

# CMR Policy Analysis

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## ARMY STILL VIOLATING POLICY AND LAW ON WOMEN IN LAND COMBAT

On May 25, 2005, Secretary of Defense Donald Rumsfeld addressed a letter to the Chairman and Ranking Member of the House Armed Services Committee. The Secretary indicated that he was “*reviewing the Army modular force concept in light of the evolving nature of ground combat operations.*” He added “*I do not anticipate any significant shift in present Department policies, nor in the quality and scope of opportunities available to military women.*”

This letter was disingenuous at best, because it is obvious that “a significant shift in present Department policies” has *already* occurred, without advance notice to Congress, as required by law. Assigning secondary importance to the issue—apparently because it involves women—Secretary Rumsfeld has been uncharacteristically and irresponsibly tolerant of the Army’s non-compliance with current DoD policy and the congressional notification law.

The Secretary of Defense has not provided formal notice of changes implemented in the units mentioned below, plus several more that were fully documented in 2004 and 2005, particularly in the 3<sup>rd</sup> Infantry Division based at Fort Stewart, GA. Instead, the Secretary has allowed Army officials to use semantics and sophistry that has misled members of Congress, the citizens they represent, female soldiers who have a right to expect regulations will be followed, and even young civilian women who are unaware that their exemption from Selective Service registration is being put at risk.

There has been no effort to comply with the law requiring an analysis of proposed changes on women’s current Selective Service exemption. A future Supreme Court is likely to view the Defense Department’s failure to intervene as implied concurrence with the idea that young women should be subject to registration and a possible future draft.

### ***Collocation Rule Illegally Repealed by Default***

On the eve of congressional debate on the Hunter/McHugh amendment, the Army Staff Director sent an unauthorized letter making the unsupported claim that 21,925 positions would be closed to women if the legislation passed. But the amendment would have done nothing more than codify Defense Department regulations, without any impact on positions for which female soldiers are already eligible.

Either the Army fabricated the number without Secretary Rumsfeld’s approval to mislead Congress and derail the legislation, or it was a veiled admission of Army plans to assign women to nearly 22,000 land combat or land combat-collocated positions for which women are not eligible. The examples below confirm that both possibilities are, unfortunately, true.

### **1. First Cavalry Division, Fort Hood, TX**

CMR has learned that female soldiers are being “assigned” to Brigade Support Battalions (BSBs) in the First Cavalry Division, *on paper* only. In reality, they are being “attached” or “opconned” to land combat maneuver battalions. This arrangement violates the DoD collocation rule, adopted on January 13, 1994, which is still in effect.

- An organizational chart of the 3<sup>rd</sup> Brigade, 1<sup>st</sup> Cavalry Division, also known as the 3<sup>rd</sup> Brigade Combat Team (BCT), is posted elsewhere on this website. The diagram demonstrates

the plan, which seems solely designed to circumvent current regulations. The diagram indicates that in the 215<sup>th</sup> BSB, gender-integrated companies labeled D, E, F, and G are “opconned” to combat maneuver battalions (MBs). The FSCs are composed of 15% - 20% women, and a female captain commands at least one of them. (Names on original unit diagram omitted by CMR.)

- On paper, these op-conned FSCs are part of the brigade-level BSB organization, and are manned by it. But in actual operation, they collocate or embed with the combat maneuver battalions at all times. In the field they do not, at any time, go back to actual control by the brigade-level BSB.
- Despite current law, the DoD has not given notice to Congress that the Army desires or has implemented this change in the collocation policy, which essentially repeals the collocation rule
- Some of the FSC soldiers are currently training to be “female searchers,” who will accompany infantry and armor (tank) units in combat operations. This contradicts previous Army claims (which were always implausible) that ground combat-located forward support companies may be gender integrated because female soldiers will be evacuated just before combat operations.
- The FSC female searchers do not have a specific MOS, but they are arbitrarily assigned to an infantry or armor company for missions in which it is likely that the combat soldiers will encounter female civilians and will need to search them. This could include offensive operations under fire.
- Unlike male FSC soldiers who must be prepared to provide immediate support, include single-person evacuations of wounded soldiers under fire, female searchers do not receive additional training, including language training. Nor are they expected to have physical capabilities equal to those of average male FSC soldiers.
- Sleeping arrangements are problematic, since FSC female searchers collocate 100% of the time. Men in the infantry/armor units the extra burden dealing with the full range of sexual misconduct issues, plus the need to guard female FSC soldiers, especially in areas where anarchists have threatened to capture, torture, and kill American women in retribution for abuses at Abu Ghraib.
- Since there are no indications that male personnel will be added to supplement the 15% - 20% of FSC soldiers who are reportedly female, the infantry/armor soldiers have also lost the capabilities of male personnel who would supply greater immediate support during offensive combat operations under fire. This is not fair to the male combat soldiers, or to the women, who are being illegally assigned to land combat positions in which they do not have an equal opportunity to survive.
- It would seem to make more sense to train Iraqi/Afghani women soldiers to search Iraqi/Afghani civilians. On the list of positions to be turned over to Iraqi forces, this should be assigned high priority. The needs of Iraqi civilians should not be put ahead of those of American combat soldiers.

New arrangements in the 1<sup>st</sup> Cavalry are similar to those implemented several years ago in the experimental “Force XXI” system of manning used in the 4th ID and other divisions.

- The “Force XXI” structure, which preceded the Army’s transition into modular Brigade

Combat Teams, appeared promising on paper but did not work in actual practice. Combat maneuver battalions did not have operational control of the support companies, because they were administratively tied to the brigade-level parent unit, not to the combat maneuver battalions. Divided loyalties created disputes over assets and other inefficiencies, which hurt readiness and morale.

- First Cavalry maneuver battalion commanders have operational control of the forward support companies, determining where the FSCs will be during maneuver and combat operations. The battalion-level commanders do not, however, rate the performance of collocating FSC commanders. There is no logical explanation for this administrative contrivance, which is not consistent with efficiency and sound military practices.

## **2. Reconnaissance, Surveillance, Target Acquisition (RSTA) Squadron, Fort Riley, KS**

CMR has learned that at Fort Riley, KS, female soldiers are being trained to serve in forward support companies that will collocate with Reconnaissance, Surveillance, Target Acquisition (RSTA) Squadrons.

- RSTA squadrons were classified as direct ground combat in 2002. (See letter attached). Because their mission is to fight for intelligence on the ground, they are coded “P-1” under the Direct Combat Probability Code (DCPC) system, meaning all male. DoD has not notified Congress that the Army desires change in the RSTA gender codes.
- Female soldiers have been told that according to Pentagon authorities, it is legal to position them with the RSTA, because when the time comes to deploy, they will be placed back to the brigade level, which is open to women. It does not make sense to train female soldiers for important combat-collocated RSTA duties, only to pull them out when forward support company soldiers are needed most.
- Fort Riley commanders are ordering the illegal gender-integration of land combat-collocated support companies in the RSTA squadrons under what they are calling “Riley’s Rules.” But commanders at Fort Riley, or Army Personnel officials (G-1) in the Pentagon, do not have authority to write their own rules, without formal approval and notice to Congress.
- Given the need for combat intelligence in the field and the difficulty of accomplishing evacuations, it is not likely that responsible field commanders will operate in accordance with this contrived and unworkable plan to gender integrate RSTA FSCs. The arrangement seems to have been put in place solely to mislead Congress and to circumvent the notification law.

The policy of assigning women to RSTA forward support companies is clearly inconsistent with the correct and recently reaffirmed policy of not assigning female soldiers to 11-man Military Transition Teams (MITTs), which are sometimes called “Mobile Training Teams” or MTTs.

- These battalion-level units, which are manned by highly trained male soldiers with combat leadership experience, are embedded with Iraqi combat units for a year. Due to cultural sensitivities, and a specialized mission to train Iraqis in infantry and other combat operations, MITT units are open to men only.
- This policy makes sense, but is inconsistent with a policy to assign female soldiers to FSCs collocated with the 1<sup>st</sup> Cavalry, RSTA squadrons, and other direct ground combat units. If this policy stands, the Army will be unable to explain why MITT units should not be gender-mixed as well.

### 3. The 101<sup>st</sup> Airborne – Fort Campbell, KY

Starting sometime in 2004, the Army began training female soldiers for assignment to forward support companies (FSCs), which are collocated with the 2<sup>nd</sup> Brigade Combat Team (BCT) that was formed in the 101<sup>st</sup> Airborne Division at Fort Campbell.

- Female soldiers were told that they would be “assigned” to the 526th Brigade Support Battalion (BSB), but would be “attached” to a maneuver battalion. Most did not react in a negative way because local commanders assured them that their mission would be no different than a legal brigade-level assignment to the BSB.
- Army Spec. Stephanie Filus, who was trained as a light-wheeled vehicle mechanic and was assured by her recruiter that she would see no close combat, was very aware of what the new assignments would mean. She was treated for anxiety and depression, but was sent for training at Fort Polk LA, in May, 2005. When her request to leave the Army was denied, she attempted suicide with an overdose of sleeping pills and was immediately hospitalized. Her request for honorable discharge was approved shortly thereafter.
- Former Spec. Filus says that although she succeeded in the Fort Polk training program, she did not like being housed as the sole women in a 20-man field tent and the situation was uncomfortable for everyone concerned. She had the constant feeling that the men did not want her or the other women assigned to their infantry unit. This is understandable, given the physical demands put on male soldiers assigned to collocate with direct ground combat troops. Substituting female soldiers for men in those positions puts everyone at greater risk.
- CMR has information from two additional sources that the 101<sup>st</sup> Airborne is assigning female soldiers to land combat-collocated FSC units.

### 4. Multiple Launch Rocket Systems (MLRS)

CMR has learned that in 2001 a few female soldiers were assigned to at least one Multiple Launch Rocket Systems (MLRS) unit, based in Baumholder, Germany.

- The Army specifically included cannon field artillery and MLRS units on the list of direct ground combat units, pursuant to DoD regulations adopted on January 13, 1994. (Copy on request)
- The 1<sup>st</sup> Armored commanding general placed at least three female Chemical Corps Officers in MLRS artillery units due to an unspecified shortage of male Chemical Corps officers. The women were told it was a “pilot program,” but in-processing people said that it was a violation of rules to place them in MLRS units.
- One of the three soldiers tried many times to be assigned to an available Chemical Recon or Smoke Platoon position, for which she was qualified and eligible, but to no avail.
- This soldier had to share a tent with a male officer, who was a gentleman, but the situation was uncomfortable for everyone who was aware of it. Other men harassed her verbally and with pornographic graffiti using her name. She was not allowed to provide training to other soldiers, which put them at greater risk than they would have been otherwise. (Due to still-unresolved legal matters, CMR is not using the name of this soldier, who fears retaliation.)



*Prepared by the Center for Military Readiness, February 8, 2006. More information is available on the CMR website, [www.cmrlink.org](http://www.cmrlink.org).*