



RUBBER STAMP RAND REPORT PROMOTES WOMEN IN LAND COMBAT

A. BACKGROUND AND OVERVIEW

The RAND Report titled “Assessing the Assignment Policy for Army Women,” released almost a year and a half beyond the March 31, 2006, deadline set by Congress, fails to meet expectations.¹ The report was mandated in the 2006 National Defense Authorization Act (NDAA), following a May 2005 House Armed Services Committee (HASC) debate. At issue were persistent reports, initially denied by the Army, that female soldiers were being placed in certain combat-located support units that are *required* to be all male.² This was (and still is) happening without authorization by the Secretary of Defense, and without the legally mandated notice to Congress 30 legislative days (approximately 3 months) in advance.

The 2005 HASC debate, the first of its kind since 1981, centered on congressional oversight of the issue of women in or near direct ground combat. Then-HASC Chairman Duncan Hunter (R-CA) and Personnel Subcommittee Chairman John McHugh (R-NY) were justifiably concerned about reports that female soldiers were being placed in certain support units coded by regulation to be all male. At issue were forward support companies (FSCs) designed to collocate with combined infantry/armor maneuver battalions. The Center for Military Readiness first became aware of the situation in the spring of 2004, and reported it to then-Deputy Secretary of Defense Paul D. Wolfowitz. Army officials initially admitted that the practice was in violation of DoD regulations. By the fall of 2004, however, officials began using semantics and sophistry to justify and excuse questionable practices involving female soldiers.

In November 2004 Army officials assured congressional staffers that there were no plans to repeal the DoD collocation rule. A few weeks later, Pentagon briefing documents presented by Col. Robert H. Woods, Jr. to Army Staff Director Lt. Gen. James Campbell indicated that the “way ahead” would include repeal of the collocation rule. When the *Washington Times* reported that disturbing news in December 2004, Staff Director Campbell issued an e-mail instructing all Army officials to protect “information security.”³

Army officials initially denied that female soldiers were being placed in combat collocated forward support companies. In January 2005, however, the *Boston Globe* reported that “scores” of women were being placed in land combat-located FSCs in the Third Infantry Division, based at Fort Stewart, GA.⁴ Chairman Hunter began his own investigation, and confirmed that the DoD collocation rule was being redefined and repealed without notice.

HASC leaders Hunter and McHugh led a successful debate about the importance of congressional oversight. Both were particularly concerned that precedents being set by the Army could result in female soldiers being ordered into direct ground combat (DGC) units, such as the infantry, without Congress or the American people having a say.

In February 2005 Army Secretary Francis J. Harvey claimed in public statements, and during a Pentagon meeting with CMR President Elaine Donnelly, that the Army was complying with DoD regulations. This claim relied on the notion that female soldiers in collocated FSCs would be *evacuated* before their associated battalions began “*conducting*” direct ground combat. So much for unit cohesion at a time when it is needed most.

The notion that support units collocated with the infantry would have to remove female soldiers on the eve of battle (with no extra equipment to do so) was absurd. The word “*conducting*,” which appears nowhere in DoD or Army regulations, nevertheless served to mislead the media and many members of Congress. (RAND researchers seem to have abandoned this discredited line of argument in their report.)

By May of 2005 public awareness had grown that the Army was trying to change radically the rules governing female soldiers without authorization or notice to Congress. General Peter Schoomaker, the Army Chief of Staff, told a group of Pentagon appointees “...*we are going to push these changes through so fast that the mines will all explode behind us.*” The Secretary of Defense said and did nothing to intervene, except to derail congressional action.

On May 18, 2005, the HASC approved the Hunter/McHugh amendment to codify current Defense Department regulations, including the DoD collocation rule. That regulation, established in 1994 and still in effect, exempts female soldiers from assignment to support units that collocate, embed, or remain with direct ground combat battalions, such as the infantry, 100% of the time. Support units that come and go intermittently do not fit this definition. Contrary to exaggerated claims made at the time, the legislation would not have removed female soldiers from any brigade-level assignments that are legally open to them.⁵

The congressional debate was cut short when then-Secretary of Defense Donald Rumsfeld met privately with Chairman Hunter and promised to provide a full report on the assignments of female soldiers serving in the current war. Instead of voting on the original Hunter/McHugh amendment, Congress passed substitute language mandating such a report.

The Under Secretary of Defense for Personnel & Readiness, Dr. David Chu, delegated the task to the RAND Corporation—the same contractor that had produced a selectively edited and misleading report on the same subject in 1997.⁶ On August 9, 2007, 17 months beyond the deadline set by Congress, RAND released another substandard report. Instead of clarifying Defense Department rules, the 2007 RAND Report creates needless confusion with misinformation, unsupported findings, flawed assumptions, and misguided recommendations that attempt to validate questionable Army practices.

Absent public awareness, congressional inquiries and intervention by President George W. Bush, illicit practices are already creating unprecedented problems in land combat units that used to be all male. These include sexual misconduct incidents and evacuations due to pregnancy.⁷ Left unresolved, the situation invites more incremental steps in the wrong direction—all without congressional oversight or accountability to the American people.

B. ANALYSIS: THE RAND RUBBER STAMP REPORT

The 158 page RAND Report, titled *Assessing the Assignment Policy for Army Women*, does not measure up to the contractor's reputation for "Objective Analysis" and "Effective Solutions." Problems were pre-determined by the report's flawed standard of review and underlying premise: Career opportunities, primarily for female officers, should be assigned higher priority than the needs of the military.⁸

1. *Alleged Distinctions Between DoD and Army Regulations*

Throughout this monograph, RAND claims that there are "*important differences between the Army and DoD policies [affecting female soldiers.]*" (Summary, p. xiii) This statement relies on insignificant variations in the wording of current DoD regulations and a "separate" Army regulation, AR 600-13. This is an invalid argument for very simple reasons:

- There is no separate rule for the Army. The 1992 regulation cited by RAND included a "Risk Rule," which exempted female support soldiers from areas involving a "*substantial risk of capture.*" In 1994, however, then-Defense Secretary Les Aspin issued new regulations that superceded the Army rule, and abolished a similar "Risk Rule" in DoD regulations.⁹ The Army (and RAND) cannot recognize one part of the Army's obsolete rule, while ignoring the other, just for the sake of expediency.
- There is no evidence that Secretary Aspin or any of his successors permitted the Army to retain a set of rules inconsistent with those established by the Department of Defense. In July 1994, Army officials proposed plans to implement the DoD regulations, which were approved by Defense Secretary William J. Perry.¹⁰ Lists of positions to be opened or remain closed to women were drawn up to conform to DoD rules, not a separate and outdated Army regulation.¹¹
- Given these facts, the RAND Report's convoluted discussion of alleged "differences" between DoD rules and an obsolete Army regulation falls of its own weight. (pp. 13-28)
- The report also includes a rambling discussion of whether there is a "shared interpretation" of the "meaning" or "spirit" of current rules. This is an exercise in fatuity, which disregards objective reality and the plain meaning of the Aspin regulations.

2. *Self Defense and Direct Ground Combat*

According to Department of Defense regulations set forth in 1994, "*Direct ground combat is engaging the enemy on the ground with individual or crew served weapons, while being exposed to hostile fire and to a high probability of direct physical contact with the hostile force's personnel. Direct ground combat takes place well forward on the battlefield while locating and closing with the enemy to defeat them by fire, maneuver, or shock effect.*"

This definition involves more than the experience of being "in harm's way," which is shared by all servicemen and women deployed to a war zone. Similar descriptive language was

used in the 1992 Army rule, with a slightly different reference to direct ground combat “*while repelling the enemy’s assault by fire, close combat, or counterattack.*”

RAND makes much of this variance from the DoD regulation’s reference to direct ground combat “*while exposed to hostile fire...*” and the Army’s “*while repelling the enemy’s assault...*” Both are references to self-defense—the second being part of an outdated rule.

RAND also tries to blur the definitions of terms such as “*enemy,*” “*forward or well forward,*” and “*collocated.*” These are distinctions without a difference, which do not justify RAND’s unconvincing claim that Defense Department regulations are not sufficiently clear.

- To state the obvious, regardless of how officials describe it, direct ground combat has always involved self-defense. Direct ground combat soldiers usually confront hostile fire in the course of deliberate offensive action against the enemy, and all deployed soldiers are trained to defend themselves if attacked.
- Female soldiers are serving courageously in the current war, and many have won medals for their courage and performance under fire. The Combat Action Badge (CAB), however, does not change the official definition of direct ground combat, which involves *deliberate offensive action* against the enemy.
- As recently as the first Persian Gulf War (1992), Operation Enduring Freedom in Afghanistan (2002), and Operation Iraqi Freedom in 2003 and 2004, American troops have engaged in “linear” combat. In Vietnam, however, “nonlinear” combat was similar to current operations in Iraq. Regardless of the type of battlefield or whether troops are organized in divisions or modular combat teams, the missions of direct ground combat troops have not changed. The essential element is deliberate offensive action.
- Anyone who does not understand the difference between offense and defense should not be interpreting rules for football teams, much less the U.S. Army.
- Some female soldiers have shown great courage in performing searches of female Iraqis. This is hazardous duty, but it does not fit the definition of direct ground combat. In anticipation of the time when American troops will depart Iraq, our female troops should be training Iraqi women to perform this function.

3. Confusion Regarding the Collocation Rule

The DoD collocation rule applies to forward support companies (FSCs) and support units that are embedded and physically remain with “tip of the spear” direct ground combat battalions 100% of the time. Most positions at the brigade support battalion (BSB) level, including supply and transportation units that travel back and forth intermittently, do not fit that definition, and are therefore legally open for the assignment of women.

Instead of clarifying the meaning of the collocation rule, the RAND Report creates unnecessary confusion. The document does this by attempting to draw distinctions between the

legitimate word “collocate,” which appears in the current DoD regulations, and the contrived word “colocate,” which RAND says was used with a different spelling, meaning and pronunciation by a few soldier interviewees. (pp. 17-19)

- RAND conducted focus group interviews with 80 soldiers at Fort Lee, VA, which trains logistical support troops, and at a second un-named location. Each group included four to seven soldiers, primarily junior officers and enlisted personnel. (p. 131) Most interviewees, who had returned from Iraq recently and may not have participated in direct ground combat, admitted that they were not familiar with regulations governing the assignments of military women.
- Some of the interviewees used the word “collocate” to describe the presence of support units that operate in close proximity to DGC maneuver battalions, with interactivity. Others reportedly used the non-existent word “colocate,” pronounced “*kah-le-keet*,” when referring to units that operate in proximity to DGC maneuver battalions, but without interactivity. This peculiar discussion, which consumes three pages of the RAND report, would be amusing were the subject not so serious. (pp. 17-19)
- It is difficult to determine where the “colocate” colloquialism originated, but there are no official documents or Army regulations, past or present, using that word, or mandating its application in ways different from DoD regulations. Nor does the misspelled “colocate” word appear in a reliable dictionary.¹²
- RAND makes much of the admittedly “subtle” distinctions in regulations, but the entire argument continues to pretend that 1992 Army rules, superceded in 1994, are still in effect. Reported confusion in small focus groups does not justify denial or unauthorized repeal of the collocation rule in current DoD regulations.

4. *Significant Admissions of Non-Compliance and Subterfuge*

The RAND Report confirms what critics of the Army’s unauthorized actions have been saying since March 2004: Female soldiers are being administratively “assigned” to the legally open brigade level, on paper only, but physically placed (attached, opconned, or employed) in forward support companies (FSCs) that are “attached” to infantry/armor maneuver battalions. (pp. 31-32)

- RAND’s discussion about the administrative relationship between battalion level forward support companies and the larger brigade support battalions (BSBs) confirms major points that sparked the 2005 debate in Congress. RAND claims that these assignments meet the “*letter*” of the assignment policy, but admits that the situation may involve “*activities or interactions that framers of the policy sought to rule out and that today’s policymakers may or may not still want to rule out.*” (p. 32)
- The RAND report notes that some interviewees thought that assigning women to the FSCs was a *de facto* violation of the assignment policy. Said one soldier, “*The Army*

has gotten around this legally because they [women] are assigned to the BSB [brigade support battalion]. Yet they are attached [to the maneuver units] for every other purpose. Because of females, we're assigned to the BSB on paper, but when deployed, all FSCs are with the infantry battalions.” (p. 32)

- This practice implements the circumvention strategy proposed in a May 10, 2004, Army slide presentation titled “Combat Exclusion Quick Look Options.”¹³ That briefing, obtained by CMR, suggested that a strategy of “assigning” women to legal brigade-level units, while physically placing them in forward support companies attached to direct ground combat maneuver battalions, might be seen as “*subterfuge*” to circumvent current regulations.
- Indeed, the practices confirmed and condoned by RAND do constitute “subterfuge.” An unknown number of soldiers interviewed by RAND recognized the deception. Some complained about administrative and operational problems—the same ones that CMR’s sources had predicted in 2004.
- RAND is essentially saying that Pentagon officials or Army field commanders can “employ” women anywhere they wish—including support units collocated and “attached” to DGC maneuver battalions—provided that the female soldiers are administratively “assigned” (on paper) to brigade-level units that are legally open to women.
- This suggests that powerful, unaccountable men should have unrestrained power to send other people’s daughters anywhere they want at any time, without any responsibility to follow policy or law. It is difficult to find another example of military policy and law that field commanders or junior officers can safely ignore with impunity. Treating issues affecting women with an “anything goes” policy constitutes a “double standard involving women,” or DSIW.

5. Regulations Don’t Matter—Anything Goes

Unexpected changes in missions or occupations during a war are not unusual, but RAND is suggesting that regulations regarding the assignment of female soldiers have no meaning or effect whenever a unit is deployed. This irresponsible theory is set forth in Appendix B, which has no supporting citation except the outdated 1992 Army rule.

- The RAND Report suggests that officials in the Office of Personnel & Readiness, who commissioned and paid for the report, can simply condone bureaucratic contrivances to “get around” the collocation rule, without the legally required notice to Congress. Such practices are *de facto* violations of policy and law, which are inherently demoralizing and corrosive to core values of the military.
- RAND further suggests that *de facto* precedents that have been set since 2004, without authorization, should be binding on the Army as a whole. (pp. Summary xxi, 69) This is no way to run an Army—or any other organization.

- Practices that ignore extant DoD regulations put female soldiers at the mercy of bureaucrats and field commanders devising or ignoring rules without authorization or notice to Congress. The situation is unfair to both male and female soldiers, who have a right to expect that all Pentagon officials and field commanders will operate in compliance with official regulations and law. President Bush and members of Congress should firmly reject this arrogant and irresponsible concept. It is wrong to mislead young women about the conditions of their “employment” in the Army.

6. *New Missions for Direct Ground Combat Maneuver Battalions*

- RAND has casually suggested that DGC battalions should be responsible for the “security” of collocated forward support companies (FSCs). (p. 46) Never mind that collocated support units are embedded with infantry/armor battalions to provide support for the combat troops, not the other way around.
- By implication, RAND sees no problem with policies that impose new burdens and responsibilities on infantry/armor soldiers in modular DGC battalions, while depriving them of the greater physical capabilities of collocated support soldiers who are all male.
- The issue is not whether support units can or should “*protect male service members from physical harm.*” The question is whether inherent risks should be increased for both infantry soldiers and collocated support troops that are embedded with them.
- These policies are already eroding the advantages of modularity, and significantly undermining the morale and effectiveness of the Army’s brigade combat team (BCT) maneuver battalions. (p. 43) Such changes could compromise missions and make the lives of the affected soldiers more difficult and more dangerous.

7. *Physical Requirements of Collocated Support Soldiers*

The RAND Report mentions military analyst and author Anna Simons, who has expressed concerns about female soldiers being unable to lift and carry fully loaded male colleagues to safety if the men are wounded during battles. (p. 21) The report, however, does not even attempt to answer Simons’ valid point.

- Forward support company (FSC) troops may include mechanics, food service, logistics, and other support troops. Even though these soldiers are not collocated for purposes of directly attacking the enemy, they are trained to lift and carry wounded male infantry soldiers to safety—on their own backs if necessary.
- With few exceptions, male soldiers have the physical strength to perform this life-saving task. Most female soldiers, no matter how brave, dedicated, or physically fit, do not.¹⁴ Army and Marine infantrymen should not have to die because female soldiers are “employed” in combat-collocated support positions that require physical capabilities that are normal among men, but extremely rare among women.

- In actual practice, the collocation rule is a surrogate for physical capability tests. In most direct ground combat communities there are no specific qualifying standards because most men have the physical strength required. If such units are gender integrated, however, the Army will follow previous practice in modifying or gender-norming standards so that female soldiers will be able to “succeed.”
- Feminist advocates have consistently opposed high, uncompromised standards, which they see as “barriers” to women’s careers.¹⁵ As a result, standards are adjusted so that performance can be measured in terms of “equal effort” rather than “equal performance.” Everyone knows, however, that there is no gender norming on the battlefield.
- RAND’s cavalier attitude toward this issue disregards the concerns of male direct ground combat soldiers. For them, the physical strength and endurance of fellow soldiers is a matter of life or death. The paramount consideration should be combat effectiveness and mission accomplishment, not “career opportunities” for individuals.

8. *Short-Sighted Scope and Tunnel Vision*

RAND admits that their monograph analyzes the issue of women in land combat only in relation to the Army in Iraq, at the present time. It says little about the other military services, historic experience, or long-term consequences of its recommendations.

- Some “asymmetric” enemy forces in Iraq are operating differently than their counterparts in earlier campaigns, such as the Persian Gulf War (1992), Afghanistan (2002), Baghdad (Mar. 2003), and Fallujah (Nov. 2004). It is not realistic, however, to assume that America’s Army will never again have to conduct aggressive direct ground combat missions. This narrow perspective constitutes amnesia about the past and short sightedness about the future.
- Regardless of the type of war being fought, or ways that forces are organized, there will always be a need for infantry, armor, Special Operations Forces, Marine infantry, and other aggressive forces that engage in deliberate *offensive* action against the enemy.
- The RAND Report does not consider the long-term, inevitable consequences of unauthorized precedents currently being set by the Army. If the DoD collocation rule can be effectively abolished without authorization or notice, nothing stands in the way of incremental gender integration in other direct ground combat troops. These include all male battalions in Army and Marine infantry, Special Operations Forces, Navy SEALs, artillery, armor, and multiple launch rocket systems (MLRS), Stryker Brigade Combat Team (SBCT) Reconnaissance, Surveillance, Target Acquisition (RSTA) squadrons, and 9-15 man Military Transition Teams (MTTs) that train male soldiers for combat.
- If the Defense Department accepts or endorses the RAND Report as valid, Congress and the American people will be effectively excluded from the decision-making process. This could happen despite long-standing law requiring prior notice to Congress of rule changes affecting military women.

- The congressional notification law also requires analysis of proposed changes on young women's exemption from Selective Service obligations, which the Supreme Court tied to female soldiers' current exemption from direct ground combat. The Army has ignored this requirement, and the RAND Report does not even mention it.¹⁶

9. *Conflicts of Interest and Methodology*

This Report was commissioned by the DoD Office of Personnel & Readiness, headed by Under Secretary of Defense Dr. David Chu.

- Not surprisingly, RAND effectively absolves the Office of Personnel and Readiness of any responsibility for enforcing the DoD collocation rule that, RAND claims, does not exist. Instead, the report contrives excuses for what has happened in the past three years, and fails to provide the objective information that Congress had a right to expect.
- RAND issues mild criticism of the Army, claiming that it might be in violation of its own 1992 rule. Wrist-slapping the Army for violating an obsolete rule effectively diverts attention from the real problem: Army officials' continuing failure to comply with current DoD regulations and the congressional notification law.

On several pages RAND creates the impression that if the (obsolete) Army rule is fully enforced, female soldiers will be essentially removed from deployable units. (pp. 65, 67, 69) This is a fatuous "straw man" argument, which should not be taken seriously.¹⁷

10. *What Is Missing*

The August 2007 RAND report, which was supposed to serve as the basis for informed congressional oversight, downplays or omits many issues. Conspicuously missing are:

- Mention of predictable problems associated with gender integration that would have a greater negative effect if introduced into infantry battalions and other all male DGC units. To name only a few, sociological issues would include sexual misconduct and false accusations of same, deployability problems, evacuations due to pregnancy and injuries, physical strength disparities that could increase the number of casualties among both men and women, additional stress on families, and demoralizing double standards in training and disciplinary matters.
- Criticism of the Army's Office of Manpower & Personnel, known as "G-1," which has failed to recruit and send to field commanders the type of troops that are needed most. G-1 should be concentrating on recruiting and retaining young men for the combat arms. Instead, the Army has retained gender-based quotas that keep the numbers of female soldiers, many of whom are single mothers, artificially high.
- Acknowledgement of Army surveys, over a period of nine years, indicating that 85% to 90% of female enlisted soldiers, who outnumber female officers 5 to 1, were opposed to land combat assignments on the same basis as men.¹⁸

- Mention of the social and cultural impact of policies that condone and even encourage combat violence against female soldiers, many of whom are mothers.
- Recognition of the January 2005 statement of President George W. Bush, in opposition to women in land combat.¹⁹
- Concern about the legal consequences of ordering female soldiers into land combat. The situation invites successful litigation, brought by the ACLU on behalf of men, to subject young women to Selective Service obligations on the same basis as men.
- Candid analysis of the physical requirements of direct ground combat, in which women do not have an equal opportunity to survive, or to help fellow soldiers survive.

C. CONCLUSION

The RAND Corporation has missed the opportunity to apply an informed and objective analysis to this important issue. Instead, the long-delayed report condones illicit practices, and advances the goals of feminists who want to repeal all regulations exempting female soldiers from direct ground combat. This bias betrays the best interests of the majority of military women, and invites the imposition of new and unacceptable burdens on male soldiers serving in direct ground combat battalions.

Pentagon bureaucrats, contractors, junior officers, enlisted soldiers, and even four-star generals are not authorized to make new policy on their own. Warfare is inherently confusing, but extant Defense Department regulations, including the collocation rule, can be applied to circumstances in Iraq or any future war—provided that the issue is taken seriously. If the Army wants to change current regulations affecting military women, it is obliged to comply with proper procedures, including mandates of the congressional notification law.

Army officials seem to be claiming unrestricted power to place female soldiers anywhere they wish, without any restraint in policy and law. To avoid any misunderstanding about this, potential recruits and their parents should be fully informed of the Army’s “anything goes” policy in all promotional materials, including websites, brochures, advertisements, posters, letters, etc. If Pentagon officials fear that such notices might hurt recruiting, they ought to consider *why* that would be so.

Military men and women who are concerned about this situation have had no recourse. CMR reports conveying their concerns to members of Congress have been proven true, but more than two years have passed without presidential or congressional intervention. It is not too late, however, for concerned members of Congress to schedule a series of fact-finding hearings. This is a serious matter of national defense, and our female soldiers deserve no less. ■

The Center for Military Readiness is an independent public policy organization that specializes in military personnel issues. More information on this topic is available at www.cmrlink.org.

Endnotes:

1. Prepared for the Office of the Secretary of Defense by RAND National Defense Research Institute, available at www.rand.org.
2. See CMR Notes, "Hunter Admonishes Army on "Women in Land Combat" June 2005, available on www.cmrlink.org. A more detailed discussion of this topic is available in an article by Elaine Donnelly in the May 2007 Duke University *Journal of Gender Law & Policy*, titled "Constructing the Co-Ed Military," pp. 833-856.
3. Rowan Scarborough, the *Washington Times*, "Army Charged With Ban Violation," Dec. 9, 2004, "Report Leans Toward Women in Combat," Dec. 13, 2004, and "Policy Leak Brings Army Order on Keeping Mum," Dec. 21, 2004.
4. Bryan Bender, the *Boston Globe*, "U.S. Women Get Closer to Combat: Some Say Move Imperils Units, Violates Law," Jan. 26, 2005.
5. Rep. Thelma Drake (R-VA), *USA Today*, "Let Lawmakers Decide," May 25, 2005, and HASC News Release, May 23, 2005.
6. See CMR Notes, Oct.-Nov. 1997, available at www.cmrlink.org. In 1997 RAND researchers interviewed a number of soldiers in the field about policies affecting women. Among other things, a number of male soldiers expressed concern about excessive injuries, sexual misconduct, and false accusations of misconduct. Their comments appeared in a draft version of the 1997 RAND Report, but they were paraphrased, downplayed, or eliminated in the final document released to the public.
7. See CMR Policy Analysis, March 2007, "New Army Policy on Women in Land Combat: Almost Anything Goes," pp. 3-5.
8. In a Summary of Recommendations (p. xx), RAND recommends that the Army should "*Clarify whether and how much the assignment policy should constrain military effectiveness and determine the extent to which military efficiency and expediency can overrule the assignment policy.*" Inverted priorities such as this should not be adopted by the U.S. Army or condoned by Congress.
9. As a result of that policy change in 1994, female soldiers are serving in areas involving a "substantial risk of capture." Consequences of that rule change became apparent in March 2003, when three female soldiers, including Pfc. Jessica Lynch, were captured during the campaign to liberate Baghdad. More than 86 servicewomen have died in the current war. Their names and circumstances of their deaths are posted on www.cmrlink.org.
10. Memorandum from Secretary of Defense William J. Perry, July 28, 1994, Subject: "Application of the Definition of Direct Ground Combat and Assignment Rule."
11. The RAND Report does not mention the Army's "Direct Combat Probability Code" (DCPC) system, which has been used to designate positions that are open to men only (P-1) or open to both sexes (P-2). These codes, appearing in each unit's Table of Organization & Equipment (TOE), were designed to implement DoD regulations, not to conflict with them.
12. RAND Researchers attempted to meet this objection by finding or creating the non-existent word "colocate" on an Internet-edited dictionary called "Wordsmyth," which is cited in RAND footnote 5 on p. 18. As of Sept. 24, 2007, the non-existent word does not appear on that website either.
13. Department of the Army, "Combat Exclusion Quick Look Options," May 10, 2004, p. 14.
14. A huge body of objective evidence, gathered in numerous studies, indicates that female soldiers do not have physical characteristics equal to those of men. See, for example, Report and findings of the Presidential Commission on the Assignment of Women in the Armed Forces, November 15, 1992, CF 2.1.1, 2.1.2, 2.1.3.

15. Brian Mitchell, *Women in the Military, Flirting with Disaster*, 1998, pp. 99-122, discussing an Army attempt to implement identical standards for men and women, which was derailed by feminist critics.
16. See *Rostker v. Goldberg*, 453 U.S. 57 (1981), most recently affirmed by *Schwartz v. Brodsky*, 265 F. Supp. 2d 130 (D. Mass. 2003). Also see congressional notification law, 10 USC, Section 652.
17. This argument is similar to a vague, two-sentence letter sent to HASC Chairman Duncan Hunter by Army Staff Director Lt. Gen. James Campbell on May 17, 2005, making the unsupported claim that the Hunter/McHugh amendment would result in the closure of 21,925 spaces currently open to women. The Army has yet to provide any documentation in support of that figure, which was widely used in a number of news accounts critical of the legislation.
18. See CMR Notes, "Enlisted Women Opposed to Combat Assignments," Sept. 3, 2003, available on www.cmrlink.org.
19. Rowan Scarborough, the *Washington Times*, "Despite Pressure, Bush Vows 'No Women in Combat'", Jan. 12, 2005.