

109TH CONGRESS
1ST SESSION

S. _____

IN THE SENATE OF THE UNITED STATES

Mrs. CLINTON introduced the following bill; which was read twice and referred to the Committee on _____

A BILL

To express the sense of Congress on women in combat.

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. SENSE OF CONGRESS ON WOMEN IN COMBAT.**

4 (a) FINDINGS.—Congress makes the following find-
5 ings:

6 (1) Women have a prominent role in American
7 military history, with involvement as far back at the
8 American Revolution (1775–1783) when women
9 served on the battlefield as nurses, water bearers,
10 cooks, laundresses, and saboteurs.

1 (2) Opportunities for servicewomen have in-
2 creased dramatically since 1948, when the Women's
3 Armed Services Integration Act of 1948 (62 Stat.
4 356) gave women a permanent place in the Armed
5 Forces.

6 (3) The Department of Defense began to ex-
7 pand its programs on women in the Armed Forces
8 in earnest in fiscal year 1973.

9 (4) From 1973 to 2005, the number of women
10 as a percentage of the total force of the Armed
11 Forces increased from only 2.5 percent to approxi-
12 mately 17 percent, with more than 200,000 women
13 currently serving in the Armed Forces.

14 (5) The admission of women to the service
15 academies began in Autumn 1976 and has increased
16 steadily so that women currently comprise approxi-
17 mately 16 to 19 percent of the incoming class each
18 year at the service academies.

19 (6) The current policy governing the assign-
20 ment of women in the military is set forth in a
21 memorandum of Secretary of Defense Les Aspen,
22 dated January 13, 1994, that excludes women from
23 assignment to units below brigade level whose pri-
24 mary mission is to engage in direct combat on the
25 ground. This memorandum also authorizes the

1 Armed Forces to restrict the assignment of
2 women—

3 (A) where the Secretary of the military de-
4 partment concerned attests that the costs of ap-
5 propriate berthing and privacy arrangements
6 are prohibitive;

7 (B) where units and positions are doc-
8 trinally required to physically collocate and re-
9 main with direct ground combat units that are
10 closed to women;

11 (C) where units are engaged in long range
12 reconnaissance operations and Special Oper-
13 ations Forces missions; and

14 (D) where job-related physical require-
15 ments would necessarily exclude the vast major-
16 ity of women service members.

17 (7) Section 542 of the National Defense Au-
18 thorization Act for Fiscal Year 1994 (10 U.S.C. 113
19 note) requires the Secretary of Defense to provide
20 30 days notice to Congress of any proposed change
21 to the combat exclusion rule that would open addi-
22 tional assignments to women.

23 (8) More than 100,000 women have deployed
24 by the Armed Forces in support of military oper-
25 ations since September 11, 2001.

1 (9) Approximately 17,000 women are currently
2 serving the Armed Forces honorably in support of
3 Operation Iraqi Freedom and Operation Enduring
4 Freedom.

5 (10) The Armed Forces, and especially the
6 Army, are struggling to meet recruiting and reten-
7 tion goals.

8 (11) Any change in policy that would further
9 restrict the assignment of women to units or posi-
10 tions would place additional strain on the Armed
11 Forces and their units, and would be detrimental to
12 the morale of members of the units.

13 (b) SENSE OF CONGRESS.—It is the sense of Con-
14 gress that—

15 (1) women play a critical role in the accom-
16 plishment of the mission of the Armed Forces; and

17 (2) there should be no change to existing stat-
18 utes or policy that would have the effect of decreas-
19 ing the roles or positions available to women in the
20 Armed Forces.