ARMY JAG CORPS · DEI PROGRAM · FOIA RELEASE BRIEF · INTENT EDITION

The JAG Corps didn't drift into DEI. It engineered it: five years of building identity rules into the machinery that picks, promotes and places the Army's lawyers.

What 7,158 released pages show about intent, and why rebranding is not the same as removal

BLUF From 2020 to 2024 the Army JAG Corps built, by its own memoranda, a DEI apparatus: a Corps Council with a mandate over "recruiting and accessions," "assignments," "promotions" and "retention" (F1651-p0767); a dedicated Office of DEI chartered for "data analysis and metrics" and "diversity recruiting" (F1651-p0404); a policy memorandum ordering that DEIA principles "must be reflected and remain evident in all of our office procedures, practices, training, and education efforts" (F2000-p0115); and a GS-15 director charged to "institutionalize DEI&A throughout the JALS" and track "diversity metrics" from assignment, promotion, schooling and accession boards (F2000-p0029).

This was social engineering by design. Group identity was made a standing input to the decisions that should rest on individual merit alone. When Congress wrote merit into law, the office's answer was to "press on" (F1651-p0414). When the 2025 orders arrived, the Council was dissolved on paper within days, but a merit board instruction signed 24 Jan 2025 still reserved seats for "at least one female and one minority member" (F1708-p1649). The release contains no record closing the DEI office or the line OPOD absorbed as "the Diversity, Equity, Inclusion, and Accessibility Program" (F1651-p0741).

5 yrs
of deliberate build-out: Council (2020), Office (2021), Policy Memo 22-11 (2022), metrics director (2022), OPOD consolidation (2024)

~30
pages of board instructions carrying "at least one female and one minority" seat wording, 2019–2025 (F1708-p1199; p1545; p1617; p1639; p1649)

2
board instructions in force or scheduled after the orders that still carried demographic wording (F1708-p1649; F1708-p1603)

0
records in the release closing the DEI office or OPOD's DEIA Program line (F1651-p0741; F1651-p1648)

Key findings

INTENT, IN WRITING

The Corps' own charter aimed the Council at every personnel lever: recruiting, accessions, assignments, training, promotions, retention (F1651-p0767). This was a plan, not a slide deck.

IDENTITY IN THE SELECTION SEAT

Merit boards were told whom to seat by sex and race: "at least one female and one minority member" (F1708-p1545; F1708-p1649). A 2020 worksheet: "Must contain at least 1 female and 1 minor[ity]" (F1708-p1199).

DEFIANCE OF THE MERIT MANDATE

Weeks after the FY2024 NDAA's merit rule: "we will press on with any current initiatives" (F1651-p0414). In May 2024: "emphasize we are still prioritizing DEIA" (F1651-p0394).

REBRAND, NOT REMOVAL

OPOD (Oct 2024) folded in "the Diversity, Equity, Inclusion, and Accessibility Program" (F1651-p0741). Its draft Director duties: "oversees all DEIAC initiatives" (F1651-p0714). No closure record exists in the release.

The standard. FY2024 NDAA §529C: accessions and promotions "shall be based on individual merit and demonstrated performance" (S04). EO 14185: "No individual or group within our Armed Forces should be preferred or disadvantaged on the basis of sex, race, ethnicity, color, or creed" (S14). Equal outcomes by identity group is a collectivist standard. A fighting force runs on individual excellence.

Sources: F1651-p0394; F1651-p0404; F1651-p0414; F1651-p0714; F1651-p0741; F1651-p0767; F1651-p1648; F1708-p1199; F1708-p1545; F1708-p1603; F1708-p1617; F1708-p1639; F1708-p1649; F2000-p0029; F2000-p0115; S04 (P.L. 118-31 §529C); S14 (EO 14185).

SECTION 1 · BACKGROUND AND SCOPE

Merit is the law. Readiness is the mission. Group outcomes are neither.

The yardstick this brief applies to the Corps' own record.

EQUAL PROTECTION

The Fifth Amendment binds the armed forces to "the equal protection of the laws" (Jackson v. Modly, 949 F.3d 763 (D.C. Cir. 2020)). SFFA v. Harvard, 600 U.S. 181 (2023): "Eliminating racial discrimination means eliminating all of it." Government treats citizens as individuals, not as members of demographic blocs.

CONGRESS: MERIT, BY STATUTE

FY2024 NDAA §529C: military accessions and promotions "shall be based on individual merit and demonstrated performance." §529B froze DEI hiring; §1101 capped civilian DEI posts at GS-10, effective 22 Dec 2023 (S04). In Dec 2025 Congress repealed the diversity-in-leadership statute, 10 U.S.C. 656 (P.L. 119-60 §901(c); S27).

THE 2025 ORDERS

EO 14185 §1: DEI preferences "undermine leadership, merit, and unit cohesion, thereby eroding lethality and force readiness" (S14). Army Directive 2025-01 para 4a (24 Jan 2025): all DEI/DEIA references in any Army "memorandum of instruction" are "rescinded" "effective immediately" (S13).

Why intent matters more than labels. A selection board exists to find the officer or attorney who will best serve the mission. Once a board is told to seat members by sex and race, and an office is told to track "diversity metrics from JALS assignment decisions, and promotion, schooling, and accessions boards" (F2000-p0029), the institution has a second purpose that competes with the first. Measure people by group representation instead of individual performance, and you have imported the core logic of collectivism, equality of outcome, into a fighting force. DEI is the soft entry point. Equal outcomes by identity is where it leads.

THE RELEASE

Four PDFs released by the Army JAG Corps under a FOIA request filed 27 Jan 2025 and posted Feb 2026 (S29): F1651 (1,651 pages), F1708 (1,708), F1799 (1,799), F2000 (2,000), for 7,158 pages in all. That covers 572 documents: slide decks and training files, policy documents, emails, memos and spreadsheets. 235 pages were withheld in full under (b)(5), (b)(6) markers appear 5,444 times, and 927 pages are blank or fully redacted. Records created after the 27 Jan 2025 filing may fall outside the search.

HOW THIS BRIEF READS THE RECORD

Every Army claim carries a page cite (F1708-p1649 = file 1708, page 1649). Public facts carry S- or B-series IDs listed on the Sources pages. The brief quotes the Corps' own memoranda, charters and board instructions, because the institution's words show its intent best. Intent claims are made about the institution and its documents. No individual is accused of wrongdoing, and officials are referred to by role title only.

Sources: U.S. Const. amend. V; Jackson v. Modly, 949 F.3d 763 (D.C. Cir. 2020); SFFA v. Harvard, 600 U.S. 181 (2023); S04 (P.L. 118-31 §§529B, 529C, 1101); S13 (AD 2025-01 para 4a); S14 (EO 14185 §1); S27 (P.L. 119-60 §901(c)); S29; F2000-p0029.

SECTION 2 · FINDINGS · INTENT

Intent: a Corps-wide apparatus, built deliberately, layer by layer

Four founding documents, all in the Corps' own words. Together they show design, not drift.

1 THE COUNCIL: AIMED AT EVERY PERSONNEL LEVER

OTJAG memorandum, 17 Jul 2020, "Establishment of the U.S. Army Judge Advocate General's Corps Council on Diversity, Equity, and Inclusion." Citing "recent national events," it charges the Council to "take a comprehensive look at ourselves as a regiment" and to look specifically at "recruiting and accessions," "assignments," "training and education," "promotions" and "retention." It also orders "field boards" around the world (F1651-p0767; F1651-p1648 ref. 1b).

Intent read: the target was not climate or courtesy. It was the full personnel pipeline: who gets in, where they go, who moves up.

2 THE OFFICE: A PERMANENT DEI BUREAUCRACY

TJAG and DJAG Sends 40-23, 25 Mar 2021, establishes the Office of Diversity, Equity, and Inclusion inside OTJAG. Its charter: "data analysis and metrics, policy review and development, training, advisory support, and diversity recruiting." It states that EO, EEO and SHARP are "beyond the scope" of its charter (F1651-p0404–p0405).

Intent read: by its own charter, the office was not the anti-discrimination function the law already provides. It was a separate shop for demographic metrics and recruiting.

3 THE MANDATE: DEIA IN "ALL" PROCEDURES

TJAG Policy Memorandum 22-11, Mar 2022: "The principles of these policies must be reflected and remain evident in all of our office procedures, practices, training, and education efforts." It calls for a team "who reflect our Nation" and commits the Corps to "leveraging the strength of our diverse force" (F2000-p0115–p0116).

Intent read: a top-down ideological directive applied to every office. The release contains no rescission of it (S18 shows JALS Pub 1-1 dropped its DEI policy 31 Jan 2025).

4 THE METRICS SHOP: A GS-15 TO "INSTITUTIONALIZE" IT

GS-0260-15 "Director, DEI&A" position description, certified 5 Jan 2022: advise leaders "in order to help institutionalize DEI&A throughout the JALS"; "Tracks diversity metrics from JALS assignment decisions, and promotion, schooling, and accessions boards"; "Reviews major JALS publications to help ensure diversity of authors"; tracks "diversity of invitational guest speakers"; advises the Professional Responsibility Branch on "unconscious bias inhibiting equity" in "disposition decisions" (F2000-p0027–p0033; F2000-p0029).

Intent read: the stated aim was institutionalization. Identity counting was pushed into boards, schooling, publishing, speaker selection and professional-responsibility advice.

The through-line. Council → Office → Corps-wide mandate → senior metrics director. Each layer widened the reach of the one before. That is how an institution is re-engineered: not by one order, but by building permanent structures that make identity a standing input to every decision.

Sources: F1651-p0404–p0405; F1651-p0767; F1651-p1648 (ref. 1b); F2000-p0027–p0033; F2000-p0029; F2000-p0115–p0116; S18 (JALS Pub 1-1, 31 Jan 2025).

SECTION 2 · FINDINGS · MECHANISM

Mechanism: identity written into boards, goals and positions

How the apparatus reached the decisions that should turn on merit alone.

5 SEAT RULES BY SEX AND RACE ON MERIT BOARDS

About 28–32 pages of board instructions carry the "at least one female and one minority" wording. Examples: a 2020 worksheet, "Must contain at least 1 female and 1 minor[ity]" (F1708-p1199); the FY24 Lateral Attorney Accession Board, 12 Jun 2024 (F1708-p1545); FY25 RA Fall, 27 Sep 2024 (F1708-p1617); FY25 FLEP, "at least one female member, one minority member, and one former FLEP officer" (F1708-p1639).

The body that judges merit was assembled with identity as a qualification for the seat.

6 DEMOGRAPHIC TARGETS FOR WHO GETS IN

A ~Jul 2020 recruiting paper sets a "measurable goal … for the percentage of diverse personnel (race/ethnicity and gender) whom we select and access" (F1651-p0560). An undated intern results brief tabulates applicants by race and sex against benchmarks (F1708-p1627–p1630). A Jan 2024 field-board paper notes quotas are "currently discouraged in light of Students for Fair Admissions v. Harvard" (F1651-p0926).

"Currently discouraged" is the language of a tactical pause, not a rejection of the idea.

7 A RACE QUALIFICATION FOR A MILITARY DUTY, PROPOSED

A ~Aug 2023 proposal for a DEI Officer to advise on "Assignments, JARO, and PRB" states the officer "Initially should be a minority officer based upon the perception of a lack of DEI in the Corps" (F1651-p0525–p0526). The release does not show whether it was adopted.

The proposal itself shows where the logic leads: race as a job qualification inside the assignments process.

8 GENDER-IDENTITY LANGUAGE IN BOARD ENCLOSURES

The FY25 1L Intern board's EEO enclosure keeps "Developing and maintaining qualified leadership representative of the population is critical" and "sex (including gender identity)" (F1708-p1609). The LAAB enclosure: "The strength of our Army comes from our diversity. Developing and maintaining qualified and demographically diverse leadership is critical for mission effectiveness" (F1708-p1657–p1658).

"Representative of the population" replaces "best qualified" as the stated goal of leadership.

9 THE ANSWER TO CONGRESS'S MERIT MANDATE: "PRESS ON"

Weeks after the FY2024 NDAA put merit into statute (§529C), the DEI office wrote: "Our JAGC Foundation is committed to continuing this work within the constraints of the new NDAA. We do not expect our DEI Council nor the Field Boards to be impacted. Until we receive guidance, we will press on with any current initiatives" (F1651-p0413–p0414). A May 2024 talking-points email sought to have leadership "emphasize we are still prioritizing DEIA" (F1651-p0394). The Council and Steering Committee were re-appointed for 2024–2026 in Oct 2024 (F1651-p0375).

Then, on 24 Oct 2024, TJAG Sends 42-05 created the Office of Professional and Organizational Development (OPOD), consolidating recruiting, wellness, leadership initiatives and "the Diversity, Equity, Inclusion, and Accessibility Program" (F1651-p0741). A draft OPOD Director duty description: "supports the DEIAC, oversees all DEIAC initiatives and, provides direction for the field boards" (F1651-p0714; F1651-p0717). **When the law changed, the institutional reflex was to keep the program going and move it into a broader office.**

Sources: F1651-p0375; F1651-p0394; F1651-p0413–p0414; F1651-p0525–p0526; F1651-p0560; F1651-p0714; F1651-p0717; F1651-p0741; F1651-p0926; F1708-p1199; F1708-p1545; F1708-p1609; F1708-p1617; F1708-p1627–p1630; F1708-p1639; F1708-p1657–p1658; S04 (§529C).

SECTION 2 · FINDINGS · AFTER THE 2025 ORDERS

After the orders: the branding came down fast, but the board rules did not

The Army records in the release that bear on the period after the orders took effect.

10 FY25 LATERAL ATTORNEY ACCESSION BOARD INSTRUCTION, DATED 24 JAN 2025: RESCINDED WORDING, NEWLY SIGNED

Para 2: "The board will consist of five voting members ... The board will also include at least one female and one minority member." Para 3c: "The board will convene virtually on a monthly basis, as applicable" (F1708-p1649). The enclosure: "demographically diverse leadership is critical for mission effectiveness" (F1708-p1657–p1658). Apart from the date, fiscal year and a fifth member, the text matches the FY24 instruction of 12 Jun 2024 (F1708-p1545). It was signed by the then-TJAG (F1708-p1651) the same day the Council dissolution memorandum was signed (F1651-p1648).

The same day, Army Directive 2025-01 rescinded DEI references in every Army memorandum of instruction "effective immediately" (S13). The Corps' public Apply page advertised the board as open "every day of the year" in captures from 26 Dec 2024, 4 Mar 2025 and 14 May 2025, with no pause notice (S31). **The record:** the instruction for a standing, monthly board carried a sex-and-race seat rule into the post-order period. The release has no revised instruction, roster or session record after that date (F1708-p1649–p1658).

11 FY25 1L INTERN PROGRAM BOARD, SCHEDULED 10–28 FEB 2025: THE WORDING WAS SOFTENED, NOT REMOVED

The FY25 2L instruction of 27 Sep 2024 said: "The board will include at least one female and one minority board member" (F1708-p1610). For the 1L board that "will be held between 10 February 2025 and 28 February 2025," the fixed rule became: "The board members will represent the diverse population of the Army to the extent practicable" (F1708-p1603). The EEO enclosure keeps "representative of the population" and "sex (including gender identity)" (F1708-p1609). The instruction has no visible signature date (F1708-p1604).

The scoring rule stayed merit-based: "Recommend the best qualified applicants in order of merit," with veterans' eligibility and military experience counted as positive factors (F1708-p1606–p1609). **The record:** weeks after the orders, demographic representation was still a stated goal for the board's makeup, phrased more softly. The wording matches DoDI 1320.14 para 3.4.a(5), which was still posted in 2026 (B01).

12 DISSOLVED ON PAPER WITHIN DAYS

Memoranda dated 24 Jan 2025, effective 23 Jan: "the ... (DEIAC) is dissolved ... All activities, meetings, and plans associated with the DEIAC are terminated" (F1651-p1648; F1651-p1650). Members were told on 27 Jan: "In compliance with these orders, it is my duty to inform you that the DEIA Council and the DEIA Executive Steering Committee are hereby dissolved" (F1651-p0367). The Council, the visible brand, was the first thing to go.

13 THE STRUCTURE UNDERNEATH: NO CLOSURE RECORD

The release contains no memorandum, order or personnel action closing the DEI office (ODEIA) or the DEIA Program line inside OPOD (F1651-p0741; F1651-p1648). Policy Memo 22-11 has no rescission in the release (F2000-p0115). On 14 Feb 2025 the Army's account posted "DEI is dead at #USArmy / The Army & the JAG Corps is in compliance" (S19). The FOIA record does not document how the program line was taken apart.

Reading it together. The Council came down fast. The seat rules, the representational wording, the program line inside OPOD and the founding policy memo have no documented teardown in the release. That pattern is what an apparatus looks like: the label goes first, and the plumbing stays until someone rips it out.

Sources: F1651-p0367; F1651-p0741; F1651-p1648; F1651-p1650; F1708-p1545; F1708-p1603–p1610; F1708-p1649–p1658; F2000-p0115; S13 (AD 2025-01); S19 (@USArmy, 14 Feb 2025); S31 (GoArmyJAG Apply captures); B01 (DoDI 1320.14).

SECTION 2 · FINDINGS · THE IDEOLOGICAL THROUGH-LINE

Equity of outcome vs. merit of the individual: the Corps' words against the law's

Set side by side, the record shows two incompatible standards. The Corps' documents measure groups, and the law measures people.

Question	What the JAG Corps record says	What the Constitution, Congress and the 2025 orders say
Who sits in judgment	"The board will also include at least one female and one minority member" (F1708-p1649)	EO 14185 §1: no group "preferred or disadvantaged on the basis of sex, race" (S14)
Goal of accessions	A "measurable goal ... for the percentage of diverse personnel (race/ethnicity and gender) whom we select and access" (F1651-p0560)	§529C: accessions "shall be based on individual merit and demonstrated performance" (S04)
What leadership should look like	"qualified leadership representative of the population is critical" (F1708-p1609); "demographically diverse leadership" (F1708-p1657)	AR 600-20 para 6-2a: "Soldiers are evaluated on individual merit, performance, and potential"
What gets measured	"Tracks diversity metrics from JALS assignment decisions, and promotion, schooling, and accessions boards" (F2000-p0029)	Congress repealed the diversity-in-leadership statute, 10 U.S.C. 656 (P.L. 119-60 §901(c); S27)
Qualification for a duty	DEI Officer "Initially should be a minority officer" (F1651-p0526, proposal)	SFFA v. Harvard: "Eliminating racial discrimination means eliminating all of it"
Response to the law	"we will press on with any current initiatives" (F1651-p0414)	AD 2025-01 para 4a: DEI references in instructions rescinded "effective immediately" (S13)
Scope of the ideology	DEIA principles "must be reflected and remain evident in all of our office procedures" (F2000-p0115)	SecDef, 29 Jan 2025: no race- or sex-based composition goals; DEI councils cease (S16)

STEP 1 · THE SOFT ENTRY

Start with language no one objects to: "inclusion" and "Our People are our most precious resource" (F1651-p0767). Build a council to study it.

STEP 2 · THE METRIC

Convert the language into numbers: diversity metrics on boards, goals for "the percentage of diverse personnel ... whom we select and access" (F2000-p0029; F1651-p0560).

STEP 3 · THE RULE

Turn the metric into a rule: seats by sex and race, "representative of the population" (F1708-p1649; F1708-p1609). Next on the drawing board: a proposed DEI Officer for assignments who "Initially should be a minority officer" (F1651-p0526, proposal; adoption not shown).

Why this is the collectivist logic. Judging a pipeline by whether its outputs mirror demographic shares puts the group above the individual. The person is seen first as a member of a category, and fairness is defined by the distribution of results, not by equal rules. That is the same premise that drives socialist redistribution: outcomes are engineered to match a target and are not earned. Inside a military legal corps, the cost is concrete. Each seat, assignment or accession weighed by identity is one not weighed solely by competence, and the Army's commanders, court-martial practice and operational law advice depend on that competence. Congress (§529C, 10 U.S.C. 656 repeal) and the 2025 orders (EO 14185; AD 2025-01) rejected that premise outright.

Sources: F1651-p0414; F1651-p0526; F1651-p0560; F1651-p0767; F1708-p1609; F1708-p1649; F1708-p1657; F2000-p0029; F2000-p0115; S04 (§529C); S13 (AD 2025-01); S14 (EO 14185); S16 (SecDef, 29 Jan 2025); S27 (P.L. 119-60 §901(c)); AR 600-20 para 6-2a; SFFA v. Harvard, 600 U.S. 181 (2023).

SECTION 3 · TIMELINE CONNECTING THE FINDINGS

Five years to build, one memo to rebrand, and a seat rule signed on the day of rescission

Founding or turning-point record Supporting record or public event Tag **F n** = finding number in Section 2

2020 · THE PLAN

- **17 Jul** OTJAG memorandum establishes the JAG Corps Council on DEI, with a mandate over recruiting, accessions, assignments, training, promotions and retention (F1651-p0767). F1
- **~Jul** Recruiting paper: "measurable goal" for the share of "diverse personnel … whom we select and access" (F1651-p0560). F6
- **2020** Board worksheet: "Must contain at least 1 female and 1 minor[ity]" (F1708-p1199). F5

2021 · THE OFFICE

- **25 Mar** TJAG and DJAG Sends 40-23 creates the Office of DEI: "data analysis and metrics … diversity recruiting" (F1651-p0404–p0405). F2
- **27 Oct** Request to hire a GS-15 Director of ODEI (F1651-p0598–p0600).

2022 · THE MANDATE

- **5 Jan** GS-15 Director, DEI&A: "institutionalize DEI&A throughout the JALS"; track "diversity metrics" from boards (F2000-p0027–p0029). F4
- **Mar** TJAG Policy Memo 22-11: DEIA "must be reflected and remain evident in all" procedures (F2000-p0115). F3
- **29 Aug** A civilian Director, ODEIA, is installed (F1651-p0402).

2023 · EXPANSION

- **~Aug** Proposal: a DEI Officer for assignments who "Initially should be a minority officer" (F1651-p0526). F7
- **30 Aug** Senior leader asks for "a hard look at PPTO+ODEI+Wellness+Retention" (F1651-p0729).
- **22 Dec** FY2024 NDAA: §529C merit rule; §529B DEI hiring freeze; §1101 GS-10 cap (S04).

2024 · PRESS ON

- **8 Jan** DEI office: "we will press on with any current initiatives" (F1651-p0414). F9
- **May** Talking points: "emphasize we are still prioritizing DEIA" (F1651-p0394). F9
- **12 Jun** FY24 accession board: female/minority seat rule (F1708-p1545). F5
- **27 Sep** FY25 RA Fall and 2L board instructions carry the same rule (F1708-p1617; F1708-p1610). F5
- **17 Oct** Council and Steering Committee re-appointed for 2024–2026 (F1651-p0375). F9
- **24 Oct** TJAG Sends 42-05 creates the Office of Professional and Organizational Development (OPOD), absorbing the DEIA Program (F1651-p0741). F9

JAN–FEB 2025 · THE ORDERS

- **20–22 Jan** EOs 14148, 14151, 14173; OPM guidance; SecArmy memo (S07–S12).
- **24 Jan** AD 2025-01 rescinds DEI references "effective immediately" (S13). Council dissolution memo signed (F1651-p1648). **Same day:** accession board instruction keeps the female/minority rule (F1708-p1649). F10
- **27 Jan** EO 14185. Members told of dissolution (F1651-p0367). FOIA request filed. F12
- **29 Jan** SecDef: no race- or sex-based composition goals; councils cease (S16).
- **10–28 Feb** 1L intern board scheduled ("will be held between"): "represent the diverse population of the Army" (F1708-p1603). F11
- **14 Feb** Army account: "the JAG Corps is in compliance" (S19).

LATER

- **18 Dec 2025** Congress repeals 10 U.S.C. 656 (P.L. 119-60 §901(c); S27).
- **Feb 2026** Release posted. No closure record for ODEIA or OPOD's DEIA line (F1651-p0741). F13

The pattern. Plan (2020), office (2021), mandate (2022), expansion (2023). Then the law changed, and the response was to press on and fold the program into a larger office (2024). When the orders came, the visible council came down while board rules, the program line and the founding memo had no documented teardown (2025). That sequence shows a project, not a set of isolated decisions.

Sources: F1651-p0367; F1651-p0375; F1651-p0394; F1651-p0402; F1651-p0404–p0405; F1651-p0414; F1651-p0526; F1651-p0560; F1651-p0598–p0600; F1651-p0729; F1651-p0741; F1651-p0767; F1651-p1648; F1708-p1199; F1708-p1545; F1708-p1603; F1708-p1610; F1708-p1617; F1708-p1649; F2000-p0027–p0029; F2000-p0115; S04; S07–S13; S16; S19; S27.

SECTION 4 · TAKEAWAYS AND RECOMMENDED NEXT STEPS

Ending the brand is not ending the project. Rip out the plumbing.

TAKEAWAYS

1. **This was intentional.** The Corps' own charter, office, policy memo and position description show a deliberate, multi-year effort to make identity a standing input across recruiting, accessions, assignments, promotions and schooling (F1651-p0767; F1651-p0404; F2000-p0115; F2000-p0029).
2. **It reached the merit boards.** Seat rules by sex and race were written into the instructions of the bodies that judge merit, from 2020 into 2025 (F1708-p1199; F1708-p1545; F1708-p1649).
3. **It is collectivist at its core.** Measuring pipelines by group representation puts outcome-by-identity above individual excellence. Congress and the 2025 orders rejected that standard (S04; S14; S13; S27).
4. **It resisted the merit mandate.** After §529C, the office chose to "press on," leadership was urged to keep "prioritizing DEIA," and the program was moved into OPOD (F1651-p0414; F1651-p0394; F1651-p0741).
5. **The rollback is incomplete on the record.** The Council was dissolved, but post-order board instructions kept demographic wording, and no closure record exists for the DEI office, the OPOD program line or Policy Memo 22-11 (F1708-p1649; F1708-p1603; F1651-p0741; F2000-p0115).

RECOMMENDED ACTIONS

RESTORE MERIT, FULLY

- Re-issue every JAG Corps board instruction with "best qualified," merit-only language, and strike all composition and "representative of the population" clauses.
- Formally rescind TJAG Policy Memorandum 22-11 and publish the rescission.
- Abolish the OPOD DEIA Program line by written order, and document where each function and position went.
- End all collection and reporting of diversity metrics on assignment, promotion, schooling and accession decisions.
- Require written certification from each board president that no demographic composition rule was applied after 24 Jan 2025.

The standard going forward. Merit and readiness are the only legitimate measures for who serves, who leads and who decides. Anything that ranks a lawyer by category rather than capability makes the force less lethal.

FOLLOW-UP FOIA REQUESTS

#	Request	Why it matters
1	FY25 Lateral Attorney Accession Board convening memos, member rosters (grade, sex and minority status as recorded), session dates, results, TJAG approvals and any revised instruction, 24 Jan – 30 Sep 2025	Shows how the seat rule signed 24 Jan 2025 was applied to a board advertised as open "every day of the year" (F10)
2	SF-50s, position records and closure memoranda for the ODEI/ODEIA Director and the OPOD DEIA Program line, Mar 2021 – date of search	Documents whether the apparatus was actually torn down or only renamed (F9, F13)
3	OPOD charter, mission statement, organization chart, program lines and position descriptions, 2025 – date of search	Tests whether DEIA functions survive under OPOD's name (F9, F13)
4	Any rescission of TJAG Policy Memorandum 22-11, and the "DEI review" SOP or checklist	Confirms whether the Corps-wide DEIA mandate was formally withdrawn (F3)
5	Records showing the source of the "at least one female and one minority" clause, including drafts, 1 Jan 2018 – 31 Mar 2025	Shows who authored the seat rule and what authority it rested on (F5)
6	The Army's submission and Final Validation Report to the DoD Restoring America's Fighting Force Task Force, with any OTJAG input	Each report had to list "areas found as non-compliant" (B02, p. 16)
7	Signature date and routing sheet for the FY25 1L Intern board instruction; reconsideration or a Vaughn index for the 235 (b)(5) pages	Fixes the softened wording against AD 2025-01 and opens the withheld deliberations (F11)

Sources: F1651-p0394; F1651-p0404; F1651-p0414; F1651-p0741; F1651-p0767; F1708-p1199; F1708-p1545; F1708-p1603; F1708-p1649; F2000-p0029; F2000-p0115; S04; S13; S14; S27; B02 (RAFF-TF Initial Report p. 16).

SECTION 5 · SOURCES

Sources cited in this brief

Army FOIA cites refer to the four released files by FOIA number and page (F1708-p1649 = file 1708, page 1649). A range means consecutive pages in one file. Duplicate pages are cited at their first copy.

ARMY FOIA RELEASE (F1651, F1708, F1799, F2000; 7,158 PAGES)

Cite	Record
F1651-p0367	27 Jan 2025 "DEIA Council Dissolution" email
F1651-p0375	17 Oct 2024 Council and Steering Committee appointments (2024–2026)
F1651-p0394	May 2024 talking points: "still prioritizing DEIA"
F1651-p0402; p0404–p0405	ODEIA director announcement; TJAG and DJAG Sends 40-23 establishing ODEI (25 Mar 2021)
F1651-p0413–p0414	8 Jan 2024 ODEIA message: "press on with any current initiatives"
F1651-p0525–p0526	DEI Officer proposal, "Initially should be a minority officer" (~Aug 2023)
F1651-p0560	Recruiting paper: "measurable goal" for diverse accessions (~Jul 2020)
F1651-p0598–p0600	Request to hire GS-15 Director of ODEI (27 Oct 2021)
F1651-p0714; p0717	Draft OPOD Director duties: "oversees all DEIAC initiatives"
F1651-p0729	Request for "a hard look at PPTO+ODEI+Wellness+Retention" (30 Aug 2023)
F1651-p0741	TJAG Sends 42-05 establishing OPOD, incl. the DEIA Program (24 Oct 2024)
F1651-p0767	OTJAG memorandum establishing the JAG Corps Council on DEI (17 Jul 2020)
F1651-p0926	Field-board paper: quotas "currently discouraged" after SFFA (Jan 2024)
F1651-p1648; p1650	Council and Steering Committee dissolution memoranda (dated 24 Jan, effective 23 Jan 2025)
F1708-p1199	2020 board worksheet: "Must contain at least 1 female and 1 minor[ity]"
F1708-p1545	FY24 Lateral Attorney Accession Board instruction (12 Jun 2024)
F1708-p1603–p1610	FY25 1L Intern board instruction and EEO enclosure; FY25 2L instruction (27 Sep 2024)
F1708-p1617; p1639	FY25 RA Fall (27 Sep 2024) and FY25 FLEP board instructions
F1708-p1627–p1630	Undated intern results brief tabulating applicants by race and sex (figures not quoted)
F1708-p1649–p1658	FY25 Lateral Attorney Accession Board instruction and enclosures (24 Jan 2025)
F2000-p0027–p0033	GS-0260-15 Director, DEI&A position description (certified 5 Jan 2022)
F2000-p0115–p0116	TJAG Policy Memorandum 22-11, Diversity, Equity, Inclusion, and Accessibility (Mar 2022)

PUBLIC SOURCES

ID	Date	Source
S04	2023-12-22	FY2024 NDAA, P.L. 118-31 §§529B, 529C, 1101
S07	2025-01-20	EO 14148, Initial Rescissions
S08	2025-01-20	EO 14151, Ending Radical and Wasteful Government DEI Programs
S10	2025-01-21	EO 14173, Ending Illegal Discrimination and Restoring Merit-Based Opportunity
S11	2025-01-21	OPM Initial Guidance Regarding DEIA EOs
S12	2025-01-22	Acting SecArmy, Immediate Actions to Implement Guidance on DEIA EOs
S13	2025-01-24	Army Directive 2025-01
S14	2025-01-27	EO 14185, Restoring America's Fighting Force
S16	2025-01-29	SecDef memo, Restoring America's Fighting Force
S18	2025-01-31	JALS Pub 1-1 (DEI policy removed)
S19	2025-02-14	@USArmy X post 1890489560137650586
S27	2025-12-18	FY2026 NDAA, P.L. 119-60 §901
S29	2026-02	STARRS on the FOIA release
S31	2024-12 – 2025-05	GoArmyJAG Apply page, Wayback captures
B01	2020-12-16	DoDI 1320.14 (capture 7 Jun 2026)
B02	2025-03-01	RAFF-TF Initial Report (FOIA 25-F-3131; non-government host)

LEGAL AUTHORITIES

U.S. Const. amend. V (equal protection); Students for Fair Admissions, Inc. v. President and Fellows of Harvard College, 600 U.S. 181 (2023); Jackson v. Modly, 949 F.3d 763 (D.C. Cir. 2020); P.L. 118-31 §§529B, 529C (note preceding 10 U.S.C. 501), 1101; P.L. 119-60 §901(c); 10 U.S.C. 656; EO 14148, 14151, 14173, 14185 §1; Army Directive 2025-01 para 4a; AR 600-20 para 6-2a; DoDI 1320.14 para 3.4.a(5).

Sources: Page cites are to the released PDFs as posted Feb 2026. Full URLs for every S- and B-series source are kept in the project source list.