



Center for Military Readiness

Elaine Donnelly
President

The Honorable Mac Thornberry
Chairman, House Armed Services Committee
2120 Rayburn House Office Building
Washington, D.C. 20515

May 5, 2015

Dear Chairman Thornberry,

Having watched the April 29 markup of the National Defense Authorization Act for 2016, I am writing to express disappointment that the House Armed Services Committee has approved an amendment to the NDAA, sponsored by Rep. Loretta Sanchez, which signals abdication of congressional responsibility to conduct oversight on the issue of women in direct ground combat.

We ask that the committee drop the Sanchez amendment from the NDAA, and consider issuing a request to receive and review all research findings before controversial policies known to increase physical risks and reduce mission capability go into effect without timely oversight.

Several times since 2012, the Center for Military Readiness and other organizations have respectfully requested that the House Armed Services Committee conduct a thorough review of unprecedented Defense Department policy changes and research findings. Instead, the committee voted last week to reduce the time period required for formal notice to Congress, in advance of major policy changes affecting military women, to only 30 calendar days.

We don't know what the military chiefs of staff will recommend later this year – probably while Congress is in summer recess. If uniformed leaders of the Army and Marine Corps request exceptions to policy President Obama could overrule them without Congress having a say.

On the other hand, if military leaders decide to recommend implementation of the administration's policies without exception, Congress will have no opportunity to review, revise, or at least delay such policies pending comprehensive hearings on important research findings.

Under either scenario, the constitutional responsibility to conduct oversight will have been lost, which calls into question the purpose of this move. Once again, the American public is being told to accept radical policy changes before we know what is in them.

The number of notification days matters, but it is even more important to know whether Congress cares enough about the issue to conduct thorough, timely oversight.

Action that precludes full and open oversight on a timely basis lets down the 92.5% of Army women who said in an official survey that they want nothing to do with direct ground combat assignments. Abdication of legislative power also hurts men in the combat arms.

According to AP, 9,000 respondents in a Special Operations Forces survey said they believe that tough standards will be lowered in order to accomplish gender diversity goals. These concerns are warranted.

In January 2013 Joint Chiefs Chairman General Martin Dempsey said that standards too high for women would be questioned. In order to accommodate a "critical mass" of women in the combat arms, high training standards will be incrementally adjusted, without notice, to minimum qualification levels that are "gender-neutral" but lower than before.

The initial amendment offered by Rep. Sanchez (which appeared to take you by surprise) was poorly drafted and irresponsible. The law that Rep. Sanchez sought to abolish is not a "waiting period," as her original amendment (Log 333) characterized it.

As you know, the long-standing notification law was written to preserve options for timely congressional oversight on policies affecting military women. It also protects civilian women who might become subject to Selective Service obligations without a vote of Congress.

The fact that Congress has not invoked this law to question Defense Department actions in the past does not excuse legislation that effectively eliminates the option to do so in the future. Given the timetable in progress, cutting the requirement down to 30 calendar days essentially invites problematic action later this year, while Congress is not in session.

Rep. Sanchez also erred in claiming that all members of the Joint Chiefs of Staff have unanimously endorsed the administration's intent with regard to women in direct ground combat:

1. Shortly after Defense Secretary Leon Panetta announced repeal of regulations exempting women from direct ground combat units in 2012, Marine Commandant General James Amos issued a Memorandum initiating "*measured and responsible*" research in several phases, in order to "*provide the fact-based analytical data necessary to formulate my recommendations regarding the potential assignment of female marines to the GCE [ground combat element] and other closed MOSs.*" ([ALMARS Active Number 012/12, 24 Apr. 2012](#))
2. In the Marines' June 2013 [Report to Congress](#), officials again affirmed that they were doing research with a "*deliberate, measured, responsible*" approach that would "*validate occupational performance standards.*" The memo also recognized the option to request "*exceptions to policy*" that would retain all-male status in some units. (p. 2)
3. In [a briefing](#) presented to the DACOWITS in July 2014, the Marines said on behalf of the Commandant that research efforts would influence "[whether] *we will pursue an exception to the current policy with the SECNAV and the SECDEF.*" (p. 2)
4. Recent assurances that the various services are following their original plans to do research, reserving the right to request exceptions, do not constitute endorsement of the "no exceptions" policy favored by Rep. Sanchez and her supporters on the committee.

During the NDAA markup, Representatives Steve Russell and Ryan Zinke, both veterans of direct ground combat in the infantry and Special Operations Forces, cited only a few points of empirical data that predict increased injuries among women if they are ordered to serve as part of a "critical mass" in the combat arms on the same involuntary basis as men.

Supporters of the Sanchez amendment tried to dismiss one of the more recent reports on this subject,

produced by the British Ministry of Defence. [This report](#), which CMR analyzed in February, concluded that “Survivability and Lethality, Deployability, and Morbidity” (vulnerability to injury or illness) are three consequences of gender-integration in the combat arms that “*cannot be mitigated by changes to structure or training.*”

Similar findings regarding physiology appear in the March 2015 edition of [Military Medicine](#) magazine, a professional journal of the Association of Military Surgeons of the U.S. (AMSUS).

These reports amplify information resulting from Marine Corps research and 2013 proxy tests analyzed in the October 2014 [Interim CMR Special Report, Appendix B](#) of the [CMR Interim Special Report](#) provides a four-page list of titles, excerpts, and links to more than a dozen comprehensive studies and reports on this subject.

All of this information and much more deserves careful consideration, especially since none of the research done so far has produced empirical evidence that women can or should be considered interchangeable with men in the combat arms. Any attempt to conduct oversight after all decisions are made would be ineffective and unfair; women’s careers should not be needlessly disrupted with on-and-off-again policy changes.

The committee has requested Defense Department reports on many matters, including headscarf requirements that female engagement and cultural support teams seem to have resolved for themselves long ago. In contrast, the House Armed Services Committee has expressed little interest in the results of comprehensive research done at high cost over many months, and has not conducted open hearings on women-in-land-combat policies since 1979, 36 years ago.

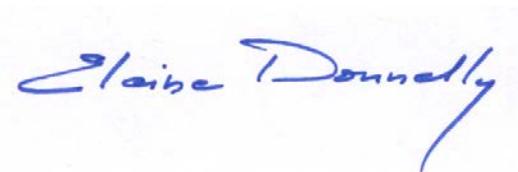
We hope you agree that policies affecting all military women – and eventually civilian women of Selective Service registration age – should be rooted in reality, science, and experience, not theories and unsupported assumptions. We also hope that policies affecting women should be made by elected officials with transparency and accountability, toward the goal of improving mission capability.

With these principles in mind, we ask that committee members insist on the opportunity to receive and publicly review all research findings before controversial policies are implemented as planned in January 2016. Current law providing for notification in advance should remain unchanged and invoked at the appropriate time.

We would welcome the opportunity to meet with you to discuss ways that committee members might act to ensure sound policy and high standards for both women and men who volunteer to serve.

Sincerely,

CC: HASC Members

A handwritten signature in blue ink that reads "Elaine Donnelly". The signature is written in a cursive style with a long, sweeping tail on the letter "y".

President, Center for Military Readiness