



DEPARTMENT OF THE ARMY
ASSISTANT SECRETARY OF THE ARMY
MANPOWER AND RESERVE AFFAIRS
111 ARMY PENTAGON
WASHINGTON, DC 20310-0111

SAMR

06 Sep 2023

MEMORANDUM FOR Chairman, Defense Advisory Committee on Women in the Services (DACOWITS), ATTN: DACOWITS Members, Washington, DC 20310-0111

SUBJECT: Army Written Responses to DACOWITS's Request for Information (RFI) 6

1. In accordance with DACOWITS and its three subcommittees: (1) Recruitment and Retention (R&R); (2) Employment and Integration (E&I); and (3) Well-Being and Treatment (WB&T), the following Army written responses are provided to the RFIs:

a. **Pregnancy in the Military.** The WB&T subcommittee requests written responses from the Army on the following:

(1) United States Military Academy (USMA): Will affected cadets in Service as of the Congressionally directed enactment date be grandfathered (i.e., able to avail themselves of the new rules)?

Response- While the CADET Act does not specify any retroactive requirements, the command's priority is the well-being of cadets who become pregnant or father a child. Leaders at all echelons will accommodate any cadet who reports the birthing or fathering of a child after her or his accession to West Point. The best interest of the concerned cadet(s) and their dependents will remain paramount. See Enclosure 1: Interim Guidance for Superintendent, USMA and Enclosure 2: USMA Response.

(2) USMA: Provide copies of and links to the implementing DoD directives and guidance.

Response- DoD specific directives and guidance are pending publication.

(3) USMA: Has Service guidance been issued? If so, provide copies.

Response- The Army's interim guidance is attached. See Enclosure 1: Interim Guidance for Superintendent, USMA.

(4) USMA: How many cadets and midshipmen are currently waiting for the Act to be implemented?

Response- Within the spirit of the CADET Act, USMA is currently supporting three cadets identified as biological parents. The command is assisting these cadets in seeking legal assistance and creating family care plans as appropriate. In coordination with ASA(M&RA), the command will ensure the preservation of parental rights and provision of medical benefits. See Enclosure 2: USMA Response.

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SUBJECT: Army Written Responses to DACOWITS's Request for Information (RFI) 6

(5) Provide the instruction(s) which delineate policy guidance for pregnant and postpartum ROTC students. In addition, provide the instruction(s) which delineate policy guidance for enlisted pregnant and postpartum Service members enrolled in ROTC commissioning programs.

Response- In accordance with AR 145-1 paragraph 4-10a, pregnant students may register for Military Science classes as participating students and may compete for scholarships. However, a pregnant student may not enroll or contract in the SROTC program during the period of the pregnancy. Students must be medically qualified at the time of contracting; pregnancy is a temporary disqualification IAW DoDI 6130.03. Further, paragraph 4-6c states "Once a Cadet has enrolled in the SROTC program, a change in status or number of dependents will not constitute cause for disenrollment and will not require a waiver. Cadets who become pregnant will not be involuntarily disenrolled solely because of pregnancy." See Enclosure 3: USCC Response.

2. The POC for this action is COL Caprissa S. Brown-Slade, Army Chief Diversity Officer, Senior Advisor for Diversity and Inclusion (SADI), ASA (M&RA), via email: caprissa.s.brownslade.mil@army.mil or via phone 202.341.1348.

///Original Signed///

AGNES GEREBEN SCHAEFFER

3 Encls

1. Interim Guidance for Superintendent, USMA.
2. USMA Response
3. USCC Response



SECRETARY OF THE ARMY
WASHINGTON

06 SEP 2023

MEMORANDUM FOR Superintendent, United States Military Academy, West Point, NY
10996

SUBJECT: Interim Guidance Regarding the Implementation of Section 559A, FY22
National Defense Authorization Act (NDAA) (CADET Act)

1. References:

a. National Defense Authorization Act for Fiscal Year 2022, Public Law 117-81,
Section 559A, FY22 NDAA, (2021)

b. Department of Defense Instruction (DoDI) 1322.22 (Service Academies), 24
September 2015

c. DoDI 1342.19 (Family Care Plans), 30 November 2017

d. Army Directive 2023-04 (Command Notification of Pregnancy)

2. In accordance with reference a, the United States Military Academy (USMA) shall prescribe regulations that include the option to preserve parental guardianship rights of a cadet who becomes pregnant or fathers a child while attending USMA, consistent with the individual and academic responsibilities of such cadet.

a. In accordance with reference b, USMA cadets are considered to be members of the Armed Forces in an active-duty status and therefore entitled to medical and dental care, even while on an administrative leave of absence or medical leave of absence. Additionally, their active-duty status allows them to transfer medical and dental benefits to their dependents, who will be permitted to seek medical care in both military and private-sector medical facilities.

b. USMA policy regarding cadets with a dependent should utilize the Family Care Plan infrastructure outlined in reference c, as dependents will not be permitted to reside with a cadet while they are still enrolled at USMA.

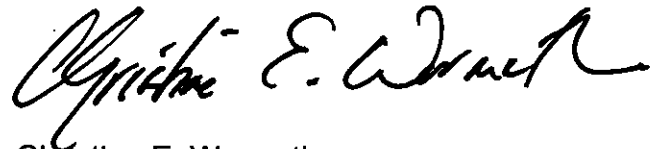
c. USMA policy will adhere to reference d with regard to cadets having up to 20 weeks gestation before being required to inform their chain of command of their pregnancy. This time period may be truncated due to special circumstances affecting notification as set forth in reference d.

SUBJECT: Interim Guidance Regarding the Implementation of Section 559A, FY22
National Defense Authorization Act (NDAA) (CADET Act)

d. USMA cadets who become pregnant will be given the option to complete, at least, their current academic term prior to being placed on medical leave of absence, assuming this decision is not counter to medical advice.

e. Per reference b, individuals with dependents or who are pregnant may not be appointed as USMA cadets.

3. My point of contact for this action is LTC Shanna Hendrix, 703-614-6774,
shanna.m.hendrix.mil@army.mil.

A handwritten signature in black ink, appearing to read "Christine E. Wormuth". The signature is fluid and cursive, with a large initial "C" and a long, sweeping tail.

Christine E. Wormuth



DEPARTMENT OF THE ARMY
UNITED STATES MILITARY ACADEMY
WEST POINT, NEW YORK 10996

MACS

AUG 22 2023

MEMORANDUM THRU Assistant Secretary of the Army, Manpower and Reserve Affairs (ASA M&RA) 111 Army Pentagon, Room 2E460, Washington, DC 20310-0111

FOR Chairman, Defense Advisory Committee on Women in the Services (DACOWITS),
ATTN: DACOWITS Members, Washington, DC 20310-0111

SUBJECT: DACOWITS Requests for Information – Service Academy Parental Rights

1. PURPOSE: Respond to questions about the FY22 National Defense Authorization Act (NDAA)-directed preservation of cadets' parental guardianship rights (CADET Act).

2. COMMANDER'S INTENT:

- a. Prioritize the well-being of cadets who become pregnant or father a child.
- b. Provide a supportive atmosphere for affected cadets to properly care for themselves.
- c. Develop an external care plan for dependents that will afford cadets the opportunity to complete all graduation requirements while maintaining parental rights.
- d. Operate within the spirit of the CADET Act pending implementation guidance from the Department of Defense (DoD) and Headquarters, Department of the Army (HQDA).

3. QUESTIONS AND RESPONSES:

a. Will affected cadets and midshipmen in Service as of the Congressionally directed enactment date be grandfathered (i.e., able to avail themselves of the new rules)? While the CADET Act does not specify any retroactive requirements, the command's above priorities still apply. Leaders at all echelons will accommodate any cadet who reports the birthing or fathering of a child after her or his accession to West Point. The best interest of the concerned cadet(s) and their dependents will remain paramount.

b. Provide copies of and links to the implementing DoD directives and guidance. DoD- and HQDA-specific directives and guidance are pending publication.

c. Has Service guidance been issued? If so, provide copies. DoD- and HQDA-specific directives and guidance are pending publication.

d. How many cadets and midshipmen are currently waiting for the Act to be implemented? Within the spirit of the CADET Act, USMA is currently supporting three

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SUBJECT: DACOWITS Request for Information – Service Academy Parental Rights

cadets identified as biological parents. The command is assisting these cadets in seeking legal assistance and creating family care plans as appropriate. In coordination with the Assistant Secretary of the Army for Manpower and Reserve Affairs [ASA (M&RA)], the command will ensure the preservation of parental rights and provision of medical benefits.

4. The point of contact for this action is LTC Bryan Jones, USMA Commander's Action Group Director, at bryan.jones@westpoint.edu and 845-938-3384.



KHANH T. DIEP
COL, AG
Chief of Staff



**DEPARTMENT OF THE ARMY
HEADQUARTERS, UNITED STATES ARMY CADET COMMAND
204 1ST CAVALRY REGIMENT ROAD
FORT KNOX, KENTUCKY 40121-5123**

ATCC-PAS (145-1)

AUG - 8 2023

MEMORANDUM FOR Chairman, Defense Advisory Committee on Women in the Services (DACOWITS), ATTN: DACOWITS Members, Washington, DC 20310-0111

SUBJECT: Defense Department Advisory Committee on Women in the Services (DACOWITS) September 2023 - Requests for Information (RFI)

1. Purpose: To provide responses to DACOWITS September 2023 RFIs # 4 ((3) OPR: USMA, TRADOC/USACC; OCR: DCS-G1/DMPM).

2. Facts: U.S. Army Cadet Command was tasked to provide instruction(s) which delineate policy guidance for pregnant and postpartum ROTC students. In addition, provide the instruction(s) which delineate policy guidance for enlisted pregnant and postpartum Service members enrolled in ROTC commissioning programs.

3. Responses: In accordance with AR 145-1 paragraph 4-10a, pregnant students may register for Military Science classes as participating students and may compete for scholarships. However, a pregnant student may not enroll or contract in the SROTC program during the period of the pregnancy. Students must be medically qualified at the time of contracting; pregnancy is a temporary disqualification IAW DoDI 6130.03. Further, paragraph 4-6c states "Once a Cadet has enrolled in the SROTC program, a change in status or number of dependents will not constitute cause for disenrollment and will not require a waiver. Cadets who become pregnant will not be involuntarily disenrolled solely because of pregnancy".

4. A Cadet's convalescence after delivery or early termination of pregnancy will be for a period determined by the Cadet's attending physician, IAW AR 40-502, and subject to the review and approval, if necessary, by the USACC Command Surgeon. Upon completion of the convalescent period, the PMS will submit a request for medical determination to the USACC Command Surgeon. The request must include a statement from the Cadet's physician that indicates the date the pregnancy was concluded, and whether the Cadet may return to full participation in SROTC activities.

5. Enlisted Soldiers enrolled in ROTC (Active component - Green to Gold Active-Duty Option (G2GADO) and USAR/ARNG Simultaneous Membership Program (SMP) Cadets) are governed by the same regulation (AR 145-1-SROTC Program: Organization, Administration, and Training) as traditional Cadets for the purposes of enrollment, contracting and commissioning. Enlisted Soldiers may also be covered under AD 2022-06 (Parenthood, Pregnancy, and Postpartum). Enlisted Soldiers who are placed on convalescent leave by their commander may also be placed on a Medical Leave of

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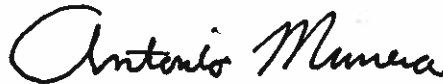
SUBJECT: Defense Department Advisory Committee on Women in the Services (DACOWITS) September 2023 - Requests for Information (RFI)

Absence if the medical condition would require excessive time lost from duty, resulting in a prolonged inability to attend classes, or preclude sufficient academic progress towards a degree.

6. A Cadet who is pregnant at the time of graduation may be tendered an appointment at the completion of the 6th month following the end of her pregnancy, provided she otherwise meets the physical standards of DoDI 6130.03. Army Regulation 145-1 grants approval authority to the USACC, CG for deferred commissioning when the Cadet is not qualified for commissioning at the time of graduation. Deferring commissioning for more than 12 months from the date of graduation is not authorized.

7. All students/Cadets are responsible for notifying their college or university of any scheduled and unscheduled absences. Failure to notify the college or university could result in failure of academic courses and may lead to disenrollment procedures.

8. The POC for this action is Robert O. Burns, Deputy Chief of Staff G1, US Army Cadet command, via telephone (502) 624-2724, and/or via email: robert.o.burns6.civ@army.mil.



ANTONIO V. MUNERA
Major General, US Army
Commanding