

112TH CONGRESS
1ST SESSION

H. R. 1928

To amend title 10, United States Code, to repeal the ground combat exclusion policy for female members of the Armed Forces.

IN THE HOUSE OF REPRESENTATIVES

MAY 13, 2011

Ms. LORETTA SANCHEZ of California introduced the following bill; which was referred to the Committee on Armed Services

A BILL

To amend title 10, United States Code, to repeal the ground combat exclusion policy for female members of the Armed Forces.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Women’s Fair and
5 Equal Right to Military Service Act”.

6 **SEC. 2. FINDINGS AND PURPOSE.**

7 (a) FINDINGS.—Congress finds the following:

8 (1) 260,457 female members of the Armed
9 Forces have served in Operation Iraqi Freedom, Op-

1 eration Enduring Freedom, or Operation New
2 Dawn.

3 (2) 25,099 female members of the Armed
4 Forces are currently serving in Iraq or Afghanistan.

5 (3) Women serving in Iraq and Afghanistan are
6 not excluded from providing support to combat units
7 or other frontline units.

8 (4) As of April 1, 2011, 137 female members
9 of the Armed Forces have been killed in Iraq or Af-
10 ghanistan, and, of the women killed, over 60 were
11 killed in combat.

12 (5) More than 1,300 female members of the
13 Armed Forces have been wounded in action, of
14 which 758 were wounded in hostile action.

15 (6) The current nature of war has changed in
16 Iraq and Afghanistan and, despite the prohibition on
17 female members of the Armed Forces serving in
18 combat, so has the role of female members of the
19 Armed Forces.

20 (7) Women are increasingly attached to combat
21 units and engaging in frontline roles despite the cur-
22 rent ground combat exclusion policy.

23 (8) Female members of the Armed Forces are
24 engaging in direct combat without receiving ade-
25 quate combat training due to the current ground

1 combat exclusion policy described in current section
2 652 of title 10, United States Code.

3 (9) The Secretaries of the military departments
4 should be given the authorization to assign an eligi-
5 ble member of an armed force under the jurisdiction
6 of that Secretary to a unit of that armed force based
7 on the needs of the unit, regardless of the member's
8 gender.

9 (10) Secretary of Defense Robert Gates has
10 stated that women have been serving in combat al-
11 ready and female members of the Armed Services
12 have expressed that because they're not in a combat
13 military occupational specialty, they haven't had
14 combat training, but they're on a combat patrol.

15 (b) PURPOSE.—The purposes of this Act are—

16 (1) to ensure that modern military combat poli-
17 cies reflect the current operational environment of
18 the combat operations; and

19 (2) to raise the profile of the recognition that
20 female members of the Armed Forces should receive
21 for their service, particularly when it involves their
22 contribution with regard to direct combat operations.

1 **SEC. 3. REPEAL OF GROUND COMBAT EXCLUSION POLICY**
2 **FOR FEMALE MEMBERS OF THE ARMED**
3 **FORCES.**

4 (a) REPEAL.—

5 (1) REPEAL.—Section 652 of title 10, United
6 States Code, is repealed.

7 (2) CLERICAL AMENDMENT.—The table of sec-
8 tions at the beginning of chapter 37 of such title is
9 amended by striking the item relating to section
10 652.

11 (b) REVISION OF CURRENT MILITARY PERSONNEL
12 POLICIES.—

13 (1) REVISION.—The Secretary of Defense shall
14 revise the military personnel policies of the Depart-
15 ment of Defense and the military departments so
16 that such policies do not restrict members of the
17 Armed Forces from assignment to units and posi-
18 tions based on gender.

19 (2) NOTICE AND WAIT.—Any change in a mili-
20 tary personnel policy that would exclude based on
21 gender shall not take effect until—

22 (A) the Secretary of Defense submits to
23 the Committees on Armed Services of the Sen-
24 ate and House of Representatives a notice of
25 the intent to make the change; and

1 (B) a period of 30 legislative days has ex-
2 pired following the date on which the notice is
3 received by the committees.

4 (3) LEGISLATIVE DAY DEFINED.—In this sub-
5 section, term “legislative day” means a day on which
6 either House of Congress is in session.

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