Corps requested this exception because they were interested in opening only certain positions at the battalion level. The Army representative noted that nine battalions will be working this exception to policy (i.e., assigning women to certain positions at the battalion level for the first time). These units volunteered for this assignment, and are located in Fort Knox, Fort Drum, Fort Campbell, Fort Hood, Hawaii, and Fort Carson. The U.S. Army Research Institute (ARI) will be conducting the assessments, which will involve surveys and focus groups as part of official data-gathering. Army did not officially gather such data previously when women were attached to units such as these. A Committee member remarked that Army would find that the women are capable of performing these jobs and that the Army seems to be conducting this assessment for the purpose of seeing how the men in the units will react. The Army representative said that the assessments are not being conducted with the men in mind only.
- The Army representative said Army has gender-neutral occupational standards. She added, however, that positions have been closed to women not because of physical standards, but because of the direct ground combat restriction. She was not involved in developing the occupational standards, and could not say whether they were scientifically tested and validated. Committee members expressed concern that these standards likely had not been validated and felt these standards may be based on subjective views about physical abilities and used to exclude women from positions. Committee members expressed the view that physical standards should be scientifically validated to predict job performance.
- MLDC found an inequitable opportunity for women to be promoted and excel in the military due to the ground combat restriction. In contrast, Ms. Beyler said DoD had engaged RAND to determine if there was any impediment to women’s career progression

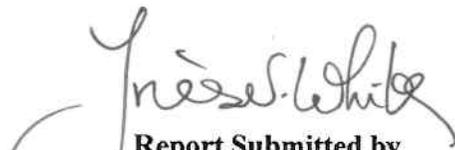
due to the closures of such positions, and RAND had not found statistical evidence for this claim. The Committee expressed interest in looking into the MLDC report and RAND study further to account for this discrepancy.

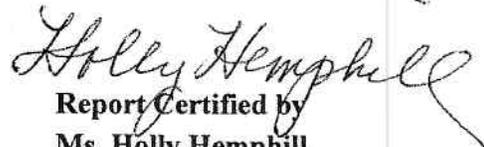
- Committee members expressed concern about the timeline, or lack thereof, concerning additional steps forward in this process. The Services may implement changes at the expiration of the Congressional notice period. After six-months they are asked to report their progress to DoD, but outside of that, there are no deadlines for developing standards or opening new positions.

Public Forum

Women's Health Week is the week following Mother's Day this year, and Army Medicine has identified May as Women's Health Month. May will mark the kickoff for the Women's Health Task Force.

Meeting was adjourned.


**Report Submitted by
COL Ines White, USA
Director, DACOWITS**


**Report Certified by
Ms. Holly Hemphill
DACOWITS Chair**

DACOWITS MEMBERS IN ATTENDANCE

Ms. Holly Hemphill
Ms. Nancy Duff Campbell
BG (Ret) Maureen LeBoeuf
The Honorable Deborah James
COL (Ret) Margarethe Cammermeyer
BG (Ret) Julia Cleckley
SgtMaj John L. Estrada, USMC Retired