



PERSONNEL AND  
READINESS

UNDER SECRETARY OF DEFENSE  
4000 DEFENSE PENTAGON  
WASHINGTON, D.C. 20301-4000

SEP -9 2013

The Honorable Joseph R. Biden, Jr.  
President of the Senate  
United States Senate  
Washington, DC 20510

Dear Mr. President:

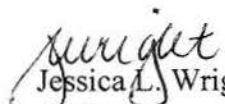
The Department of the Army intends to expand the assignment of female Field Artillery Officers (Military Occupational Specialty 13A) into all remaining closed units, outside of those within the U.S. Special Operations Command. In 2012, the Department of Defense (DoD) notified Congress of our intent to expand Field Artillery Officer assignments into nine closed Brigade Combat Teams, and more recently notified Congress of our intention to open additional positions in eight Active Duty and nine National Guard Brigade Combat Teams.

The expansion of assignments for female Field Artillery Officers into all remaining closed Army units will result in approximately 3,400 new opportunities for women to serve. Female officers currently complete the same training and education requirements as males during the Field Artillery Officer Basic Course, and the occupational standards are gender-neutral. The performance of women in these new positions will help inform future policy changes as the Army works to eliminate gender-restrictive assignment policy by January 1, 2016.

This letter provides notification under title 10, U.S.C., section 652, that DoD intends to continue to expand the role of women in the Army. The enclosure provides a detailed description of the intended changes and the required analysis of their impact on the Military Selective Service Act. Additionally, the physical occupational standards for this Military Occupational Specialty are enclosed. DoD will implement changes to units and occupations listed in the enclosure at the end of 30 days of continuous session of Congress following the date this notification is received.

DoD appreciates your continued support of the extraordinary men and women serving our Nation. A similar letter is being sent to the Speaker of the House and the Chairpersons of the congressional defense committees.

Sincerely,

  
Jessica L. Wright  
Acting

Enclosures:  
As stated



PERSONNEL AND  
READINESS

UNDER SECRETARY OF DEFENSE  
4000 DEFENSE PENTAGON  
WASHINGTON, D.C. 20301-4000

SEP -9 2013

The Honorable John A. Boehner  
Speaker of the House  
U.S. House of Representatives  
Washington, DC 20515

Dear Mr. Speaker:


The Department of the Army intends to expand the assignment of female Field Artillery Officers (Military Occupational Specialty 13A) into all remaining closed units, outside of those within the U.S. Special Operations Command. In 2012, the Department of Defense (DoD) notified Congress of our intent to expand Field Artillery Officer assignments into nine closed Brigade Combat Teams, and more recently notified Congress of our intention to open additional positions in eight Active Duty and nine National Guard Brigade Combat Teams.

The expansion of assignments for female Field Artillery Officers into all remaining closed Army units will result in approximately 3,400 new opportunities for women to serve. Female officers currently complete the same training and education requirements as males during the Field Artillery Officer Basic Course, and the occupational standards are gender-neutral. The performance of women in these new positions will help inform future policy changes as the Army works to eliminate gender-restrictive assignment policy by January 1, 2016.

This letter provides notification under title 10, U.S.C., section 652, that DoD intends to continue to expand the role of women in the Army. The enclosure provides a detailed description of the intended changes and the required analysis of their impact on the Military Selective Service Act. Additionally, the physical occupational standards for this Military Occupational Specialty are enclosed. DoD will implement changes to units and occupations listed in the enclosure at the end of 30 days of continuous session of Congress following the date this notification is received.

DoD appreciates your continued support of the extraordinary men and women serving our Nation. A similar letter is being sent to the President of the Senate and the Chairpersons of the congressional defense committees.

Sincerely,

  
Jessica L. Wright  
Acting

Enclosures:  
As stated



PERSONNEL AND  
READINESS

UNDER SECRETARY OF DEFENSE  
4000 DEFENSE PENTAGON  
WASHINGTON, D.C. 20301-4000

SEP -9 2013

The Honorable Carl Levin  
Chairman  
Committee on Armed Services  
United States Senate  
Washington, DC 20510

Dear Mr. Chairman:

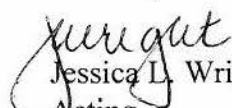
The Department of the Army intends to expand the assignment of female Field Artillery Officers (Military Occupational Specialty 13A) into all remaining closed units, outside of those within the U.S. Special Operations Command. In 2012, the Department of Defense (DoD) notified Congress of our intent to expand Field Artillery Officer assignments into nine closed Brigade Combat Teams, and more recently notified Congress of our intention to open additional positions in eight Active Duty and nine National Guard Brigade Combat Teams.

The expansion of assignments for female Field Artillery Officers into all remaining closed Army units will result in approximately 3,400 new opportunities for women to serve. Female officers currently complete the same training and education requirements as males during the Field Artillery Officer Basic Course, and the occupational standards are gender-neutral. The performance of women in these new positions will help inform future policy changes as the Army works to eliminate gender-restrictive assignment policy by January 1, 2016.

This letter provides notification under title 10, U.S.C., section 652, that DoD intends to continue to expand the role of women in the Army. The enclosure provides a detailed description of the intended changes and the required analysis of their impact on the Military Selective Service Act. Additionally, the physical occupational standards for this Military Occupational Specialty are enclosed. DoD will implement changes to units and occupations listed in the enclosure at the end of 30 days of continuous session of Congress following the date this notification is received.

DoD appreciates your continued support of the extraordinary men and women serving our Nation. A similar letter is being sent to the President of the Senate, the Speaker of the House and the Chairpersons of the congressional defense committees.

Sincerely,

  
Jessica L. Wright  
Acting

Enclosures:  
As stated

cc:  
The Honorable James M. Inhofe  
Ranking Member



PERSONNEL AND  
READINESS

UNDER SECRETARY OF DEFENSE  
4000 DEFENSE PENTAGON  
WASHINGTON, D.C. 20301-4000

SEP -9 2013

The Honorable Howard P. "Buck" McKeon  
Chairman  
Committee on Armed Services  
U.S. House of Representatives  
Washington, DC 20515

Dear Mr. Chairman:

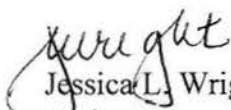
The Department of the Army intends to expand the assignment of female Field Artillery Officers (Military Occupational Specialty 13A) into all remaining closed units, outside of those within the U.S. Special Operations Command. In 2012, the Department of Defense (DoD) notified Congress of our intent to expand Field Artillery Officer assignments into nine closed Brigade Combat Teams, and more recently notified Congress of our intention to open additional positions in eight Active Duty and nine National Guard Brigade Combat Teams.

The expansion of assignments for female Field Artillery Officers into all remaining closed Army units will result in approximately 3,400 new opportunities for women to serve. Female officers currently complete the same training and education requirements as males during the Field Artillery Officer Basic Course, and the occupational standards are gender-neutral. The performance of women in these new positions will help inform future policy changes as the Army works to eliminate gender-restrictive assignment policy by January 1, 2016.

This letter provides notification under title 10, U.S.C., section 652, that DoD intends to continue to expand the role of women in the Army. The enclosure provides a detailed description of the intended changes and the required analysis of their impact on the Military Selective Service Act. Additionally, the physical occupational standards for this Military Occupational Specialty are enclosed. DoD will implement changes to units and occupations listed in the enclosure at the end of 30 days of continuous session of Congress following the date this notification is received.

DoD appreciates your continued support of the extraordinary men and women serving our Nation. A similar letter is being sent to the President of the Senate, the Speaker of the House and the Chairpersons of the congressional defense committees.

Sincerely,

  
Jessica L. Wright  
Acting

Enclosures:  
As stated

cc:  
The Honorable Adam Smith  
Ranking Member



PERSONNEL AND  
READINESS

UNDER SECRETARY OF DEFENSE  
4000 DEFENSE PENTAGON  
WASHINGTON, D.C. 20301-4000

SEP -9 2013

The Honorable Barbara A. Mikulski  
Chairwoman  
Committee on Appropriations  
United States Senate  
Washington, DC 20510

Dear Madam Chairwoman:

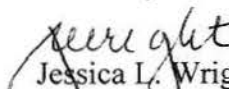
The Department of the Army intends to expand the assignment of female Field Artillery Officers (Military Occupational Specialty 13A) into all remaining closed units, outside of those within the U.S. Special Operations Command. In 2012, the Department of Defense (DoD) notified Congress of our intent to expand Field Artillery Officer assignments into nine closed Brigade Combat Teams, and more recently notified Congress of our intention to open additional positions in eight Active Duty and nine National Guard Brigade Combat Teams.

The expansion of assignments for female Field Artillery Officers into all remaining closed Army units will result in approximately 3,400 new opportunities for women to serve. Female officers currently complete the same training and education requirements as males during the Field Artillery Officer Basic Course, and the occupational standards are gender-neutral. The performance of women in these new positions will help inform future policy changes as the Army works to eliminate gender-restrictive assignment policy by January 1, 2016.

This letter provides notification under title 10, U.S.C., section 652, that DoD intends to continue to expand the role of women in the Army. The enclosure provides a detailed description of the intended changes and the required analysis of their impact on the Military Selective Service Act. Additionally, the physical occupational standards for this Military Occupational Specialty are enclosed. DoD will implement changes to units and occupations listed in the enclosure at the end of 30 days of continuous session of Congress following the date this notification is received.

DoD appreciates your continued support of the extraordinary men and women serving our Nation. A similar letter is being sent to the President of the Senate, the Speaker of the House and the Chairpersons of the congressional defense committees.

Sincerely,

  
Jessica L. Wright  
Acting

Enclosures:  
As stated

cc:  
The Honorable Richard C. Shelby  
Vice Chairman





PERSONNEL AND  
READINESS

UNDER SECRETARY OF DEFENSE  
4000 DEFENSE PENTAGON  
WASHINGTON, D.C. 20301-4000

SEP -9 2013

The Honorable Harold Rogers  
Chairman  
Committee on Appropriations  
U.S. House of Representatives  
Washington, DC 20515

Dear Mr. Chairman:

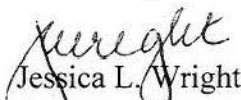
The Department of the Army intends to expand the assignment of female Field Artillery Officers (Military Occupational Specialty 13A) into all remaining closed units, outside of those within the U.S. Special Operations Command. In 2012, the Department of Defense (DoD) notified Congress of our intent to expand Field Artillery Officer assignments into nine closed Brigade Combat Teams, and more recently notified Congress of our intention to open additional positions in eight Active Duty and nine National Guard Brigade Combat Teams.

The expansion of assignments for female Field Artillery Officers into all remaining closed Army units will result in approximately 3,400 new opportunities for women to serve. Female officers currently complete the same training and education requirements as males during the Field Artillery Officer Basic Course, and the occupational standards are gender-neutral. The performance of women in these new positions will help inform future policy changes as the Army works to eliminate gender-restrictive assignment policy by January 1, 2016.

This letter provides notification under title 10, U.S.C., section 652, that DoD intends to continue to expand the role of women in the Army. The enclosure provides a detailed description of the intended changes and the required analysis of their impact on the Military Selective Service Act. Additionally, the physical occupational standards for this Military Occupational Specialty are enclosed. DoD will implement changes to units and occupations listed in the enclosure at the end of 30 days of continuous session of Congress following the date this notification is received.

DoD appreciates your continued support of the extraordinary men and women serving our Nation. A similar letter is being sent to the President of the Senate, the Speaker of the House and the Chairpersons of the congressional defense committees.

Sincerely,

  
Jessica L. Wright  
Acting

Enclosures:  
As stated

cc:  
The Honorable Nita M. Lowey  
Ranking Member

## Positions to be Opened and Analysis of the Impact to the Military Selective Service Act

### Army 13A Field Artillery Officer

The Secretary of the Army requested to open additional positions within the Field Artillery Officer occupational specialty. This request is based on the exceptional performance of female Field Artillery officers in the High Mobility Artillery Rocket Systems battalions since May 2012, and the elimination of the Direct Ground Combat Definition and Assignment Rule. The Army expanded the assignment of female Field Artillery Officers into closed units in 2012 by opening 72 positions in 9 Brigade Combat Teams. Based upon the performance of women within these newly opened positions, in April 2013, the Army requested the Secretary of Defense permit the expansion of assignments for women within the Field Artillery Officer occupational specialty, resulting in 153 positions in 8 additional Active, and 9 Army National Guard Brigade Combat Teams to open pending the expiration of the Congressional notification period. Congress was notified of the Department of Defense's intention to expand the assignment of women on April 12, 2013. This request will open the remaining positions within the Army, and eliminate any confusion amongst Army commanders regarding the assignment of Field Artillery Officers.

The implementation of this change will open assignment of women into all remaining Field Artillery positions within the Army, with the exception of positions within the United States Special Operations Command, comprising 24 positions. In total, approximately 1,800 Field Artillery Officer positions in the Active Army and approximately 1,600 positions in the Army Reserve and National Guard will open to women. The expansion of assignments into these remaining Army units does not require additional physical demand assessments beyond those that exist for females already serving in this military occupational specialty, and currently in place in the Field Artillery Officer Basic Course.

### Detailed Legal Analysis

Title 10, U.S.C., section 652 (a)(3)(B) requires a detailed analysis of the legal implications any the proposed changes with respect to the constitutionality of the application of the Military Selective Service Act to males only.

The Military Selective Service Act (Act), 50 U.S.C. App. 451 *et seq.*, requires the registration for possible military service of males but not females. The purpose of the registration is to facilitate induction and training in the Armed Forces.

In *Rostker v. Goldberg*, 453 U.S. 57 (1981), the United States Supreme Court considered the constitutionality of the male-only draft under the Act and upheld the Act. The Court held that the Act's male-only registration provisions did not violate the Fifth Amendment to the United States Constitution because women, who were excluded from combat by statute or military policy, were not to the similarly situated to men for the purpose of a draft or registration, and that Congress acted within its constitutional authority to raise and regulate armies and navies when it authorized the registration of men and not women. *Id.* at 57. The Court stated its "most recent teachings in the field of equal protection cannot be read in isolation from its opinions giving great deference to the judgment of Congress and military commanders in dealing [with] the management of military forces and the requirements of military discipline." *Id.* at 69.

In *Rostker*, the Court recognized that the decision by Congress to exclude women from the registration requirement was not the "accidental by-product of a traditional way of thinking about females" but rather was the subject of considerable national attention and public debate,

and was extensively considered by Congress in hearings, floor debates, and in committee. *Id.* at 71. The Court deferred to Congress' explanation that "[i]f mobilization were to be ordered in a wartime scenario, the primary manpower need would be for combat replacements." Additionally, the Court noted that women were not similarly situated to men for purposes of the Act because of their exclusion from assignments to certain units whose primary mission is to engage in direct combat on the ground.

Since the *Rostker* decision, sections 8539 and 6015, of title 10, U.S.C., prohibiting the assignment of women to aircraft engaged in combat and vessels engaged in combat (except aviation officers assigned as part of an air wing or other element), respectively, have been repealed. On January 24, 2013, the Department rescinded its 1994 Direct Ground Combat Definition and Assignment Rule (1994 policy) which prohibited the assignment of women to certain units and positions. The rescission of the policy did not automatically open all previously closed positions to women but effectively removed the last policy barrier to the assignment of women to ground combat positions and units. In rescinding the 1994 policy, the Department established a way forward, using the guiding principles and milestones developed by the Joint Chief of Staff, to integrate women into all currently closed positions as expeditiously as possible, considering good order and judicious use of fiscal resources, no later than January 1, 2016. As the Department undertakes a deliberate and thoughtful review and develops detailed implementation plans, previously closed positions will open unless an exception is granted to keep an occupational specialty or position closed. Opening all positions without a deliberate and thoughtful approach could be detrimental to mission accomplishment and impede the ability of men and women to succeed in their positions.

As positions in combat specialties, such as infantry, still remain closed, the rationale in the *Rostker* decision should still apply.