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Washington Times
March 23, 2000
Pg. 3

Aide Reiterates Gore's Pledge To Lift Military Ban On Gays

By Bill Gertz, The Washington Times

Vice President Al Gore will work to overturn the ban on homosexuals serving openly in the military if elected president, a Gore aide said yesterday.

Leon Fuerth, Mr. Gore's national security adviser and political adviser to the presumed Democratic presidential nominee, also repeated the vice president's January "correction" that he will not require the next chairman of the Joint Chiefs of Staff to hold pro-homosexual views. Military leaders support the current ban.

Mr. Gore "believes there is a case to be made for honest and loyal American men and women who want to serve their country in a volunteer force to be able to do so without fear," Mr. Fuerth said in a breakfast meeting with defense writers.

"He believes that the leadership of the military and the rank and file understand the justice of that proposition, even though they may have problems with it."

Mr. Gore will "carry out his pledge to change the system" with military leaders if he becomes the commander in chief, Mr. Fuerth said.

Asked if there will be a litmus test for the next chairman of the joint chiefs, Mr. Fuerth said "no."

Mr. Gore, after stating in January that he would make this a requirement for his top military adviser, "corrected himself very quickly."

"He corrected himself by telling you the truth that he never has required a litmus test, doesn't intend to need a litmus test," Mr. Fuerth said.

Mr. Gore will only require that his top military commanders be competent, "tell him the truth" and "carry out his orders once they're made," Mr. Fuerth said.

The current policy, which requires the military to expel homosexuals if their sexual preference becomes public, is "a posture that makes it impossible for very good people to serve without living in fear that something private about themselves will be divulged and held against them," he said.

"In our society that is changing, and our military has always been a reflection of that society as a whole, and I think the vice president's impulse is a very clear one, which is to make sure the alignment stays the same."

Mr. Gore does not expect changing the policy to be easy. "I know from my discussions with him he fully understands the military's need for respect for such issues as unit cohesion, and he grasps how complicated this thing is for the military," Mr. Fuerth said.

The Pentagon recently concluded in a study that the "don't ask, don't tell" policy was working. But after it was attacked by New York Senate candidate Hillary Rodham Clinton, President Clinton said the policy was "way out of whack."

The comments prompted the Pentagon to undertake another review.

Asked if the military's views on homosexuals in the ranks is "outdated," Mr. Fuerth said Mr. Gore believes there is a better way to "handle the problem, and it is a way that lifts the burden of fear from excellent people who are serving at this moment, as we all know."

Because the current policy was passed in law, Mr. Gore cannot issue an executive order that "revolutionizes the situation" of homosexuals in the military, he said. "We're talking about presidential action to enter into a dialogue with people who are concerned about this and to lead towards that outcome."

Army Gen. Henry H. Shelton, chairman of the Joint Chiefs of Staff, told reporters in February that policy of allowing homosexuals to serve unnoticed is working.

Gen. Shelton said the current law on homosexuals "strikes the proper balance between the requirement for good law, order and discipline in the military and individual rights."

On other issues, Mr. Fuerth said Mr. Clinton should not delay the current deployment decision on national missile defense until the next presidency and there is "a fighting chance" Russia will agree to treaty changes that would permit fielding the system by 2005.

Mr. Fuerth also differed with Defense Secretary William S. Cohen on the emerging threat from long-range missiles. Mr. Cohen has said such a threat already exists. Mr. Fuerth said such a threat is a "possibility" in the future.

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March 30, 2000

Don't Blame 'Don't Ask, Don't Tell'

By John Allen Williams and Laura L. Miller

Let's face it: It is only a matter of time before gays and lesbians are allowed to serve openly in the military. The chorus of criticism about the current "don't ask, don't tell" policy--which allows homosexuals to enter the armed services and remain there as long as they keep their sexuality under wraps--merely serves as a distraction. The policy is not ideal but it does work as a transition phase and helps anticipate the difficulties we will face when full integration inevitably comes about.

As lead analysts on a portion of the Project on the Gap between the Military and Society of the Triangle Institute for Security Studies, we found significant differences between the military and civilian elites and mass opinions on the role of open homosexuals in the military. Reasonable people will disagree on their implications, but the facts are these: almost three-quarters of the military respondents, but about a third of the civilians, oppose letting homosexuals serve openly in the military. More than a quarter of military respondents say they would leave the military if the policy were liberalized, compared to fewer than 7 percent who would leave if women were allowed into all combat positions. Since the military sample was drawn from among the most promising officers, this is disturbing.

Nevertheless, we believe the direction of social change is clear: There is increasing public consensus that some areas of individual choice are beyond the proper role of the state to prohibit, including sexual relations between consenting adults. It is only a matter of time before this view affects military policy. Meanwhile, "don't ask" has worked well informally for decades.

The impact on military effectiveness and the people involved will vary depending on whether the transition is handled well or badly. Any change should be implemented carefully. We should pay close attention to the experience of the British military--an armed forces most like our own--as it undergoes its own integration of open homosexuals under the order of the European Court.

There is evidence that the U.S. military is finally using the breathing space provided by "don't ask" constructively. In fact, the service leadership is trying to do the right thing. For example, the chief of naval personnel sent an instruction to all hands in October emphasizing, "commanding officers must not condone homosexual jokes, epithets or derogatory comments and must ensure a command climate that fosters respect for all individuals." This message, echoed by the other services, is correct no matter how long the transition period lasts.

Supporters of change too often underestimate the consequences of their proposals, reflecting either a genuine or willful lack of understanding of the military. Sexual orientation may be a status but sexual activity is a behavior--and homosexual activity is abhorrent to a large number of military people. This will not change quickly, whatever rules may come down from above.

Training is most effective when it is based on agreed moral principles. Yet moral disagreement is precisely the problem. This leaves the services in a difficult position. They cannot teach that behavior specifically outlawed by the Uniform Code of Military Justice is morally acceptable, but they must emphasize that the harassment of persons believed to be homosexual is prohibited. This dilemma will not evaporate when current restrictions are removed.

A sensible and pragmatic training program must recognize the following realities:

Freedom of belief must be respected for heterosexuals as well as gays; it is behavior that must be regulated. Just as gays cannot be expected to alter their orientation to please the military, other service members cannot be expected to cast aside their religious or moral convictions about homosexuality. Heterosexual men, in particular, are unlikely to be comfortable any time soon sharing the forced intimacy of military living conditions with men they believe may find them sexually attractive.

For similar reasons, men and women are not required to live intimately together, but separate berthing for gays and heterosexuals is not a viable option.

Neither physical nor verbal harassment can be tolerated.

Homosexuality need not be celebrated, but no one may create an intimidating atmosphere for others, gay or straight. Sexual harassment, sexual assault and sexual relationships between officer and enlisted or between individuals in the same chain of command can and must remain prohibited, regardless of sexual orientation.

The integration of open homosexuals into the military will require serious advance planning and will not be implemented easily. The experiences and information provided to the military under "don't ask" must be used wisely. The policy is not to blame: Any attempt to merge deeply held and clashing values will produce resistance and conflict.

This monumental task will require wisdom, patience, and leadership of the highest order. We will discover soon enough whether military and civilian leaders and the American people themselves are up to the challenge.

John Allen Williams is a political scientist at Loyola University.

DOD IG Mtg in Lerdys office 3/24/00 @ 0730

Laura Maroon interested in DOD IG report. Keep her informed!

Vice Chiefs 0830

HASC + SSSC between 12-1

Press briefing at 1330 approx.

- Carol de Batiste will chair ^{Service} group
- Our group will meet w/ Service group.
- Not scientifically valid survey but reasonably representative sampling. 71,500 people surveyed.
- Surveys done at group sessions proctored by IG reps.
- Very good cooperation.
- Don't believe people were held back from submitting surveys.
- Did comparison of data sets. Can be further analyzed.
- 1) Most alarmed by 5% that saw physical harassment
- 2) Hearing that some leaders tolerate
- 3) Not sure that long programs are fully implemented.

Rollout msg

- 1) Survey results don't reflect newest efforts
- 2) Taking additional action of Group.

- Need Tolken w/ clear state.
- Army IG to be done by 1 May.
- email to SRB w/ suggested TP's for POTUS.
- why people didn't know if they've been trained
- why
- VADM Tracy. Biggest problems are at junior levels where we have the biggest turnover.

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Washington Post
March 26, 2000
Pg. C3

Some GIs Puzzled By Rules On Gays

By Steve Vogel, Washington Post Staff Writer

Eighty soldiers in battle fatigues shifted uncomfortably in the seats of the movie theater at Fort Meade. Using slides projected on the screen, their company commander, Capt. Kevin Reszka, had just presented an unexpected scenario as he opened a training session on the Army's policy toward homosexuals.

That policy is popularly known as "don't ask, don't tell": The military cannot ask about sexual orientation, and homosexuals in the ranks cannot advertise their presence. But there's more to it than that, Reszka suggested.

"You're in the chow hall, you're a lower enlisted soldier, and you overhear the soldier next to you at a nearby table mention that he's being harassed because he's come out of the closet, and that he's homosexual," Reszka said.

What to do? Report the open admission? The harassment? Answer: Both, so superiors can investigate the entire situation.

After an allegedly gay soldier was slain in Kentucky last year, training sessions like the one at Fort Meade were revamped to combat harassment of homosexuals. But the refresher course at the movie theater Wednesday turned out to be especially well-timed, because on Friday, the Pentagon inspector general released the results of a survey in which 40 percent of those in the ranks said they had witnessed or been the victim of harassment for perceived homosexuality.

"The Army has some areas we need to focus on and improve," Lt. Col. Steven Eldridge, commander of the headquarters battalion at Fort Meade, said after the report's release. "You're dealing with human beings, and we have to hold people accountable for their actions. It's an issue of discipline. It's called creating the proper command climate."

But navigating the new policies might not be easy. If the session at Fort Meade is any illustration, at least some soldiers remain confused about "don't ask, don't tell," a policy that Reszka told his troops should include "don't harass" and "don't pursue," meaning soldiers should leave any investigation of homosexuals to superiors.

Sgt. Belinda Lowe, one of the 9,000 soldiers based at Fort Meade, wondered what she should do if she learned that a soldier is living in a homosexual "marriage." Has the soldier "told" of his orientation in violation of policy, even if he's never spoken a word? "People are going to know," Lowe noted.

Reszka pondered the example, and then turned to the representative of the base's staff judge advocate office, Capt. Julie Downey, who was sitting in the front row.

"SJ, you want to handle that one?" Reszka said, to the loud amusement of his troops.

Downey explained the policy, but Lowe seemed dissatisfied. "What I'm trying to say is, we're going to know," she said.

"The 'don't ask' only applies if there is no credible information," Reszka added, suggesting that in this instance there was such information and Lowe would have to inform superiors.

"Soldiers have a restriction on what they can tell," he said. "Soldiers are expected to keep their sexual orientation private."

Another slide was titled "Zero Tolerance for Harassment."

"Now we'll talk about 'don't harass,' " Reszka said. "That's really why we're conducting this training today. . . . Does everybody know what reprisal means?"

Everybody said they did.

The slide show concluded. After tossing out several scenarios to see how well the soldiers had mastered the material, Reszka asked, "Any questions?" There were none. "That concludes today's training," he said.

But as they filed out of the theater, some soldiers acknowledged they still were not sure about some things.

"You're always going to have questions," said Sgt. Keith Jones. "Because each situation that comes up is different. Basically, you take what they give you here, and you work from it."

Lowe said: "There's a lot more to it, the more questions you ask. We see a lot of things all the time, but we don't say anything. People watching same-sex movies with their doors open. Then what do you do?"

"We're talking about harassment of a person who is a homosexual," Lowe continued. "What about a homosexual harassing you? We in the military are a team, and your peers have a lot of influence, you know what I mean? Everybody knows this person is coming on to you, and you don't want to be stuck with that stigma. If I'm in the shower and somebody comes up and starts groping me, my first instinct is not to go the the commander, my first instinct is, 'You better get off of me.' "

Lowe turned to Eldridge, who was standing nearby. "Did you hear me, sir?" she asked. "Like, if somebody just touches you?"

Eldridge nodded. "From the commander's perspective, the two issues we're dealing with here, are one . . . homosexuality is against Army policy," he said. "The second part of that is, we do not tolerate harassment on any stage. What I have to ensure is soldiers who have admitted themselves as homosexuals are not being harassed for it. The military will take appropriate action to remove them, after they have been given due process."

More work is needed, he added. "We need to make sure soldiers understand it," Eldridge said. "And a lot of it's common sense."

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New York Times
March 26, 2000

Survey On Gays Rings True To Some In Military

By Ross E. Milloy

CORPUS CHRISTI, Tex., March 25 -- Although senior Pentagon officials in Washington expressed surprise at an inspector general's survey that found widespread harassment of gays in the armed forces, halfway across the country the results were viewed today as nothing new by some current and former servicemen living near this city's many military installations.

Eighty percent of the 71,570 military personnel surveyed in the Pentagon's report, which was released on Friday, said they had heard derogatory remarks made about gays and 37 percent said they had witnessed or experienced an incident of harassment.

"They call it 'barracks justice,' " Dennis Dunn, 40, who retired last fall after 19 years in the Army, said on Friday at a restaurant here.

"If people found out somebody was gay, they were gone. If they weren't kicked out for just being gay, then some other reason would be found to get rid of them. Either way, they were going."

Sometimes, said Mr. Dunn, who was a staff sergeant, the penalty for being identified as homosexual took an uglier turn.

"If someone was gay and got left in the unit for a while there would be a 'blanket party,' " he said, "where they'd grab the guy during the middle of the night, wrap him in a blanket, and pound on him with socks stuffed with bars of soap."

Mr. Dunn said there were rules associated with such attacks, established by platoon or unit leaders who organized them, such as no hitting in the head, face or groin. "But that was mostly so there wouldn't be any evidence that could be reported," he said.

From the time he joined the service in 1980 until he retired with a medical discharge, Mr. Dunn said, he heard of dozens of such "blanket parties," although he would not say whether he had participated.

And, Mr. Dunn said, little changed after the Clinton administration instituted the "don't ask, don't tell" policy in 1993.

"That was all just a show for the media," he said of the policy. "It didn't change anything. It just made the unit commanders more cautious about how they kicked people out."

But some of the servicemen interviewed here about the Pentagon report said they thought that attitudes had changed over the years, not so much because of the "don't ask, don't tell" policy, but because of a broader acceptance of gays in society.

"President Clinton just opened up the closet door and let all the skeletons out," said Carlos B. Palos III, 44, who served in the Army three years, from 1975-78.

Interviewed while having dinner with his son, Carlos Jr., who recently enlisted in the Air Force, Mr. Palos said that during his military career, homosexuality was rarely discussed but punished whenever discovered.

"We had two guys caught in my unit in Germany in 1977 that were court-martialed and dishonorably discharged," he said, "but it was all kept pretty quiet. These days, they put it on the front page of the newspaper."

Mr. Palos's 19-year-old son said that during his four months at an air base near Del Rio, Tex., he had seen no signs of discrimination. "Sure, you know some people are probably gay, but that's their business as long as they leave you alone," he said. "The younger guys just don't care that much about it."

Allen Decker, 24, a Navy information specialist who in four years served on six posts before arriving at the air station here, said of gays: "In today's military it's just not that big of a deal. People are just more used to the idea of gays in the service."

But, still, Mr. Decker said, if someone is openly gay, "The commanding officer will always just get rid of them."

A Navy intelligence specialist on leave from a Seventh Fleet assignment in Japan, who spoke on the condition of not being identified, said that while his superiors would tolerate no discrimination or harassment by fellow servicemen, anyone who was openly gay disappeared from the unit.

"We're the first line of defense, the tip of the spear, and discipline out there is pretty tight," said the 24-year-old Navy specialist.

To Mr. Dunn, the inspector general's report offered only confirmation of what most people in the service, he said, already knew.

"They have to do these things to placate the media and the higher-ups, the politicians," he said. "But nothing will change. It's the Army. Nothing ever changes the Army."

New York Times
March 25, 2000
Pg. 1

Survey Of Troops Finds Antigay Bias Common In Service

By Steven Lee Myers

WASHINGTON, March 24 -- Antigay remarks and harassment are commonplace in the American military, especially in the form of offensive speech and gestures, and an overwhelming majority of service members believe their superiors and colleagues tolerate it "to some extent," according to a Pentagon survey released today.

The survey, ordered after a gay soldier was beaten to death last July at Fort Campbell, Ky., suggested that despite repeated efforts to prohibit such behavior, including new directives by the four armed services late last year, disparaging and even hostile attitudes toward gay men and women remain a pervasive part of military culture.

Eighty percent of service members questioned by the Pentagon's inspector general reported hearing antigay remarks during the last year and 33 percent said they heard them often or very often.

Even more troubling to Pentagon officials, 37 percent said they had witnessed or experienced some form of harassment based on sexual orientation in the last year. Often the harassment involved offensive remarks or gestures, but in more than half of those cases, service members said they had witnessed or experienced that harassment in the form of graffiti, vandalism, threats, unfair discipline, discrimination in training or career opportunities or even physical assaults.

"The report shows that military leaders must do more to make it clear that harassment based on sexual orientation violates military values," Secretary of Defense William S. Cohen wrote in a memorandum sent to the civilian and military leaders of the services today.

Investigators surveyed a random sampling of 71,570 officers and enlisted personnel at 38 military bases and aboard 11 warships and submarines in the United States and overseas. The survey did not question people at Fort Campbell, where Pfc. Barry Winchell was bludgeoned to death last July with a baseball bat. The Army's inspector general is conducting a separate investigation into why commanders there ignored reports that soldiers had openly taunted Private Winchell about his sexual orientation for months.

The survey's findings surprised many senior officials at the Pentagon, who had publicly played down the extent of harassment only a few months ago. Scrambling to respond, Mr. Cohen appointed a committee of civilian and military officials to review the findings.

Mr. Cohen ordered the committee, which will be headed by the under secretary of the Air Force, Carol DiBattiste, to report back to him by the end of July with plans for dealing with what the Pentagon's spokesman, Kenneth H. Bacon, acknowledged was "a disturbing amount" of harassment in the ranks.

The survey's findings have focused new attention on the Clinton administration's "don't ask, don't tell" policy, which Congress put into law in 1993 after a fierce political battle. The policy allows gay men and women to serve in the military as long as they keep their sexual orientation to themselves

and do not engage in homosexual acts, but it still bars openly gay people from serving in uniform. Although meant to make it easier for gays to serve, thousands have been discharged in recent years.

The findings are also sure to intensify the political debate over homosexuality and the military, which Vice President Al Gore has already made an issue in this year's presidential campaign by vowing to allow gay men and women to serve openly. Gov. George W. Bush, his Republican opponent, has expressed support for the existing policy.

Mr. Gore's national security adviser, Leon S. Fuerth, said this week that society's views had evolved.

"We're in a posture that makes it impossible for very good people to serve without living in fear that something private about themselves will be divulged and held against them," Mr. Fuerth said in an interview with reporters. "In our society that is changing, and our military has always been a reflection of the society as a whole."

Mr. Cohen, in his memo today, said it was impossible to say whether the survey's findings reflected larger social attitudes.

Frank Rush, the deputy under secretary of defense for planning, who announced the survey at the Pentagon today, cited the finding that 80 percent of service members reported hearing antigay remarks in the last year and added, "There is nothing out there that we have seen that says how often would you hear such jokes or names, or other types of offensive speech, in the broader civilian society."

Nevertheless, Mr. Cohen said harassment "seriously undermines the good order and discipline that is critical to an effective fighting force."

While 80 percent reported hearing "offensive comments" about gays, even more -- 85 percent -- believed that the comments were tolerated within their units.

Even in more serious incidents, the survey's findings suggested that antigay behavior appeared to be widely accepted, despite the Pentagon's most recent directives, which explicitly prohibited harassment based on sexual orientation, just as policy now prohibits harassment based on race or gender.

Of all respondents, 5 percent believed that harassment based on sexual orientation was tolerated by superiors in the chain of command and 10 percent said it was tolerated by colleagues in their unit.

When asked to describe in detail one incident of harassment, 22 percent said that a more senior person had also witnessed the behavior, and in 73 percent of those cases, they said that person did nothing immediately to stop it.

The findings varied by service. In the Marine Corps, for example, more than 45 percent of those questioned reported hearing offensive comments often or very often, compared to only 23 percent in the Air Force.

Mr. Rush attributed the variance to differences in age, education and training within the services. Marines, generally, tend to be younger and less educated than personnel in the Air Force, which requires greater technical expertise. Also, lower-ranking enlisted personnel were far more likely to hear or witness anti-gay attitudes than officers.

While Pentagon officials said more work needed to be done, a spokesman for the Marine Corps, Maj. David A. Lapan, played down the results. He cited the finding that only 5 percent of those questioned believed that harassment was tolerated by superiors and said the Marine Corps had not experienced

an increase in complaints of harassment.

"We're not necessarily concerned with the results," Major Lapan said, "because we're not seeing indicators like increased complaints of threats or mistreatment that would indicate the policy is not working."

Officials pointed to one positive finding: About 78 percent of those questioned said they felt free to report antigay harassment to their superiors without fear of retribution.

At the same time, however, the survey found that of those who reported seeing or experiencing harassment within the last year, only 16 percent actually did report it.

Advocates for gay men and women in the military seized on the findings as validation of what they had been saying for years.

David M. Smith, a spokesman for the Human Rights Campaign, the largest gay political organization in Washington, said the findings showed that repeated directives issued by the Pentagon had failed to stop harassment.

"Nothing is going to change until the uniformed military leadership, from the Joint Chiefs of Staff on down, send clear and unambiguous signals that this type of harassment will not be tolerated under any circumstances," he said. "To date, we have not heard those messages from the uniformed military leadership."

Earlier this month, the Servicemembers Legal Defense Network, a legal-aid organization based in Washington, reported that antigay harassment had more than doubled last year. The group reported 968 incidents of verbal abuse or physical assaults. The group also reported that 1,034 gay men and women were discharged because of their sexual orientation.

C. Dixon Osborne, one of the group's executive directors, said the findings released today were a direct result of the inherent inequities in the "don't ask, don't tell" policy.

"When you have a law that treats an entire class of people as second-class citizens," he said, "it suggests that you can treat them that way."

Conclusion of Survey on Gays in Military

WASHINGTON, March 24 -- Following is the conclusion of the Pentagon inspector general's survey on harassment of gays in the military and familiarity with the Defense Department's Homosexual Conduct Policy:

According to the respondents, offensive comments about homosexuals were commonplace and a majority believed they were tolerated to some extent. Additionally, the respondents stated that harassment of perceived homosexuals was most often done by junior enlisted males to other junior enlisted males. Offensive speech was by far the most recurring type of harassment. However, about 5 percent of the respondents had witnessed or experienced harassment of perceived homosexuals in the form of vandalism, physical assault, and limitation or denial of training or career opportunities.

Although the majority of cited harassment situations had not been witnessed by someone senior to the person being harassed or the person doing the harassing, 73 percent of the respondents who said that a senior person had witnessed the harassment reported that the senior person did nothing to immediately stop the harassment. Of those respondents who described a specific situation of harassment, 61 percent stated the harassment occurred on a military installation or ship. Just under 50 percent said the harassment occurred during duty hours. Service members believed that harassment

was more than twice as likely to be tolerated by other unit members (10.2 percent) than by the unit or installation/ship commander or the immediate supervisor (4.6 percent.)

Less than 50 percent of the respondents reported that they had training on the policy. However, prior to our survey, D.O.D. management had recognized the need to develop training plans discussing harassment of perceived homosexuals. On Feb. 1, 2000, the secretary of defense approved the training plans for each service.

About 50 percent of the respondents believed the policy was moderately or very effective at preventing or reducing harassment; 46 percent believed it was slightly or not effective; and 4 percent did not provide a response. There is no basis for speculating on the extent to which respondent perceptions may change after the approved training plans are implemented. However, ensuring that meaningful training is provided to all service members is clearly essential.

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USA Today
March 23, 2000
Pg. 12

Adviser Speaks In Defense Of Defense Policy

Administration plan emphasizes development over simple growth, official says. Expect more from Gore.

By Andrea Stone, USA Today

WASHINGTON -- In a swipe at Republicans who say the Pentagon is underfunded and overdeployed, Vice President Gore's national security adviser defended the Clinton administration's defense policies Wednesday and said to expect more of the same if Gore wins the White House -- except on the issue of gays in the military.

The vice president "believes that you can't build American security simply by mechanically increasing the size of the defense budget," Leon Fuerth told defense writers. "You have to invest in the struggle of other countries to develop and grow. That's one of the best ways to avoid futures in which military conflict becomes the only solution to the problems that may be in gestation now."

Gore has called for "reasonable" increases in defense spending in line with President Clinton's recent Pentagon budgets.

Fuerth refused to comment directly on Texas Gov. George W. Bush. Despite Bush barbs that electing his boss would mean four more years of "Clinton-Gore," Fuerth said it was "not useful" to talk about how Gore's Pentagon would differ from Clinton's.

"The Clinton-Gore administration has dealt well with the problems it's been handed," said Fuerth, who some view as national security adviser Samuel Berger's possible successor if Gore is elected.

Fuerth indicated that Gore would continue the kinds of humanitarian and peacekeeping missions that have become a hallmark -- and, for conservatives, a lightning rod -- of the Clinton administration.

Gore was an early and forceful advocate inside the White House for intervening in Bosnia, and analysts say he would be as likely as Clinton, if not more so, to deploy troops on non-combat missions.

Bush has questioned U.S. involvement in Haiti and the Balkans. He has said he would order an immediate review of overseas deployments as soon as he took office.

Though the United States should not consider itself "obliged" to send troops to every crisis, Fuerth said, it should "not turn our back" if it can help avert catastrophe.

Fuerth sought to dispel a notion among some critics that Gore would send in the Marines to punish polluters and drug traffickers. The idea was sparked by a speech in January to the U.N. Security Council in which Gore spoke of an emerging security agenda that includes efforts against global pollution, drug trafficking and terrorism.

"He wasn't proposing that this new agenda was going to be addressed by military deployments," Fuerth said.

Compared with Bush, who talks about "rebuilding America's military strength" in almost every speech, Gore has treated defense issues almost as an afterthought.

While Bush's Internet Web site (www.georgewbush.com) lists specific proposals -- such as increasing defense research and development by \$20 billion a year and devoting 20% of new weapon buys to next-generation weapons -- Gore's site (www.algore2000.com) is short on specifics.

In a Veterans Day speech in Iowa that was billed as a major address on defense policy, Gore focused almost exclusively on arms control and diplomacy. Toward the end of his speech, he said the military is "the cornerstone of our security" when diplomacy fails.

Though Gore publicly hews to the Clinton line on most defense issues, they part ways on the Pentagon's controversial "don't ask, don't tell" policy on gays. Clinton devised the policy to allow gays to serve if they keep quiet about their sexual orientation as a compromise with Congress in 1993. He still supports it, even though he said last summer's murder of a gay soldier at Fort Campbell, Ky., showed its enforcement was "out of whack."

Gore has called the policy an "unacceptable form of discrimination" that has done little to end anti-gay harassment.

Fuerth suggested that although the issue sparked the first controversy of the Clinton administration and swiftly ended his honeymoon with Congress, Gore plans to work with lawmakers "very quickly" after he is elected to end the policy.

"The policy has not worked," he said. "He will change it."

newsday.com

[Top News](#)**Homophobia Said Common in Military**[Sports](#)

By ROBERT BURNS, AP Military Writer

[Lotteries](#)

WASHINGTON (AP) -- The Pentagon's inspector general found in a survey of U.S. military bases that anti-gay speech and harassment is widespread, and that many service members believe it is tolerated by their leaders, the Pentagon said today.

[International](#)[National](#)[Washington](#)

The conclusions make clear that, "We need to do more work on this policy" to protect gays, Pentagon spokesman Kenneth Bacon said.

[Business](#)[Wall Street](#)

The report found that "offensive comments about homosexuals were commonplace and the majority believed these offensive comments were tolerated to some extent within the military," Bacon said.

[Entertainment](#)[Health/Science](#)

The survey also found, Bacon said, that nearly 40 percent of those asked "felt they had witnessed, or been a target of, harassment for perceived homosexuality." He said most of the reported harassment was verbal, but there also was "a disturbing amount" of offensive graffiti and even violence.

[Regional](#)

"This behavior is not acceptable and will not be tolerated in the military," Bacon said.

In response to the inspector general's findings, Defense Secretary William Cohen sent letters to the top civilian and uniformed leaders of the Army, Air Force, Navy and Marine Corps to insist that, "We have to do a better job," Bacon said.

Cohen also ordered the establishment of a committee of civilian and military officials to "come up with an action plan" for improving the implementation of the gay policy and reducing anti-gay behavior, he said.

The administration's policy, set in law by Congress in 1993 after an enormous political battle, says gays and lesbians may serve in the military so long as they keep their sexual orientation to themselves. Dubbed "don't ask, don't tell," the policy still bars openly gay people from serving in uniform.

The spark that caused the Pentagon to take a closer look at how the gay policy is being implemented -- and the extent of anti-gay behavior in the field -- was the bludgeoning death last July of a gay Army private, Barry Winchell, at Fort Campbell, Ky. His killer was convicted and sentenced to life in prison.

After the conviction, President Clinton called the gay policy "out of whack."

Last December, Cohen ordered the inspector general to review the application of the gay policy by surveying 75,000 service members at U.S. military bases around the world on their level of understanding of the policy, the "human relations climate" on bases regarding tolerance of gays, and the extent to which the policy has been effective in preventing harassment based on perceived sexuality.

Critics of the Pentagon inspector general's survey methods, including the Servicemembers Legal Defense Network, say it is flawed because gays could not respond candidly without risk of being exposed and therefore possibly expelled.

Michelle Benecke, co-executive director of the Defense Network, said today in an interview before Rush's news conference that the Pentagon has been slow to recognize that the administration's "don't ask, don't tell" policy is not adequately enforced. The problem, she said, is that too many officers in the field have allowed or even participated in anti-gay harassment without being held accountable.

"Leaders in the field have to be held personally accountable," Benecke said. "Soldiers follow the flag," and their officers need to make it clear to all troops that anti-gay behavior will not be tolerated.

AP-NY-03-24-00 1401EST<

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03/24/2000

Release of DOD Inspector General Report on "don't ask, don't tell" Climate
March 24, 2000

Background: Today DOD will release the results of the DOD Inspector General's report on the military environment with respect to the homosexual conduct policy. At the direction of Secretary Cohen, the DOD IG surveyed over 70,000 service members worldwide to evaluate the climate at representative military installations in each Service to gauge the extent of harassment of service members based on perceived or alleged homosexuality. The results are mixed but indicate that problems exist with regard to implementing "don't ask, don't tell".

Q: What is the White House reaction to DOD's investigation of the "don't ask, don't tell" climate?

- We applaud Secretary Cohen's efforts to improve implementation of the "don't ask, don't tell" policy and for ordering this fair and impartial ~~investigation~~ ^{assessment}
- We are troubled by the results of the ~~investigation~~ ^{assessment} and deeply concerned that harassment continues to be directed against military members that are perceived to be homosexuals.

Q: What can be done to eliminate harassment of service members perceived to be homosexuals?

- We knew there were problems with implementation of the "don't ask, don't tell" policy but we weren't aware of the extent of the problems. That is why Secretary Cohen ordered this climate assessment.
- But rather than wait for the results of this assessment, Secretary Cohen earlier this year directed the Services to begin aggressive anti-harassment training programs to help improve the work climate. These training programs were started in ~~March~~ ^{February} and the results of this survey do not reflect the impact of these new programs.
- The surveys also do not reflect the impact of strong anti-harassment statements issued by the Services' senior leadership in ~~February~~ ^{January}.
- But the results of the survey underscore the need to further strengthen the current policy. The working group appointed by Secretary Cohen will identify additional ways we can reduce harassment and improve implementation of the "don't ask, don't tell" policy.
- I refer you to DOD for specific data from the DOD IG's report.

OPTIONAL FORM 99 (7-90)

FAX TRANSMITTAL

of pages ► 1

To <u>FRANK LUSH</u>	From <u>BRIAN PETERMAN</u>
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NSN 7540-01-317-7368 5099-101 GENERAL SERVICES ADMINISTRATION

OPTIONAL FORM 99 (7-90)

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of pages ► 1

To <u>PT Crowley</u>	From <u>Brian Peterman</u>
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NSN 7540-01-317-7368 5099-101 GENERAL SERVICES ADMINISTRATION

DRAFT

MEMORANDUM FOR SECRETARY OF THE ARMY
SECRETARY OF THE NAVY
SECRETARY OF THE AIR FORCE
CHIEF OF STAFF OF THE ARMY
CHIEF OF NAVAL OPERATIONS
CHIEF OF STAFF OF THE AIR FORCE
COMMANDANT OF THE MARINE CORPS

SUBJECT: DoD Inspector General Report on the Military Environment
With Respect to the Homosexual Conduct Policy

On March 16, the Office of the Inspector General, DoD, provided me with the "Report on the Military Environment With Respect to the Homosexual Conduct Policy." I had asked that this assessment be conducted in order to evaluate the climate at representative military installations in each Service with regard to our policy on homosexual conduct. I asked that the Inspector General include in the review an assessment of the extent to which harassment of service members based on perceived or alleged homosexuality may occur or be tolerated, as well as the extent to which disparaging speech concerning sexual orientation may occur or be tolerated. The report is based on a survey of more than 70,000 service members worldwide. A copy of the report is attached for your review.

The Inspector General's report convinces me that additional actions are necessary to address the problem of harassment of service members who are alleged or perceived to be homosexual. A significant number of respondents participating in the survey reported that over the past year they had either witnessed or experienced some form of harassment based on perceived homosexuality. Although the most frequent type of harassment identified was offensive speech, a small but significant percentage of respondents reported that more serious matters were involved. In most cases, the harassment was not reported to the chain of command.

We have no way of knowing the extent to which the results of this survey reflect a larger societal issue. Nonetheless, we simply cannot tolerate harassment in the Armed Forces. I know that you share my view that harassment of our service members for any reason seriously undermines the good order and discipline that is critical to an effective fighting force. The leadership of each Service must continue to work to ensure that everyone in the Armed Forces understands that harassment, whether based on race, religion, gender, perceived sexual orientation, or any other basis, is unacceptable.

We have taken a number of steps in the past year designed to improve implementation of the homosexual conduct policy. In August 1999, the Under Secretary of Defense for Personnel

& Readiness reissued guidelines reiterating our policy regarding investigations of threats against or harassment of service members based on alleged homosexuality. That guidance, widely disseminated, is intended to ensure that service members feel free to report crimes and harassment free from fear of harm, reprisal, or inappropriate response, and that commanders take appropriate action to hold those who engage in threatening or harassing conduct accountable. The leadership of each of the Services also issued a strong statement to the field in December 1999 that harassment for any reason, including harassment based on perceived sexual orientation, will not be tolerated and that commanders are expected to take prompt, appropriate action in cases of harassment. The report makes it clear that military leaders must do more to make it clear that harassment based on sexual orientation violates military values.

Also in August 1999, the Under Secretary of Defense for Personnel & Readiness asked that the Inspectors General of each of the Services include, as an item of specific interest in their inspections, review of the training provided commanders, attorneys, and investigators concerning how homosexual conduct cases should be handled. More broadly, each of the Services undertook a comprehensive review and revision of the training materials used to educate all service members about the homosexual conduct policy. I approved those training materials on February 1 and directed that they be incorporated promptly into Service training programs. The Army has undertaken a special effort to ensure that every member of the Army receives training on this policy by April 2000.

The Inspector General's report makes clear, however, that there is still more to do to fully address these issues. In that regard, I am establishing a working group, composed of senior military and civilian representatives from each of the Services, to review the Inspector General's report and any other pertinent material and propose a draft action plan that can be provided to each of the Services. This draft action plan should focus on the measures necessary to address the problem of harassment based on perceived sexual orientation, and the other issues raised by the results of the Inspector General's survey. The draft plan should concentrate on Department-wide measures, although it may contain Service-specific items as well.

I request that the Under Secretary of the Air Force, the Assistant Secretary of the Army (Manpower & Reserve Affairs) and the General Counsel of the Navy be made available to serve on this working group, and that the Under Secretary of the Air Force serve as chair. I also request that each Service designate a General/Flag officer from their respective services to join this group. The group should report to the Under Secretary of Defense for Personnel & Readiness by July 31, 2000.

I appreciate your assistance in this important endeavor.

Attachment:
As stated

cc: Under Secretary of Defense (Personnel & Readiness)
Acting General Counsel, Department of Defense
Deputy Inspector General, Department of Defense

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Dallas Morning News
March 12, 2000

Interview: William Cohen

Defense Secretary William Cohen, 59, has been a Republican serving in a Democratic administration since January 1997, when President Clinton asked him to take over the Pentagon. The Maine native was never in the military himself, but he served 18 years on the Senate Armed Services Committee and 10 years on the Senate Intelligence Committee during a 24-year congressional career.

*Mr. Cohen spent two days in Texas visiting military installations earlier this month, and aboard the secretary's plane on the return flight to Washington, staff writer **Richard Whittle** of The Dallas Morning News' Washington Bureau discussed a broad range of defense issues with him. The following are excerpts of the interview:*

Q: Given all the fear and resistance your policy of requiring all military personnel to take the anthrax vaccination has stirred up, wouldn't it be wise to have a pause in the program and study its implications?

A: The answer to that is no. The commanders in chief of our combatant commands, the Joint Chiefs of Staff, the chairman of the Joint Chiefs of Staff, all recommended strongly that our troops be vaccinated against what they consider to be one of the most viable [biological warfare] threats that they will face. Under those circumstances, to fail to go forward with the program as we have been doing would be a setback to the policy.

With respect to all of the difficulties encountered, I would point out that over 400,000 men and women have been vaccinated and that out of the 400,000 a total of about 350 individuals have refused the shot. Under the circumstances, I think the program is going well.

We have a situation where the FDA [Food and Drug Administration] has certified its safety, reliability. We've had outside health experts look at the protocols. I have satisfied myself that we have a record maintenance program which monitors all of those who have received it. . . . So I think out of necessity, the program must go forward.

Q: Why not just confine it to those who are going to be deployed near Iraq or North Korea, the "rogue states" deemed most likely to try to use anthrax as a weapon?

A: Well, we're doing it in stages. As a matter of fact, we're giving higher preference to those who are scheduled to go into Korea and to Southwest Asia.

Q: President Clinton and Vice President Gore have said that "Don't Ask, Don't Tell" [the policy on gays in the military] doesn't work very well, but the Joint Chiefs seem to support it. Who's right?

A: I think the policy is the correct policy. There have been some setbacks in terms of its full implementation, but I think that we're correcting that now with the education program that we have and are putting into effect. I support the current program. I think it is working, and I think whatever difficulties we've encountered, we're taking measures to overcome them.

Q: What are you personally doing to stop the witch hunts and persecution of gays?

A: We have sent out word to all the commanders. We have educational programs in effect that start from the top down to the commanders at the very lowest level that we have a policy of "don't ask, don't tell and don't harass." And we think that by constantly reminding the commanders of their responsibility and leadership, that the program will work effectively.

Q: There was a big fight in Congress over the Lockheed Martin F-22 fighter plane last year. And it was mainly your fellow Republicans who were questioning whether we can afford such an exotic plane when the Cold War is over. With all the other needs that the Pentagon has, why aren't the critics right when they say you could spend this \$63 billion better?

A: Because the F-22 represents a marked improvement over the capabilities we currently have. We made a determination that we need the F-22 and stealth technology to replace the [Air Force] F-15. . . . If we're going to be a generation or two ahead of the potential adversaries, we have to maintain our commitment to that new technology, a portion of which certainly will be integrated into the Joint Strike Fighter. So it's an important program, and even though there was some Republican opposition in the House, there was very strong support in the Senate.

Q: You think the fight's over?

A: I believe the program is on track and we will see it through to its completion.

Q: Your undersecretary for acquisitions is now studying whether to split the Joint Strike Fighter contract instead of sticking to a winner-take-all competition between Boeing and Lockheed. [The Pentagon will choose between prototypes built by the two companies next year, awarding the winner a contract estimated to be worth more than \$200 billion over 20 years. The Joint Strike Fighter, which Lockheed would build mostly in Fort Worth, is to replace a range of combat planes flown by the Air Force, Navy and Marines as well as the British Royal Air Force and Royal Navy.] Even at the risk that the loser could get out of the fighter plane business, isn't it a little late to change the rules?

A: He has asked the Defense Science Board to take a look at this in terms of what the options might be for maintaining the industrial strength that we have. So we're currently maintaining the course for a winner-take-all policy, but he wanted to be sure that this is the correct one for the future, and we'll await a recommendation.

Q: The NATO force in Kosovo doesn't seem to be able to enforce a true peace there, and the danger to U.S. troops seems to be rising. Isn't it time to get our troops out and either put international police officers in or let the Europeans take care of this problem? It [Yugoslavia, of which Kosovo is a province] is a European country, after all.

A: It's a European country . . . but we're a European power. The United States is the leading power in NATO, and all of the European allies understand that. To the extent that there is instability in the Balkans, that's going to affect stability within NATO. So we have taken appropriate action. We believe that indeed the Europeans must bear the overwhelming bulk of the responsibility for rebuilding and reconstituting Kosovo. They are now undertaking the lion's share of that.

With respect to the military operation, it has to be synchronized with civil implementation, and there has not been an aggressive enough fulfillment of that commitment on the part of our European allies. They must do more to get qualified police on the ground. They must have judges, prosecutors, a judicial system. And until those things are in place, it's going to place greater responsibility upon our military, which we would like to avoid. So we're putting the pressure up. . . . so we can in fact start to reduce our presence rather than call upon our soldiers to perform essentially police functions.

Q: For example, when you have our troops doing house-to-house searches for weapons, doesn't that

risk another Somalia-type incident [18 U.S. Rangers died in a gunbattle in 1993 in what began as a humanitarian mission]?

A: There should not be a general policy of house-to-house searches. My understanding is that this was tied into direct intelligence that they were storing a cache of weapons that could in fact place our KFOR soldiers [peacekeepers in Kosovo] in jeopardy. But generally, we do not favor a house-to-house type of policy or just going in looking at random for weapons. That's not the mission of KFOR and should not be carried out in that fashion.

Q: President Clinton has said he'll decide this summer whether to begin deploying a land-based national missile defense system, which would violate the Anti-Ballistic Missile Treaty. Shouldn't such a controversial and complicated decision, with all the diplomatic implications, be left to the president who takes office next January?

A: The reason that we are recommending that the president consider this for decision-making this summer is based upon four factors: Number 1, the threat. I believe the threat is there. Number 2, the tempo of the technology -- and that's the open question right now, but I believe we're very close to having the technology. Number 3, the cost. We have, I believe, satisfied the {ellipsis} [questions] on the cost. And Number 4 is arms control.

The decision the president will make will be based upon his judgment in terms of the maturity of the technology. We will know more about that later this year.

But frankly, I think the more that this is deferred into the next administration means that we will defer the deployment date, should a decision to deploy be made, that much further into the future. I think the threat is accelerating.

Q: But is the threat so imminent that it can't wait nine months?

A: That's for the president to make his determination. I can only make a recommendation based on the threat, the technology and the other factors involved, and the president will have to decide whether or not it should be deferred.

Q: Gov. [George W.] Bush and other Republicans have been talking about a need to rebuild the military. That sounds like a slap in the face to you, if the military needs rebuilding three years after you became secretary of defense. What's your response?

A: I'm not sure what Gov. Bush means by rebuilding. We have the finest military force in the world, and there is not a military commander who has not reaffirmed that proposition. We have started a rebuilding process. At the end of the Cold War, there was tremendous bipartisan pressure to have a, quote, peace dividend. The peace dividend is over. What we have to do now is rebuild, or build up, our forces, our capability, and we are in the process of doing that.

The president has agreed to increase spending by \$112 billion over [five years]. Congress went a bit above that last year, and they may go a bit above that this year. But the rebuilding process is under way.

A key to that rebuilding is going to be two more rounds of base reductions. That [would] produce a number of billions of dollars -- about \$20 billion if we have two more rounds, cumulatively, and \$3 billion on an annual basis. So the Congress and the next administration, if they don't adopt it this year, will have to decide whether or not they want to continue to carry that overhead.

Q: You are still a Republican, right?

A: Yes, sir.

Q: Despite that, some people in the Gore campaign have mentioned you as someone he might ask to be his running mate. If he were to ask you to be his running mate, would you be willing?

A: The answer's no. I'm going to become a private citizen.

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Proposed Discussion Topics for DOD's "don't ask, don't tell" Policy Meeting

The following discussion topics are recommended for the upcoming "don't ask, don't tell" (DADT) policy oversight meeting:

- 1) Secretary Cohen recently approved the Services' anti-harassment training plans. We'd like to discuss the plans and determine how they can be monitored to ensure they are being faithfully executed.
- 2) Senior leadership from all the Services made statements in support of the DADT policy. Recommend we review these statements to ensure they are robust and supported at the highest levels.
- 3) We'd like to discuss ways that individual service members might be rewarded in evaluations for their contributions to a positive unit climate and how might those that condone or participate in harassment be held accountable?
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- 8) Is DOD's definition of "homosexual statement" more restrictive than the law's definition? If so, can it be changed, particularly in the case of a statement about "homosexual orientation"?
- 9) Can a service member use the provisions of Article 138, UCMJ to stop an improper investigation?

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1) Secretary Cohen recently approved the Services' anti-harassment training plans. We'd like to discuss the plans and determine how they can be monitored to ensure they are being faithfully executed.

Should be dropped after case of Danzig.
2) Senior leadership from all the Services made statements in support of the DADT policy. Recommend we review these statements to ensure they are robust and supported at the highest levels.

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6) Can additional limitations be placed on pre-trial agreements that trade reduced punishment for incriminating information on alleged homosexuals? *from single case @ McGuire*

7) Can it be made easier for service members to rebut the presumption of homosexual conduct? *problem w/ Congress on this one.*

8) Is DOD's definition of "homosexual statement" more restrictive than the law's definition? If so, can it be changed, particularly in the case of a statement about "homosexual orientation"?

9) Can a service member use the provisions of Article 138, UCMJ to stop an improper investigation?

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Philadelphia Inquirer
March 10, 2000

Pentagon Denies Report That Abuse Of Gays Jumped

But officials had no figures to counter those of a group that cited 968 incidents in the armed services in '99.

By Pauline Jelinek, Associated Press

WASHINGTON - The Pentagon challenged a report yesterday that antihomosexual abuse in the armed services had more than doubled in the last year, but it said it had no statistics of its own.

President Clinton said that neither he nor Defense Secretary William S. Cohen had read the report, but he added that he would "take appropriate action" if it were accurate.

The report, by the Servicemembers Legal Defense Network, cited 968 incidents of antigay harassment in the armed services in the last year, including a murder, assaults and verbal gay-bashing.

The lawyers group, which has reported on military harassment against gays annually for six years, said the problem was worse than ever. It said that 31 percent of those discharged last year for being gay were women, even though women make up only 14 percent of the military.

At the Pentagon, Rear Adm. Craig Quigley said that in past years, "a lot of their findings have tended to be anecdotal and don't provide enough concrete information for us to proceed further."

"If there are specifics in this year's survey, we will follow those up," Quigley said at a regular briefing, adding that officials would try to learn whether appropriate action had been taken.

The Pentagon's inspector general is scheduled to issue a report this month on how the "don't ask, don't tell" policy has been implemented in all the services. The report, based partly on a survey of military personnel, is also intended to assess the level of antigay harassment in the ranks.

The report said the 968 incidents of such harassment from last February to this marked a 142 percent increase from the previous year, and said it was the second year in a row that the number of incidents had more than doubled.

Quigley disputed that.

"I don't have any indicator that I can point to that shows a great increase," he said. But he later acknowledged that he did not know whether a count was kept on such incidents.

Other Pentagon officials said no figures are compiled showing the total number of incidents because most are handled with a warning and never reach a point where they would constitute a legal case that would be recorded.

Also, Pentagon spokesman Bryan Whitman pointed out that discharges for homosexuality decreased

last year by 10 percent, to 1,034, after increasing for several years.

The report included an announcement that the family of Pfc. Barry Winchell is filing a wrongful-death suit in his killing last July at Fort Campbell, Ky., contending that the military failed to protect Winchell, 21, who was rumored to be gay.

In December, a military jury sentenced Army Pvt. Calvin N. Glover, 19, to life in prison for the slaying. Prosecutors said Glover was driven by hatred of gays to bludgeon Winchell to death as he slept in his cot.

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New York Times
March 10, 2000

Harassment In The Military Is Said To Rise

By Elizabeth Becker

WASHINGTON, March 9 -- Reports of anti-gay harassment in the military more than doubled last year, despite renewed Pentagon efforts to curb such abuse after the murder of a gay soldier in his barracks, a legal aid group for gay service members said today.

The group, Servicemembers Legal Defense Network, received reports of 968 incidents of verbal abuse and physical assaults last year, according to its annual report. It was the worst year for harassment since the group began monitoring the military's "don't ask, don't tell" policy six years ago.

"We're hearing from service members that harassment is very bad and in some commands it is getting worse," said Michelle M. Benecke, co-executive director of the group. "People are getting fed up at being put in situations where they have to choose between safety and staying in the service."

President Clinton said today that he would read the report and "take appropriate action."

"If this report is accurate," Mr. Clinton said, "I would expect to see a substantial improvement this year. Substantial."

Vice President Al Gore has called for the elimination of the policy, saying that "gays and lesbians should be allowed to serve their country without discrimination."

Gov. George W. Bush of Texas, the presumed Republican candidate for president, supports the "don't ask, don't tell" policy, which allows gay men and lesbians to serve in the military so long as they keep their sexual orientation to themselves.

Pentagon officials said today that while they had no figures to support the claim of an increase in abuse of gays, they would study the new report by the private group and investigate the incidents it cited.

"If there are specifics in this report that talk about harassment, we will follow up," said Rear Adm. Craig Quigley, a spokesman for the Pentagon. "I don't want to belittle it, but we just need to take a look."

The murder of Pfc. Barry Winchell at Fort Campbell, Ky., marked a turning point in the debate over the Pentagon's policy.

After a much-publicized conviction of Pvt. Calvin Glover in that killing, the president said in a radio interview that the "don't ask, don't tell" policy was "out of whack." Soon afterward, Secretary of Defense William S. Cohen ordered the Pentagon's inspector general to investigate the extent of anti-gay harassment. Mr. Cohen also ordered all service members, from privates to generals, to receive training this year on the policy.

The inspector general's report will be issued later this month. So far, the military has largely judged

how well the policy was working by keeping track of the number of service members discharged for being gay.

In 1999, 10 percent fewer were discharged for being gay: 1,034 compared with 1,145 the year before.

But today's report, entitled "Conduct Unbecoming," argued that the policy was "a tortured law" that was difficult to understand and apply.

"This details the dramatic and horrifying results of a bad policy made worse by failed leadership," the report said.

It said the policy had resulted in three people a day being discharged from the military after declaring they are gay. Several Pentagon officials say there is evidence that some service members declare they are gay solely in order to leave the military with honorable discharges. Ms. Bennecke disputed that contention.

"People are overwhelmingly coming out because of harassment, which is not an easy way to get out of the service" Ms. Bennecke said.

The legal aid group said that its methods of reporting these incidents had improved and that more service members knew about the group. But the group said that this did not account for the 142 percent increase in harassment reports over last year.

The report noted an increase in anti-gay graffiti, verbal abuse and harassment of lesbians. Women were being discharged at the highest rate in two decades, according to the report, which singled out the Defense Language Institute at Monterey, Calif., for discharging 12 Air Force women.

At the same time, the group said there had been some improvements, in particular "physical abuse by investigators and criminal prosecutions of lesbian, gay and bisexual service members have all subsided."

**Servicemembers Legal Defense Network Annual Report
March 9, 2000**

Background: The Servicemembers Legal Defense Network (SLDN) today issued their annual report on the "Don't Ask, Don't Tell" policy. They state that anti-gay harassment reports to their organization have doubled over the past year (from 400 to 968 reports), reports of Asking and Pursuing have increased 30% (665 incidents) and that women comprised 31% of gay discharges while representing only 14% of the total military population. They also report that the number of gay discharges declined last year from 1,149 in 1998 to 1,034 in 1999, the first decline since the policy was established. Overall, the report is very critical of DOD's implementation of the "Don't Ask, Don't Tell" policy and the SLDN continues to call for reform.

Q: The SLDN's annual report on the "Don't Ask, Don't Tell" policy continues to argue that the policy isn't working. What is your reaction to the report?

- The President and Secretary Cohen recognized there were problems with the implementation of the "Don't Ask, Don't Tell" policy and DOD has taken action to improve the policy's implementation.
- We continue to believe that the "Don't Ask, Don't Tell" policy is the best course of action possible under existing law.

Q: What is DOD doing to improve implementation of the "Don't Ask, Don't Tell" policy?

- All of the Services have recently begun new, more thorough policy training programs which will reach all levels of the command structure. This training effort is designed to make sure that everyone in the military understands the "Don't Ask, Don't Tell" policy and how it should be implemented. The training stresses that harassment will not be tolerated.
- The senior leadership of each of our military Services have made strong statements supporting the policy, particularly stressing that harassment of any service member is unacceptable.
- Secretary Cohen ordered the DOD Inspector General to complete an extensive "Don't Ask, Don't Tell" policy climate assessment. This assessment has been underway since the beginning of the year and Secretary Cohen expects to receive the Inspector General's report next week.
- I refer you to DOD for further details.

Handwritten note: Draft press guidance. I've tried to stay on message so we can remain the unbiased arbiter... we should let DOD talk about "good news". Dave Stockwell will coordinate w/ DOD after your clearance. I would also like to send to Eddie + Julian. At some point, it also needs to go to Maria.

Brian

Handwritten note: We believe we have recently made progress in implementing the DADT policy that is not reflected in these SLDN conclusions.

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USA Today
March 9, 2000
Pg. 4

Gay Troops Kept In Uniform Despite 'Telling,' Report Says

By Andrea Stone, USA Today

WASHINGTON - A small but growing number of military commanders are ignoring the Pentagon's "don't ask, don't tell" policy on homosexuals and quietly refusing to discharge openly gay troops, a report by the Servicemembers Legal Defense Network says.

The advocacy group says it knows of 26 people who in the last two years admitted they were gay in order to escape harassment but were allowed to remain in the military, despite the 6-year-old policy that says those who "tell" must be discharged.

In 1998, eight came out but were allowed, for often unclear reasons, to stay in. There were another 18 cases last year. Most were in the Navy.

Ten of the people are still in uniform: five Army officers, one Navy officer and four enlisted sailors.

As trends go, this one is barely perceptible - just 1% of the number of gay discharges in those two years. But it is significant. For at a time when the military is struggling to recruit and retain qualified people, it might indicate that some leaders will look the other way to retain an experienced person, even if he or she is gay. It also might indicate a growing tolerance in the military.

"The military is more conservative than the rest of society, but it tends to move in the same direction," says David Segal, a military sociologist at the University of Maryland. "I expect to see more movement toward greater tolerance, especially among junior officers."

Former Navy cryptologist Patricia Esty says expediency, not tolerance, was the main factor in her case.

"They knew I was gay, they knew I was being harassed, and they were still trying to keep me in," says Esty, whose commanders delayed her discharge for six months despite receiving three letters from her saying she was a lesbian. "They needed the body."

Esty, 22, who had a top-secret clearance at the National Security Agency at Fort Meade, Md., says her commanders did nothing to stop harassing questions from other sailors. She often had male friends escort her on base because she feared for her safety. Finally, seven months before her enlistment ran out, she left the Navy last month.

The Navy Bureau of Personnel did not return phone calls about the case.

"Commanders are becoming more and more reluctant to let go of good people," says Michelle Benecke, the gay-rights group's co-director. But, "too often these leaders also will not take steps to stop the harassment that prompted the servicemembers to come out in the first place."

Of the 1,034 servicemembers discharged for homosexuality last year, 83% were kicked out because

they "told" commanders they were gay. The Pentagon says most sought an easy way out of the military. Gay-rights activists disagree.

"People who are harassed in the military have no safe haven because military psychologists, inspector generals and others have been told to turn in gay people who seek their help," Benecke says. "Their only recourse is to come out and be discharged."

The embryonic trend was part of the advocacy group's annual report on the state of gays in the military, which it says has deteriorated since the policy began. The group also says it has received reports that some commands have prevented servicemembers who have experienced anti-gay harassment from participating in the Pentagon's inspector general's survey on anti-gay harassment, due to be released later this month.

Pentagon spokesman Kenneth Bacon said he could not comment on the report until he had seen it.

San Francisco Chronicle
March 6, 2000
Pg. 25

A Shift From 'Don't Ask' To Heterosexual Exception

By Gregory M. Herek

OBEYING ORDERS has always been at the core of military service, even when those orders require risking one's life in battle. However, the "don't ask, don't tell" policy carves out an exception: Heterosexuals cannot be expected to obey orders requiring them to work with a homosexual man or woman. Therefore, openly gay people cannot serve in the military.

Earlier military policies about homosexuality were buttressed with arguments that homosexuals are security risks and inherently unfit for service. In the 1993 debates that culminated in "don't ask," those mistaken beliefs were abandoned and military leaders conceded that gay people have served admirably in the military.

That was when the policy focus changed from homosexuals to heterosexuals, and new arguments against service by gay people were formulated.

The unit cohesion argument, for example, predicts a meltdown of the social bonds necessary for accomplishing the military mission if work groups include a homosexual. The underlying belief is that heterosexuals will place the good of their unit (and their country) first, except when it comes to working with gay people. In that case, they are unable or unwilling to set aside their personal prejudices.

The scientific research literature, reviewed for the Pentagon in 1993 by the RAND Corp., dispels the notion that heterosexual personnel couldn't function with gay co-workers. Problems in unit cohesion would be rare and, when they occur, would likely result in friendships not being formed rather than tasks not being successfully completed. Indeed, the fact that more than half of the American adult population reports personally knowing gay men or lesbians -- many as close friends or co-workers -- belies the assertion that heterosexuals can't get along with homosexuals.

Thus, the unit cohesion argument boils down to the proposition that heterosexual soldiers won't want to work with gay people and shouldn't be expected to do so. In other words, heterosexual service members have a right to be prejudiced against gay people and to let those prejudices affect their professional conduct.

What are the roots of this belief? Although sexual prejudice has many sources in American culture, two are particularly relevant to the military policy.

First, sexual prejudice reflects attitudes about gender -- what it means to be a man or a woman. Many heterosexuals view lesbians and gay men as breaking society's gender rules. In an institution like the military, founded on strong traditions of masculinity, gender-role violators represent dangerous subversives.

Second, sexual prejudice is a basis for identity politics. Many religious and political conservatives have defined their personal identities in opposition to homosexuality. For them, expressing hostility to policies that ban anti-gay discrimination is an important way of saying "I'm not one of 'them'; I'm

a good person."

This latter source of sexual prejudice has had perhaps the greatest impact on preserving the military policy.

Just as the anti-gay military policies of England and Canada were reversed by judicial entities, the most likely route to a new policy in the United States is the courts. This is because Congress probably won't repeal "don't ask," given the influence of conservative identity politics on the composition of the current House and Senate.

Reflecting the long-standing influence of conservative appointments to the federal bench, however, legal challenges to "don't ask" have not fared well at the appellate level. Nor are those challenges likely to enjoy success until a substantial number of new judges have been appointed by a moderate or liberal president.

In the meantime, Defense Secretary William Cohen should be commended for finally requiring that all military personnel receive training for implementing the policy. Such training might help to reduce overt anti-gay harassment and violence. But it won't fix the military policy's fundamental flaw, that it legitimizes sexual prejudice.

The rest of us can't do much about "don't ask" in the short term. But we can be vigilant in opposing new attempts to codify sexual prejudice. Such prejudice shouldn't be the basis for exceptions under the law.

Gregory M. Herek is a professor of psychology at UC Davis and Distinguished Visiting Scholar at the Goldman School of Public Policy, UC Berkeley.

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USA Today
March 9, 2000
Pg. 1

Report Says Harassment Of Military's Gays Doubles

By Andrea Stone, USA Today

WASHINGTON — Despite renewed Pentagon vows to enforce its "don't ask, don't tell, don't pursue, don't harass" policy, cases of anti-gay harassment more than doubled in the military last year, a report out today says.

Nine hundred sixty-eight cases of anti-gay harassment were reported to the Service-members Legal Defense Network in the 12 months beginning in February 1999, up from 400 the year before.

The incidents ranged from verbal taunts and death threats to assaults and the murder in July of Pfc. Barry Winchell, a gay soldier at Fort Campbell, Ky. Other findings:

- * A small but definite trend in commanders who buck the policy and quietly refuse to discharge openly gay troops.
- * There were 665 cases in which troops were asked about their sex lives or investigated, a 30% increase over last year.
- * Women made up a record 31% of gay discharges, although they make up only 14% of the force. "Women are at the nexus of homophobia and sexism," says Michelle Benecke, the group's co-director.

The "don't ask" policy allows gays to serve in the military if they keep quiet about their sex lives, and commanders are not to ask about troops' sexual orientation. Since Winchell's murder, Defense Secretary William Cohen has ordered anti-harassment training.

Pentagon spokesman Kenneth Bacon said he had not seen the report and could not comment on its findings.

Brian -

As we discussed.

- Dave
69277

the Advocate

The national gay & lesbian newsmagazine

69270

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January 18, 2000

Franklin

323-860-6080

Dag Vega

Presidential Press Office

Via Fax: 202/ 456-5698, cc: Julian Potter Via Fax: 202/ 456-6218

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Dear Dag Vega,

First of all, thank you very much for considering our request to interview the president for *The Advocate's* Millennium March Commemorative Issue.

The Advocate is the official print sponsor for the April 30 March on Washington. This is the fourth historic gathering in D.C. of one million gays and lesbians, along with their family, friends, and supporters. To mark this important event, we will be distributing more than 300,000 copies of this special issue before and during this groundbreaking occasion. Because *The Advocate* is the magazine of record (34 years old) for this community, we are honored to be the only magazine distributed at the march. Additionally, the official program of events will be stitched into this special issue, so in order for people to know what to do while they're in D.C., they have to pick up this issue. We will also send 88,000 copies to our subscribers.

As I mentioned to Julian Potter last week, when the magazine ran a survey of its readers recently, trying to determine the most important event impacting the gay & lesbian community over the past decade, the results were very clear and impressive: **The election of Bill Clinton, The death of Matthew Shepard, The coming out of Ellen DeGeneres.**

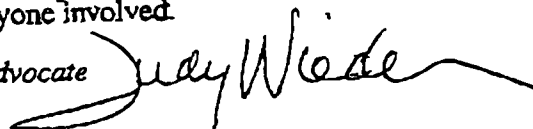
To make this as brief as possible, we would very much like to do a sit-down interview with President Bill Clinton for this issue. My intention is to make the interview as upbeat as possible. He has recently addressed (the Empire State Pride dinner for example) the many gay & lesbian related things he has struggled to do ("Don't Ask/Don't Tell," ENDA, Hate Crimes, etc.) Since this special issue of *The Advocate* is about celebrating all the progress that is going on within and around the movement, and since the readership obviously feels he has been crucial to so much of it, it only makes sense that we talk with him.

Julian mentioned four things you needed:

1. Some questions provided in advance—yes, I will fax them over before the end of this week. But first I need to hear back from you as soon as possible to know if you're interested in doing the interview.
2. A letter of intention (this is it).
3. Assurances that I will do the interview (Julian says she is most comfortable with that). Yes, I will.
4. Information on when the interview must be done by: No later than Fri Feb. 18. (I will meet the president wherever you say. If it's convenient, I will be in NYC at the beginning of Feb. and could get to D.C. if that speeded things along. But if that doesn't work, just let me know where and when.)

I honestly believe this interview will be the perfect way for the president to address this community for this great occasion. I also think it will do a lot of good for everyone involved.

Thank you so much, Judy Wieder, Editor in Chief: *The Advocate*



the Advocate

The national gay & lesbian newsmagazine

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Franklin

To: Dag Vega

Presidential Press Office

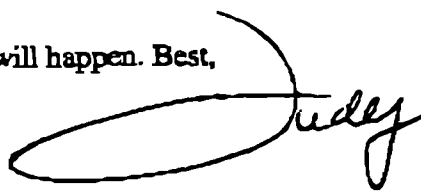
Via Fax: (202) 456-5698

Here are 11 questions that I would like to ask the president, in no particular order:

1. Looking back over the past eight years, what are the most important changes you've seen, politically and culturally, for gays and lesbians?
2. Which of those changes cannot be eroded and which of them may not be lasting?
3. What are some of the things our readers may not know about the way the "don't ask, don't tell" debate played out among political and military leaders?
4. What has been your single greatest disappointment in dealing with gay issues? Why is it a disappointment?
5. What do you think about the way gay issues-from the military to marriage-have emerged in the current presidential campaigns?
6. Do you think the gay community is an identifiable voting bloc at this point, or is it only emerging as one?
7. Because of the advances in AIDS treatments and the decline in death rates, is it possible to maintain a sense of urgency in dealing politically with AIDS issues?
8. Do you think that Americans would ever come to a point where they would find same-sex marriage acceptable? Or is it more likely that they will be willing to recognize gay relationships primarily through domestic partnership agreements?
9. What was your first reaction when you heard of Matthew Shepard's murder? If a hate crimes law can't be passed in the wake of such a crime, when can it finally be passed?
10. Twenty years from now, if you were surveying the landscape of gay America, what would you expect to see?
11. What are the biggest roadblocks to gay equality? And what can gays and lesbians do to help get rid of them?

Thank you. Please call me soon to let me know if/when this will happen. Best,

Judy Wieder, Editor in Chief, *The Advocate*



THE WHITE HOUSE

Office of the Press Secretary
(New York, New York)

For Immediate Release

October 7, 1999

REMARKS BY THE PRESIDENT
TO THE EMPIRE STATE PRIDE GALA

Sheraton New York Hotel and Tower
New York, New York

9:56 P.M. EDT

THE PRESIDENT: Thank you very much for your energy and your enthusiasm, your passion and your wonderful welcome. I want to begin by thanking Jeff, who has been a wonderful friend and advisor, a prodder and supporter to me. And I thank him so much. (Applause.)

Thank you, Kate Callivan, for your work tonight. Thank you, Matt Forman, for your leadership of Empire State Pride. (Applause.) And thank you, Chuck Schumer, for running and winning and for all you have done to make this a better state and a better country. (Applause.)

I'd also like to thank two other members of the Congress who are here, Congressman Jerry Nadler and Congressman Anthony Weiner, for the work they do for you. Thank you. (Applause.) I'd like to thank my longtime friend, the New York public advocate, Mark Green, who is here, for his steadfast support of your agenda. Thank you, Mark. (Applause.)

I understand the borough President of Manhattan is here, Virginia Fields. Thank you, Virginia. We're glad to have you. (Applause.) There are members of the State Assembly and members of the City Council here. Emily Gish (phonetic), the Vice President of the State Democratic Party, is here. I thank her. (Applause.) And we've got all these great people from the administration -- a lot of them stood up, but I want to mention their names -- the two highest ranking openly gay and lesbian appointees in the House, Sean Maloney and Karen Tramontano -- (applause) -- my good friend, Richard Soccarides, who is leaving -- (applause) -- Fred Hochberg, the Deputy Administrator of SBA -- (applause) -- and two former appointees, Roberta Eichenberg and Ginny Apuzzo are here. I thank them for what they did. (Applause.)

I'd also like to thank Marsha Scott, who was my first liaison to the gay and lesbian community this year. (Applause.) And the head of our anti-HIV and AIDS efforts, Sandy Thurman, who's done a wonderful job this year. I thank her for being here. (Applause.)

Let me begin by saying something I need to say a lot in the time I have left as President: thank you. (Applause.) Thank you for the support, the guidance, and the urging you have given to the Vice President and me, and to our administration and our families. Thank you for the example you have set. Thank you for helping Chuck Schumer to get elected. Thank you for giving us the opportunity to learn and grow, and do our jobs better, and serve all Americans better.

Jeff said that, you know, last year the Vice President came, and this year Chuck and I are here. And you're looking for a speaker. I

think, you know, you ought to invite a woman to speak next year. (Applause.) And if you want, I have a suggestion. (Laughter.)

Actually I talked, as chance would have it, to both the Vice President and to Hillary this afternoon -- (laughter) -- not so I could tell you that I did, either. (Laughter.) But they asked me what I was doing -- there's a lot more attention on what they're doing than what I'm doing now, but they did ask me what I was doing, which was nice, that someone, somewhere in America still cared what I was doing. (Laughter and applause.) So when I told them what I was doing, they said to give you their best wishes, and they wish they were here. (Laughter.)

Jeff mentioned that seven years ago, when I first ran for President, I said I had a vision for America and you were a part of it. I met with a group of activists from your community here in early 1992, and in California in late 1991. And I began to try to listen and to learn and to understand why so many of these issues have presented such big problems for America.

One couple came through to see me earlier tonight, two men; one was from Australia, the other from New Zealand and they said that as a couple, they hadn't the same immigration rights coming into America as they did in either Canada or New Zealand. I don't think that's right; I think that ought to be changed. (Applause.)

But I think the first thing I want to say to you -- I want to talk more about this, but I'm obviously giving a lot of thought these days to what happens to America over the long run. We enter a new century, we enter a new millennium, the way we work and live and relate to each other and relate to people around the world is changing in profound and speedy ways. It's almost difficult to grasp. More of it is good than bad.

But we all have to be much more open to each other if we want this to work. We've got to learn to listen as well as to talk. We've got to learn to feel as well as to think. We have to learn as we're all told we should do from childhood, to stand in the other person's shoes. We have done what we could to make the future one of equal opportunity and equal responsibility and equal membership in our American community, whether it is in fighting to pass the hate crimes law or the employment nondiscrimination act or to invest more in research, prevention and treatment for HIV patients.

I would like to take just a few moments tonight to try to put all the things you care about into a larger context of where America is and where I hope America will go. When I started running for President, I did so because I thought the country was in trouble and without direction and growing more divided. First, economically. Unemployment was too high, job growth was too low, incomes were stagnant, inequality was increasing. And there was a sense of literal despair about it in many places.

I worried about social division. You remember, we had a riot in Los Angeles. But everywhere, there was this quiet sense of unease. And every campaign, it seemed to me, was yet another example of how we could sort of carve up the electorate and make one group resent another, and hope that your group was a larger group of resenters than the other group. And it seemed to me that that was a bad way to run a country.

And it wasn't just anti-lesbian and gay, it was tensions between the races, tensions between immigrants and citizens. And it built on this whole pattern of thought that had accumulated in Washington over decades that everything had to be divided into hostile camps. You

couldn't be pro-labor if you were pro-business, and vice versa. You couldn't be pro-economic growth and be in favor of improving the environment. You couldn't be pro-work and pro-family. We had to have these divided views. You couldn't have an urban policy if you really cared about what was going on on the farm.

You know, we don't think like that. None of us do, instinctively. We always try to think of how we can live an integrated life, and how our minds will think in an integrated way that pulls things together and moves things forward. But everything about our politics was about how to pit us against one another.

And since we all wake up every morning -- I know maybe none of you do, but some days I wake up on the wrong side of the bed, in a foul humor. (Laughter.) I'm sure you don't ever do that, but I do sometimes. (Laughter.) And it has occurred to me really that every one of us has this little scale inside, you know. On one side there's the light forces and the other side there's the dark forces in our psyche and our makeup and the way we look at the world. And every day we wake up and the scale is a little bit tilted one way or the other. And life is a big struggle to try to keep things in proper balance.

You don't want to have so much light that you're just a fool for whatever comes along. But if the scale tips dark even a little bit, things turn badly for people and those with whom they come in contact. And it can happen for communities and for a whole country.

So, anyway, when I ran I thought maybe I could change the way we think about politics. And if we do, maybe we can change what we do and how we do it.

And, you know, there's an old adage that the Lord never gives you more than you can handle, but I have been severely tested in this resolve. (Laughter and applause.) But most days, you know, it's been kind of fun, but bewildering. (Laughter.)

So anyway, we came up -- Al Gore and I -- (applause.) Well, for whatever reason -- and the American people took a chance on me and Al Gore in 1992. And we got the Democrats together, and we tried to reach out to the Republicans. And usually they said no; sometimes they said -- a few of them would say yes.

But we said, look, let's take a different direction -- on the economy, on crime, on welfare, on the environment. Let's try to think of a way to integrate the things that we want to achieve, and build a creative tension so we could move the country forward. And let's try to build a country where everybody has a place. And we just made an argument in 1992. It was just an argument. You -- no one could know for sure whether it would work.

You know, I'm rethinking my position about wanting everybody to have a cell phone in this country. (Laughter and applause.) He's a good guy, don't worry about it. (Applause.)

But anyway, so we made this argument, you know, and you guys took a chance. And New York really stood behind us, gave us a chance to serve.

But it's not an argument anymore. Those of you who've been with us six and a half years, when you go out to discuss citizenship and issues, and the future, say, look, whatever you want to say about that crowd, there are certain things that you can't dispute. We now have the lowest unemployment rate in 29 years; the lowest welfare rolls in 32 years; the lowest crime rates in 26 years; the lowest poverty rates in 20 years; the first back-to-back surpluses in 42 years; the longest peacetime

expansion in history; and 19.5 million new jobs. You can't argue; that happened. (Applause.)

And every time -- (applause) -- every time -- (applause) -- every time we did something that tried to reconcile our economic objectives with our other objectives -- whether it was family and medical leave or vetoing the first two welfare bills because they didn't have guaranteed food and medicine coverage for poor children and enough money for child care, or trying to clean up the air and the water, or saying that the system we had for taking care of little kids and immunizing them -- we were nuts and we were determined to reach 90 percent immunization, which we did, by the way. All of these things -- people would say -- or, raising the minimum wage, or you name it. That was always going to be something that would hurt the economy. It turned out that that was wrong, that putting things together made all of our efforts reinforce one another.

I feel even more strongly about that when it comes to putting people together. One of the things I've spent an enormous amount of time doing in the last two years is trying to make sure America is Y2K ready. I've even got these little things that look like beanie babies that are Y2K bugs I have around just to remind me that we don't want there to be one.

You know, to most people, that's about adjusting a computer. But if you think about it, there is a lot more than mechanics involved in being ready for the new millennium, and a lot more than economics involved in being a successful country.

When I signed the executive order to prohibit discrimination in the federal work force based on sexual orientation, I thought I was helping us to come together. (Applause.) I think ENDA will help us to come together.

I think the fact that we have gay and lesbian Americans, like Jim Hormel and over 200 other openly gay and lesbian people serving in appointed positions in our government throughout the administration, doing normal jobs -- (applause) -- I got so tickled when you were reading -- you know, if you look at our people and what they do, they do real jobs. They're out there showing up. And every time they come in contact with somebody, they destroy another stereotype. They rob people of another attack. (Applause.)

You know, when we were in that awful battle that I waged and didn't win over the military service issue, there was a national survey run which showed that the most significant factor tilting people in favor of the so-called gays in the military policy was whether they consciously were aware that they had known a gay person. And those who said they were consciously aware that they had a personal relationship, contact with a gay person were two to one in favor of the policy. (Applause.)

Now, I say that because I believe that our whole society is like all of us are individually. We've got these scales always tilting back and forth between the forces of hope and the forces of fear. And what people do not know, they more easily fear. What they fear, they can easily hate. And what they hate, they quickly dehumanize. And it is a slippery slope.

So I say to you, this hate crimes legislation is important. People say, well, you know, the killers of James Byrd got the death penalty in Texas, and maybe you don't need it. But we do need it, because there are 8,000 reported hate crimes in 1997 alone -- about one an hour. And people need to focus on it.

When those kids got shot at the Jewish Community Center school, and then that Filipino postal worker got murdered, and then the former basketball coach at Northwestern, and the young Korean Christian walking out of his church got shot in the heartland of Illinois and Indiana. And all of those things happened. And all of you know that we are now observing the one-year anniversary of the death of young Matthew Shepard, and I want to say I am honored beyond words that his mother, Judy, is with us tonight. And I'd like to ask her to stand. (Applause.)

I thanked her tonight before I came out for her continuing work. And she looked at me and she said, I'm just a mom. (Applause.) But when I was in Los Angeles last week, speaking to the ANGLE group, a young person came up to me and said that I had given her more legitimacy and sense of security and self-worth than she had gotten in her own family.

And I said to this child -- I want you to know, because this is the point I'm trying to make; I'm not bragging on me, here, I'm here to make this point about our country -- I said, you've got to be patient with them; they're afraid. You've got to stay with them; they're scared.

And it is amazing to me -- I have spent so much time as President, on the one hand trying to maximize your access to the wonders of the modern world -- you know, we're hooking up all the classrooms to the Internet; we got this E-rate, so that the poor schools can reach across the digital divide, and all the kids can work computers in every classroom in America; we have passed the Telecommunications Act, and we've got over 300,000 new high-tech jobs just in a couple of years; and we're trying to invest in a new generation Internet; and we're about to break the human genome code, and when we do that, when mothers bring their children home from the hospital after giving birth, they'll have little genetic maps that may -- some people believe literally may help to raise life expectancy for children born early in the next century to as much as 100 years.

And, you know, it's all so exciting. But it is profoundly sobering to consider that at the time of greatest technological change in all of human history, we are most bedeviled at home and around the world by the most primitive of human failings -- the fear of the other. (Applause.)

Think about what I have done as your President, how much time I've spent trying to help the nation heal up from all these school shootings, or what happened in Oklahoma City, and the hate crimes I mentioned. And then think about the parallels we have -- they're all individual instances; I recognize that. But think about the parallels in terms of the failings of the human heart and mind with the ongoing problems in the Middle East, in the Balkans, in Bosnia and Kosovo, in Northern Ireland, in the tribal slaughters of Rwanda and other places in Africa -- where people really can't believe they matter unless they have somebody to look down on that they can dehumanize and justify killing. So that's how their life counts -- when we ought to be trying to tell people that they should be excited by the differences between people, secure in the knowledge that our common humanity is more important than all the differences that we have. (Applause.)

And somehow we have to do this. And words alone won't do it. And laws are important, but laws alone won't do it, either. And we've got to go out and confront our neighbors, including our own families. We've got to ask people to listen as well as to talk. And we have to help people to get beyond their fears.

You know, when I go and give speeches to political groups, I tell them that I want America to continue to change, that I myself would not

vote for anyone who ran for President saying, vote for me, I'll do just what Bill Clinton did, he did a good job -- because things are changing. And I talk about meeting the challenge of the aging of America and reforming Social Security and Medicare, and meeting the challenge of the children of America, the largest and most diverse group ever, and giving them all a world-class education, and meeting the challenge of a 21st century economy by putting a human face on globalization and trade by investing in the markets of America that had been left behind in the poor areas. By giving everybody access to the Internet so we can fully bridge the divide, and by paying the country's debt off.

I talk about these things. I talk about meeting the challenge of global warming. And it's mostly modern stuff looking to the future, and it's all profoundly important. But if you look at the journey of a country to find its true spirit, the most important thing is that we try to be one America that is a force for the common humanity of the world.

It was, I think, a very human feeling that led the Congress finally to work with us to dramatically increase funding for all elements of the AIDS fight, so that now we have continued reductions in AIDS-related deaths and a commitment to genuinely find a cure and a vaccine. I think it was a human thing. We've still got a long way to go. You know we do.

And we pick our targets when we, as a country, when we're defensive. I was outraged this week when the first African American ever to serve on the State Supreme Court of Missouri was voted down after having been handily voted out of the judicial committee of the Senate with the Republicans voting for him; they voted him down on the floor of the Senate by misrepresenting his record on capital punishment so that the Republican senator from the home state would have an issue to run against the Governor on relating to commuting the sentences to life without parole for those who murdered other people.

So who cares about the symbolism of the first African American judge ever on the Missouri Supreme Court. You know, not many people, African Americans, are going to vote for this guy anyway. Throw him to the wolves. Destroy his career. Distort his record. Who cares? I need a political issue. And we all have to be afraid of that, of objectifying others for short-term gain.

On the other hand, look at the number of people who are in the government, in all forms of our economic and social life. There's a reason the President is here, besides my heart. It is the right thing to do, and you have been heard. You have been heard. You have been heard. (Applause.)

There is a reason -- there is a reason the Senator is here. There is a reason Al Gore came here last year, apart from his passionate conviction about the moral propriety of being here, and the right thing to do. We now know that because you are willing to work and speak and stand, we can move the body politic in the right direction.

People are fundamentally good, but they're paralyzed when they're scared. And in spite of all these issues that I go around advocating, that I passionately believe in, if I were told that I was going to have to leave this old world in 72 hours and I could just do one thing for America -- and that was it, and I just had to pick one thing, I would try to leave one America. Because if we were together; if we were willing to have all of our differences be differences of opinion, and not to be afraid of one another, and never to dehumanize one another, we would be not only a better country here, our influence for good abroad would be exponentially greater even than it is today. And we would have a chance -- (applause) -- we would have a chance to give our children

the millennium that they deserve.

So I say again, the most important thing I want to say to you is thank you. I'm proud of what we've done together. I wish we could have done better. I hope we can do more.

But never forget, you deserve most of the credit. And you will get more as you fight harder, but also as you are human to people who do not see you. (Applause.) You must -- you've got to believe in this great country, that this is fundamentally a good country; that Alexis de Tocqueville was right when he said America is great because America is good.

But you know, we've done a lot of things that were pretty lousy, starting with slavery, as Thomas Jefferson said. So we all are always in the process of learning to be better; of learning how our attitudes and our actions are in conflict with what we believe. Life is a constant struggle, therefore, for true integrity, for integrating your mind and your body and your spirit. And so is the life of a nation.

I am indebted to you because I happened to be President, and to seek this job, at a time when you were raising these issues, and you gave me a chance to make a contribution. You made me a better President; you made me a better person.

Don't give up, and don't you ever turn dark. Don't do it. We can still make the America of our dreams.

Thank you, and God bless you. (Applause.)

END 10:53 P.M. EDT

DADT mtg @ DOD

2/16

- * IG on shed for draft report by 13 Mar
 > 70K questionnaire completed.
 Brief EOP then release results as soon as possible.
 Won't have recommendations
 Ask for time to let Ting work way be the answer.
 Hans asked for time to put together a roll-out plan.
- * Will do assessment of King @ mid-year
- * Army investigation moving fwd. Both Ft Campbell + Army-ARDC
- * Inge & Wiener asked Cohen if DADT was going to be a big debate. Cohen said it wouldn't.

Followup mtg in 2 wks.

Proposed Discussion Topics for DOD's "don't ask, don't tell" Policy Meeting

The following discussion topics are recommended for the upcoming "don't ask, don't tell" (DADT) policy oversight meeting:

1) Secretary Cohen recently approved the Services' anti-harassment training plans. We'd like to discuss the plans and determine how they can be monitored to ensure they are being faithfully executed.

2) Senior leadership from all the Services made statements in support of the DADT policy. Recommend we review these statements to ensure they are robust and supported at the highest levels.

Navy focus. OSD pressing Navy to do more.

3) We'd like to discuss ways that individual service members might be rewarded in evaluations for their contributions to a positive unit climate and how might those that condone or participate in harassment be held accountable?

4) The results of the IG climate investigations are due to the Secretary in mid-March. We should develop a plan now as to how the results of the investigation will be handled. Segments of the public will be looking for speedy release of results and DOD's response.

(medical & legal)

5) Can we pursue a broader definition of the service member's communications for which confidentiality is protected? The Army's training indicates that communications with Chaplains and legal assistance attorneys is generally privileged. Do the other Services agree with this view and if so, can that information be added to their training plans?

Surgeon Generals have discussed in context of reducing suicide lawyers not yet engaged.

6) Can additional limitations be placed on pre-trial agreements that trade reduced punishment for incriminating information on alleged homosexuals?

Needs more discussion.

1 instance @ Hickam

7) Can it be made easier for service members to rebut the presumption of homosexual conduct?

Will do more research on Aspin and Miller memos.

8) Is DOD's definition of "homosexual statement" more restrictive than the law's definition? If so, can it be changed, particularly in the case of a statement about "homosexual orientation"?

9) Can a service member use the provisions of Article 138, UCMJ to stop an improper investigation?

— Can we see/get copy of questionnaire?

Commentary on EOP Recommendations for Improving DOD Implementation

- *NSC: Ensure prompt and complete Service implementation of the August 1999 guidelines. & Conduct more vigorous anti-harassment training since current training appears inadequate. Eddie: Prohibit harassment of service members.*

Secretary Cohen and his staff have reviewed and approved the individual Services' DADT and anti-harassment training plans which are now being implemented. All of the plans provide detailed explanations of the DADT policy and their application. The Army and Air Force plans are the most robust, explaining why harassment of any individual is counter to their core values. The Navy and Marine Corps plans are more mechanical and do not contain strong statements of support from the most senior leadership. All are a step toward implementing our recommendations.

- *NSC: Take appropriate steps to hold commanders accountable for inappropriately "asking or pursuing" and for condoning an environment conducive to harassment. Eddie: More effective enforcement of the "Don't Ask" provision.*

This follows the robust training requirement very well. The goal is to change the thinking of the conservative military culture. Holding service members accountable for complying with the policy is the next logical step. All leaders, officers and enlisted, receive evaluation reports. Services could require specific comments in these reports on the individual's contribution to a positive command climate (not just DADT). A bad evaluation will affect promotion and retention - a way to weed out those that don't comply with policy. We won't be able to easily measure the affect of this initiative, but it will have a great long-term impact on changing the conservative culture. A person either complies or is eventually out.

We should consider now what DOD will do with the results of the IG investigations. If the reports show problems, the SLDN will call for immediate action and the conservatives will attack the results. If they don't show problems, the SLDN will claim a whitewash and the conservatives will use the results to block improvements. The first DOD meeting should consider a plan to release the results soon after they are completed and be prepared with options for response. (It took DOD over a year to release their last review of the DADT policy implementation.)

- *NSC & Eddie: Pursue a broader definition of the Service member communications for which confidentiality is protected.*

This can be done, but DOD will want to do it under very controlled conditions. Military personnel relinquish some of their personnel privacy rights in the interest of military integrity. For example, military members in contact with nuclear weapons must participate in the Personnel Reliability Program. This program insures those with access to nuclear weapons are both physically and mentally safe to have access to WMD. Care-givers are required to report *any* condition, including stress and anxiety, that would have an influence on a person's judgement.

Working papers which have not been cleared.

Security clearance procedures also investigate whether or not an individual is vulnerable to blackmail. In a military environment where admitting one's homosexuality could end one's career, the vulnerability may be especially high. This must be considered in dealing with clearances. While security clearance procedures and homosexual conduct may not be in conflict in the civilian world, the DADT policy may complicate it in the military world.

The DADT policy puts great stress on homosexuals – they are forced to stay “in the closet” and prohibited from acting on some basic human desires. It is important they have someone to talk with but we also must be sensitive to the needs of critical military security and effectiveness concerns. The Army training says, “Information provided to a chaplain or a legal assistance attorney is generally considered privileged and will not be disclosed unless the soldier approves of the disclosure.” This privileged communication status might also be expanded to medical care givers and family service providers under certain conditions. DADT policy training should be provided to all people that might have authority to receive privileged communications.

- *Eddie: Limit pre-trial agreements. Agree.*
- *Eddie: Make it easier to rebut the presumption of homosexual conduct.*

The lawyers will need to hash this out in the context of the law.

- *NSC: Ensure there is appropriate recourse to accused service members to stop improper investigations by their commanders.*

Technically, an avenue of recourse exists. Note Article 138 of the Uniform Code of Military Justice:

"Any member of the armed forces who believes himself wronged by his commanding officer, and who, upon due application to that commanding officer, is refused redress, may complain to any superior commissioned officer, who shall forward the complaint to the office exercising court-martial jurisdiction over the officer against whom it is made. The officer exercising general court-martial jurisdiction shall examine into the complaint and take proper measures for redressing the wrong complained of; and he shall, as soon as possible, send to the Secretary concerned a true statement of that complaint, with the proceedings thereon."

This section of the UCMJ could be used by anyone who feels wronged in an investigation and wants to have an impact on his/her commanding officer. The beauty of this course of action is that the incident is brought to the attention of a general officer who should know the nuances of the DADT policy. The complaint is eventually brought to the attention of the Secretary for further oversight. In reality, I've never seen this Article used but this may be a situation where it could be effective.

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Detroit News
February 7, 2000

Time To Plan Gay Integration Of Military

By Deb Price, The Detroit News

The U.S. military ban on openly gay soldiers will be lifted. That's inevitable. Discrimination that violates the very ideals that our armed forces are supposed to defend simply won't be allowed to continue forever. Yet it would be naive to think that lifting the unAmerican ban won't cause any trouble.

How can we minimize the disruption?

With public support for gay military people steadily rising, that's the question all of us who believe in a strong national defense should be asking. A Wall Street Journal/NBC News poll released Jan. 28 found overwhelming voter support — 74 percent to 22 percent — for gays in the military. Most civilians — 56 percent versus 37 percent — favor letting gay people serve openly, according to a new report by the Triangle Institute for Security Studies, an academic think tank focused on the military.

"The trend in public opinion may be irreversible. So, the wise military leader looks at this and says, OK, we can either do this on our terms, or the terms can be dictated to us. Let's get out front and craft a policy that would be the least disruptive to military effectiveness," observes Duke University political scientist Peter Feaver, co-author of a 1,100-page Triangle Institute study of gaps between civilian and military attitudes on many issues.

The six-year-old "don't ask, don't tell" law really is the first step toward ending the ban because it established the right of gay Americans to serve — though only in silence. And, in an overdue but critical milestone on Feb. 1, Defense Secretary William Cohen ordered every service member — from general to private — to attend training sessions stressing that anti-gay slurs and harassment are forbidden, and that violators will be punished.

Neither Feaver nor his report takes a position on the ban. But he and his fellow researchers offered me valuable insights into how lifting it could be done as smoothly as possible:

Opposition to the ban would need to be even stronger, cross party lines in Congress and include some of the military's most ardent allies, they said. That would help the military brass not feel the change was being shoved down its throat. A strict new code of behavior would need to apply to everyone, gay and straight alike, but not attempt to change anti-gay attitudes. Commanders would need to demonstrate zero tolerance for anti-gay violence and harassment.

The Feaver team also noted: * Team spirit: Service members would need to be taught that anti-gay behavior threatens unit cohesion — and could put the victimizer and the entire unit and its mission at risk. * Do unto others: Some straight male soldiers who fear lifting the ban are afraid they would receive the kind of inappropriate advances many men make toward women. "When they think of being on the receiving end of that, they really get freaked out," says Feaver colleague Laura Miller, a military sociologist at the University of California at Los Angeles. As the fearful soldiers see men and women working together without sexual harassment, they may be less afraid of openly gay men. * Mission possible: The Joint Chiefs would need to be wooed. "It can't just be ordered. There has to be an effort to make them understand what is driving the policy," says Feaver co-author Richard

Kohn, a military historian at University of North Carolina. "The military has to reflect the attitudes of the society it serves." * Quitters: Twenty-seven percent of rising officers told Feaver's team they would leave if gays serve openly. But on a list of nine possible reasons to leave, lifting the ban ranked only sixth. Higher choices included less "sense of fulfillment" (68 percent) and "too much time" away from my family (39 percent). It's unlikely most of the 27 percent would leave. "For some, this is a way of voting," of just signaling opposition, Miller says.

Lifting the ban on openly gay soldiers is vital to American interests. And working to minimize the difficulty should be a shared national goal.

Deb Price's column is published on Monday.

Peterman, David (Brian) (DEFENSE)

From: WHSR
Sent: Wednesday, February 02, 2000 2:36 AM
To: Andreasen, Steven P. (DEFENSE); Binnendijk, Johannes A. (Hans) (DEFENSE); Black, Steven K. (VP); Cullom, Philip H. (DEFENSE); Peterman, David (Brian) (DEFENSE); Pimentel, Betsy J. (DEFENSE); Witkowsky, Anne A. (DEFENSE)
Subject: MILITARY SERVICES SPELL OUT TRAINING ON GAY POLICY
Classification: UNCLASSIFIED
Distribution: SIT: ANDREASEN BINNENDIJK BLACK CULLOM PETERMAN PIMENTEL WITKOWSKY
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TimeOfReceipt: 02/02/2000 02:36:03 ET

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^PM-Gays-Military,550

^Military services spell out training on gay policy

^By ROBERT BURNS= ^AP Military Writer=

WASHINGTON (AP) The U.S. military services for the first time have spelled out for field commanders a policy of ensuring that troops who complain of anti-gay threats or harassment are not themselves investigated.

The intent is to allow such complaints to be aired without fear of being kicked out of the service for being homosexual, and to reinforce the idea that those who make anti-gay threats will not be tolerated.

Defense Secretary William Cohen said Tuesday the new guidelines on how to investigate anti-gay threats are incorporated in updated training programs designed to ensure that the Clinton administration's "don't ask, don't tell" policy on gays is enforced fairly and uniformly throughout the services.

As a matter of policy, commanders are not to use complaints of anti-gay harassment or threats as a reason to investigate the complaining person. Instead the commanders are supposed to investigate the source of the threat or harassment.

"These plans make it very clear ... that there is no room for harassment or threats in the military," Cohen said in a written statement.

"Service members need to understand that harassment for any reason will not be tolerated, and commanders will take prompt, appropriate actions against individuals involved in such behavior," Cohen added.

The Pentagon also announced Tuesday the number of discharges from the military for being homosexual fell to 1,034 in the fiscal year ended Sept. 30 from 1,145 in the year-earlier period. Spokesman Kenneth Bacon said 83.5 percent of discharges resulted from statements by service members that they were homosexual.

Under the administration's policy, gays may serve in the military as long as they keep their sexual orientation to themselves. If they state that they are homosexual, they are supposed to be removed from the service.

In 1994, the first full year of "don't ask, don't tell," discharges totaled 617. They rose every year since until 1999.

Michelle Benecke, executive director of the Servicemembers Legal Defense Fund, welcomed Cohen's approval of the training guidelines but said such guidance should have been made available to field commanders years ago.

"We're glad to see, finally, that the secretary is taking steps to train people," Benecke said. She said her group has found that most service members who declare their homosexuality, and thereby are removed from the service, do so because they feel threatened by an anti-gay environment in their workplace.

"What is needed now is for leaders to enforce the harassment guidelines with commitment," Benecke said.

Cohen instructed the services to develop new training guidelines in December amid widening criticism that Clinton administration's policy on gays in the military was not working. The criticism sharpened after

a court-martial in which an Army private was convicted of murdering a gay soldier harassed with the knowledge of his superiors. President Clinton called the Pentagon's implementation of the administration policy "out of whack."

Cohen also asked each of the service's top civilian and uniformed leaders to issue statements to their troops reinforcing the policy against harassment of gays.

APE- 02/02/00 02:30:46

Peterman, David (Brian) (DEFENSE)

From: Peterman, David (Brian) (DEFENSE)
Sent: Wednesday, January 26, 2000 8:57 AM
To: Binnendijk, Johannes A. (Hans) (DEFENSE)
Cc: Pimentel, Betsy J. (DEFENSE)
Subject: Review of DADT recommendations [UNCLASSIFIED]

Hans- Here is my analysis of the current DADT recommendations in the context of my memo of Jan 19.

- **NSC:** *Ensure prompt and complete Service implementation of the August 1999 guidelines. & Conduct more vigorous anti-harassment training since current training appears inadequate.*

Eddie: *Prohibit harassment of service members.*

The Services have completed their anti-harassment plans which include a robust training program. The tone and focus of the training programs will be critical to success. If presented in the context of "here's a training program on what you can and can't say/do about homosexuals in the military", it will never work. The training should generally focus on how the diverse military workforce must respect each other and work together to reach common goals. The training should avoid highlighting homosexuals but include a unit on the DADT policy, explaining how both straight and homosexual members must behave in order to stay in compliance. Both sides of the issue must understand they are responsible to make it work.

- **NSC:** *Take appropriate steps to hold commanders accountable for inappropriately "asking or pursuing" and for condoning an environment conducive to harassment.*

Eddie: *More effective enforcement of the "Don't Ask" provision.*

Taking a scapegoat to General Court Martial will only provide a martyr for the conservative right. The goal is to change the thinking of the conservative military culture. All leaders, officers and enlisted, receive evaluation reports; Services could require specific comments in these reports on the individuals contribution to a positive command climate (not just DADT). A bad evaluation will affect promotion and retention - a way to weed out those that don't comply with policy. We won't be able to easily measure the affect of this initiative, but it will have a great long-term impact on changing the conservative culture. A person either complies or is out.

We should consider now what DOD will do with the results of the IG investigations. If the reports show problems, the SLDN will call for immediate action and the conservatives will attack the results. If they don't show problems, the SLDN will claim a whitewash and the conservatives will use the results to block improvements. The first DOD meeting should consider a plan to release the results soon after they are completed and be prepared with options for response. (Remember it took DOD over a year to release their last review of the DADT policy implementation.) The response should focus on improving command climates across the board and not just on the DADT climate.

- **NSC & Eddie:** *Pursue a broader definition of the Service member communications for which confidentiality is protected.*

Not as easy as it sounds. Military personnel relinquish some of their personnel privacy rights in the interest of military integrity. For example, military members in contact with nuclear weapons must participate in the Personnel Reliability Program. This program insures those with access to nuclear weapons are both physically and mentally safe to have access to WMD. Care-givers are required to report *any* condition, including stress and anxiety, that would have an influence on a person's judgement. We want a nuclear commander to know if a subordinate is stressed out over a sexual identity crisis. In general, military leaders need to know if their people are ready for action, which includes mental readiness. This recommendation could be implemented, but within very stringent

*Review
WMD*

parameters.

- **Eddie: Limit pre-trial agreements. Agree.**

- **Eddie: Make it easier to rebut the presumption of homosexual conduct.**

Eddie would like to make it easier for a member to prove he/she hasn't engaged in homosexual conduct. This will be almost impossible to achieve because it comes down to semantics. The statute requires a member be discharged for "...a propensity to engage in...homosexual acts." Webster's Dictionary says a homosexual is one who has "sexual desire for others of one's own sex." If a person declares they are a homosexual, by definition they are admitting sexual desire for others of the same sex; in other words, a propensity. There may be some fine shades of meaning here, but the common military member won't see it. I don't think there is any way to implement this within the current law.

- **NSC: Ensure there is appropriate recourse to accused service members to stop improper investigations by their commanders.**

Technically, an avenue of recourse exists. Note Article 138 of the Uniform Code of Military Justice:

"Any member of the armed forces who believes himself wronged by his commanding officer, and who, upon due application to that commanding officer, is refused redress, may complain to any superior commissioned officer, who shall forward the complaint to the office exercising court-martial jurisdiction over the officer against whom it is made. The officer exercising general court-martial jurisdiction shall examine into the complaint and take proper measures for redressing the wrong complained of; and he shall, as soon as possible, send to the Secretary concerned a true statement of that complaint, with the proceedings thereon."

This section of the UCMJ could be used by anyone who feels wronged in an investigation and wants to have an impact on his/her commanding officer. The beauty of this course of action is that the incident is brought to the attention of a general officer who should know the nuances of the DADT policy, and the complaint is eventually brought to the attention of the Secretary for further oversight. In reality, I've never seen this Article used but this may be a situation where it could be effective.

**Brian Peterman
Defense Directorate
X69188**

Peterman, David (Brian) (DEFENSE)

From: Peterman, David (Brian) (DEFENSE)
Sent: Wednesday, January 26, 2000 10:42 AM
To: Binnendijk, Johannes A. (Hans) (DEFENSE)
Cc: Pimentel, Betsy J. (DEFENSE)
Subject: DADT Implementation [UNCLASSIFIED]

Hans- I've reviewed the statements made by the four DOD services. I think Army and Air Force are the best because they are joint statements by the Service Secretary and the Chief making it clear they will not tolerate harassment. The Marine statement has less clout because it is released by the head of the Corps' manpower policy division headed by a BGEN. It does tie the issue to the Marines' core values which is good. The Navy has the least persuasive effort - they start out their statement with, "...the Secretary of Defense ordered implementation of additional policy concerning homosexual conduct...", which tells me they are only doing this because they have to. The Navy statement, issued by the head of personnel (N1), is mostly technical and does not indicate much support for the policy or its implementation.

***Brian Peterman
Defense Directorate
X69188***

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Washington Times
January 28, 2000
Pg. 1

Army Gets Sensitivity Training On Gays

By Rowan Scarborough, The Washington Times

The Army has ordered mandatory homosexual sensitivity training for all soldiers in the aftermath of the murder of a soldier at Fort Campbell, Ky.

The Pentagon is also issuing written surveys to military personnel on how their commands view homosexuals. The survey, for example, asks if service members have heard jokes or negative remarks about homosexuals.

The training order and written questionnaire are part of the military's drive to rid the ranks of anti-homosexual actions and statements. Pfc. Barry Winchell, the Fort Campbell soldier, was killed in July by a barracks mate who thought Pfc. Winchell was homosexual. Pvt. Calvin N. Glover was court-martialed for the killing and sentenced to life in prison.

The actions also come after first lady Hillary Rodham Clinton and President Clinton criticized his own policy on homosexuals — "don't ask, don't tell," which bars open homosexuality in the ranks.

The survey and training is not sitting well with some armed forces members, who complain the Pentagon is promoting the homosexual agenda.

In a message this month to commanders from headquarters at the Pentagon, the Army said it is also setting up a Web site explaining guidelines for the new training.

Army Secretary Louis Caldera and Gen. Eric Shinseki, Army chief of staff, have ordered Army Training and Doctrine Command to incorporate the new sensitivity training into "all stages of professional military training," the message said. It did not specify what subjects soldiers will be taught.

"In our Army we expect that all soldiers will be treated with dignity and respect at all times and will be afforded a safe and secure environment in which to live and work," said the message, a copy of which was obtained by The Washington Times. "Harassment of soldiers for any reason, to include perceived sexual orientation, will not be tolerated."

A colonel stationed at a U.S. Army base said the new class work just adds to time away from combat training.

"As you read the additional briefing requirements, again more and more time will be taken away from the real issues — training for combat," said the officer, who asked not to be identified. "Commanders of all levels seem to be obsessed with pleasing the political masters to get ahead, like little schoolkids."

Another officer who has seen the Pentagon survey said, "I guess this would explain why the Navy can't give us a bigger pay raise because they are so busy spending our tax dollars on indoctrination

and garbage like this."

The debate over homosexuals in the military was revived in December by Mrs. Clinton, then by the president.

"Don't ask, don't tell" began in 1994 and had received scant criticism from Republicans or Democrats until Mrs. Clinton spoke.

Mr. Clinton, who relied on contributions and support from homosexual groups in the 1992 and 1996 elections, then called his own policy "way out of whack."

Days later Defense Secretary William S. Cohen ordered the Pentagon inspector general's office to do a worldwide field survey to ensure the rule is being enforced fairly. A report is due March 13.

The Army IG is also doing a review. The Army's Jan. 17 message is the first concrete response to political criticism over the young soldier's beating death.

But the messages made clear the Army is not backing off enforcement of "don't ask, don't tell." The policy allows homosexuals to serve as long as they keep their sexual orientation private. An admission of homosexuality or engaging in homosexual conduct is grounds for discharge.

"We expect commanders at every level to take appropriate action to prevent harassment of or threats against any member of our army," the message said. "Once again, we are determined to continue to implement the [Department of Defense] homosexual conduct policy with fairness to all because that is the right thing to do for our soldiers."

A Navy spokesman said senior officials are due to meet soon to review enforcement of "don't ask, don't tell." He said there was no decision on anti-harassment training.

The homosexual rights movement, which wants the ban lifted, asserts "don't ask, don't tell" is a failure because more people are being discharged today than in 1994 when the policy took effect.

Proponents say the numbers went up because inductees are no longer asked if they are homosexual before joining the service — a practice under the old, outright ban. They also say people are announcing they are homosexual to gain an honorable discharge.

The Pentagon IG is distributing the four-page, 33-question survey. It is divided into categories such as "Offensive Speech," "Harassment Based on Perceived Sexual Orientation," and "Policy and Training."

One question asks: "How often during the past 12 months have you witnessed or experienced event (s)/ behavior(s) involving military personnel, on or off duty, who harassed another military person(s) because of perceived homosexuality?"

The questionnaire states that the harassment can be a derogatory name, a hostile gesture, graffiti, denying career opportunities or unfair punishment.

Another question asks if the person has heard derogatory names or jokes about homosexuals.

Robert Maginnis, a retired Army lieutenant colonel and analyst at the Family Research Council, said the questions fit in with the homosexual agenda.

"The IG's survey is a slap in the face to local commanders," Col. Maginnis said. "It communicates

that Clinton's Pentagon is more concerned about pushing gay rights than other more important personnel issues like stemming the loss of quality personnel."

"Every military survey has a message and this survey has a message. Not that we want to promote harassment, but this chills any criticisms of homosexuals. This communicates loudly that any criticism of homosexuals will be dealt with harshly."

In August, the Pentagon, after saying "don't ask, don't tell" was generally working as planned, ordered the services to develop anti-harassment training.

"Don't ask, don't tell" is a compromise worked out by Mr. Clinton, the Joint Chiefs of Staff and Congress after lawmakers rejected the president's bid to allow open homosexuality in the military.

Since adoption, the Pentagon has fine-tuned enforcement with relatively minor rules changes, while certifying on at least three occasions that the regulation is executed fairly.

The two Democratic presidential candidates, Vice President Al Gore and Bill Bradley, both say that as president they would lift the ban. But such action would require congressional approval, since lawmakers made the exclusion federal law.

Pentagon Questions

Some questions from the Pentagon's anti-homosexual harassment survey, now being given to uniformed military personnel:

Offensive Speech

*How often have you heard offensive speech, derogatory names, jokes or remarks about homosexuals in the last 12 months on your installation/ship?

*To what extent are the offensive speech, derogatory names, jokes or remarks about homosexuals tolerated on your installation/ship?

Harassment based on perceived sexual orientation

*How often during the past 12 months have you witnessed or experienced event(s)/behavior(s) involving military personnel, on or off duty, who harassed another military person(s) because of perceived homosexuality?

Description of one situation

*Pick a situation to tell us about that you witnessed or experienced during the last 12 months. That situation should be the event/behavior or set of related events/behaviors that happened because of perceived homosexuality that you consider to be the most significant.

Source: Pentagon inspector general anti-harassment survey

938. ART. 138. COMPLAINTS OF WRONGS

Any member of the armed forces who believes himself wronged by his commanding officer, and who, upon due application to that commanding officer, is refused redress, may complain to any superior commissioned officer, who shall forward the complaint to the office exercising court-martial jurisdiction over the officer against whom it is made. The officer exercising general court-martial jurisdiction shall examine into the complaint and take proper measures for redressing the wrong complained of; and he shall, as soon as possible, send to the Secretary concerned a true statement of that complaint, with the proceedings thereon.

NATIONAL SECURITY COUNCIL
WASHINGTON, D.C. 20504

January 19, 2000

INFORMATION

MEMORANDUM FOR HANS BINNENDIJK

FROM:

BRIAN PETERMAN *B*

SUBJECT:

"Don't Ask, Don't Tell" (DADT) Policy
Implementation

*Brian - Interesting.
Let's discuss how
you would implement
in our current
context.
Hans*

Most of the briefing papers we've done to date on the DADT have relied heavily on gay rights advocates' information and recommendations for improvements. Because of that reliance, I feel we've failed to capture the essence of the DADT dilemma. The following is a different look which may help shape our consideration of future initiatives.

The Triangle Institute for Security Studies (TISS) recently completed a study of the U.S. military culture, the results of which provide valuable insight into the DADT dilemma. Through an extensive set of interviews and surveys, they found that top military officers tend to be more conservative than the civilian society they serve and pessimistic about its moral health. Officers have also become more partisan, 64% surveyed professed to be Republicans and only 8% Democrats. With this morally conservative bent we can conclude, in general, that these officers are opposed to integrating gays into the military. But why?

General Carl Mundy has been a vocal opponent of allowing gays to serve openly in the military since he retired as the Commandant of the Marine Corps in 1995. In a NYT OpEd, General Mundy made his position clear, "...the presence of avowed homosexuals in a military organization is fundamentally incompatible with good order and discipline." But it was in an article unrelated to the DADT policy that I think General Mundy reveals why he has reached this conclusion. In a Naval Proceedings article, General Mundy apologized for the Marine Corps treatment of blacks a quarter century ago by saying, 'they were judged by the color of their skin rather than by their character.' Mundy makes it clear that character is what is important, and in the case of gays, most conservatives feel that homosexuality is a serious character flaw. This is why I believe the predominance

of the largely conservative military is not willing to accept open homosexuality in the military.

The rules for military recruitment ensure that people with serious character flaws, such as those convicted of a felony, can never be enlisted in the Services. Those with less serious or undocumented character flaws are taken into the military with the intent that these flaws can be corrected. The UCMJ, unit training, and close supervision by the chain of command are in place to correct egocentric character flaws and to reinforce the importance of mutual reliance and teamwork. In the eyes of the morally conservative military, the DADT policy doesn't allow leadership to correct the character flaw of homosexuality because they cannot seek it out and work on it. They are told not to ask, not to investigate and not to hold this type of behavior up as an example of bad character.

Military leaders therefore come to the same conclusion as General Mundy, that the presence of openly serving homosexuals is fundamentally incompatible with good order and discipline. This conclusion incorrectly places blame for the problem on the homosexuals. The real threat to good order and discipline is a result of the dynamic tension between conservative military members and those perceived to be homosexuals. This tension is palpable and can have a significant impact on unit cohesion and teamwork, the backbone of our military's effectiveness.

Our goal in managing the DADT policy should be to reduce the dynamic tension between the morally conservative military culture and those homosexuals that wish to serve in the military. The militaries of other nations have successfully integrated homosexuals into their services because their cultures do not view homosexuality as a character flaw. We should work toward that end, but it will take time.

A closing note of caution - anything we consider doing to improve integration of homosexuals into the military must have a positive or neutral impact on military readiness. This should be the litmus test of any proposal. For example, last year the Service Chiefs stated that retention and recruiting were their number one readiness concerns. Implementation of the DADT policy should not have a negative impact in these or any other readiness areas.

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San Diego Union-Tribune
January 17, 2000

'Don't Ask, Don't Tell' Has Not Worked

By James O. Goldsborough

First of two parts.

Eight years ago, the issue of homosexuals in the military came up in the presidential campaign when Bill Clinton promised to end the ban on them serving their country. Elected, Clinton ran into a buzz saw of opposition from military leaders.

Sen. Sam Nunn, then chairman of the Senate Armed Services Committee, came up with the compromise which went by the name of "don't ask, don't tell." Under the compromise, recruits would no longer be asked an exclusionary question about sexual orientation. Gay soldiers could serve as long as they kept quiet about it.

That compromise, now the law, has been rejected in this presidential campaign by both Democratic candidates, Al Gore and Bill Bradley. They want gays to be able to serve openly. Many of the Republican candidates disagree and accuse Gore and Bradley of trying to weaken the military.

Eight years ago, I supported the compromise. Ending the ban, it gave homosexuals the right, like the rest of us, to die for their country. As quid pro quo, it required only that they keep quiet about their orientation. What their comrades didn't know couldn't possibly disrupt what the military calls "good order and discipline."

I received critical calls and letters from gays, who preferred Clinton's initial plan, ending the ban with no restrictions. But I sided with Joint Chiefs Chairman Colin Powell and other military leaders, who said that homosexuals serving openly would constitute a problem.

Defense Secretary Dick Cheney put the issue as clearly as anyone: "Military organizations would not be as effective in combat" with gays serving openly, he said, "and we are there to fight and win wars."

Experience doesn't always make you a better judge (Cheney never served), but my own military experience reinforced my view that "don't ask, don't tell" was a reasonable solution. I served during conscription, when draftees weren't asked about their sexual orientation. Data show that 5 percent to 10 percent of males are homosexual or bisexual, and the same percentages would apply to draftees. But nobody knew.

The issue is not one of homosexuality per se in the military, but of *open* homosexuality. "A gay lifestyle," said Cheney, "is incompatible with military service." "Don't ask, don't tell" was an attempt to revert to the way things were when recruits were not asked. During that time, millions of homosexuals served. We never lost a war.

One other thing has changed since my military years: Homosexuals don't always accept the idea of being quiet, of staying "in the closet." Many take pride in the way they are and won't hide it. Being required to hide it as a condition of serving their country deprives them, they say, of freedom of

speech. It is a good point, except that the courts have said freedom of speech does not apply in the military.

In 1992, the issue of closet homosexuals came up during the presidential campaign when Army Col. Margarethe Cammermeyer, a Bronze Star winner in Vietnam, announced she was a lesbian. She was immediately discharged. Soon after, Keith Meinhold, a 12-year Navy veteran, also went public and was discharged.

Both these cases -- people with excellent military records being discharged -- seemed good examples of why sexual comportment, not orientation, should determine who serves. But the military, led by Cheney and Powell, did not agree, and Nunn's compromise, unlike Clinton's solution, was politically possible.

The relationship between the military and its civilian leaders has never been an easy one -- from Congress and Gen. Washington, to Truman and Gen. MacArthur, to Clinton and Gen. Powell, to Gore and his litmus test for the Joint Chiefs of Staff. Civilians run the military, yes, but the military *is* different.

The military is different primarily because it kills people, and does so legally. This requires different customs, laws and rights. The military has its own code of justice, which can take precedence over the Bill of Rights.

When a president challenges his military, he must be on solid ground. Presidents must make the military obey, but must respect its forms so as not to weaken it. Commanders in chief and chiefs of staff must listen to each other. That's why Gore (who served in the military) was wrong with his litmus test and had to backtrack.

When Truman acted to end racial segregation in the military in 1948, he was challenged by both military and civilian leaders. It was a courageous decision for a president whose party depended on the South when 84 percent of Southerners, according to Gallup, still supported segregation (against 42 percent of Northerners).

Gen. Powell disputes the comparison of racial segregation in the military with its ban on gays, but he's wrong. The same objections were raised against having black soldiers serve side by side with whites that are used against homosexuals -- that it would be undermine good order and discipline and combat effectiveness. When Army Chief of Staff Omar Bradley indicated Truman's order would not apply to the Army, Truman corrected him.

There is one difference, however: People can hide their sexual orientation, not their color. The question being raised (again) in this presidential campaign is whether homosexuals in the service who do not hide their sexual orientation should be allowed to serve.

"If don't ask, don't tell" were working, the question would be moot. As in the days of conscription, gays would be serving and nobody would know. But "don't ask, don't tell" is not working, in America or anywhere else. It is a hopeless failure.

Thursday: *"Don't ask, don't tell": the balance sheet.*

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NSC/RMO PROFILE

RECORD ID: 0000279
RECEIVED: 13 JAN 00 08

TO: PRESIDENT

FROM: BERGER

DOC DATE: 17 JAN 00
SOURCE REF:

KEYWORDS: GAYS IN MILITARY

PERSONS:

SUBJECT: UPDATE ON DON'T ASK DON'T TELL / DADT POLICY IMPLEMENTATION

ACTION: NOTED BY PRESIDENT

DUE DATE: 19 JAN 00 STATUS: C

STAFF OFFICER: PETERMAN

LOGREF:

FILES: PA

NSCP:

CODES:

D O C U M E N T D I S T R I B U T I O N

FOR ACTION

FOR CONCURRENCE

FOR INFO
BINNENDIJK
NSC CHRON
PETERMAN

COMMENTS: _____

DISPATCHED BY _____ DATE _____ BY HAND W/ATTCH

OPENED BY: NSTSM

CLOSED BY: NSDMK

DOC 3 OF 3

UNCLASSIFIED

UNCLASSIFIED
ACTION DATA SUMMARY REPORT

RECORD ID: 0000279

DOC ACTION OFFICER

CAQ ASSIGNED ACTION REQUIRED

001 BINNENDIJK
002 BERGER
003 PRESIDENT
003

Z 00011308 PREPARE MEMO FOR BERGER
Z 00011418 FWD TO PRESIDENT FOR INFORMATION
Z 00011715 FOR INFORMATION
X 00011814 NOTED BY PRESIDENT

DISPATCH DATA SUMMARY REPORT

DOC DATE DISPATCH FOR ACTION

DISPATCH FOR INFO

003 000117
003 000117

VICE PRESIDENT
WH CHIEF OF STAFF

UNCLASSIFIED

NATIONAL SECURITY COUNCIL

THE WHITE HOUSE

PROOFED BY: _____ LOG # 0279
 URGENT NOT PROOFED: P SYSTEM PBS INT ARS
 PASSED WW DESK: _____ DOCLOG T A/O _____

	SEQUENCE TO	INITIAL/DATE	DISPOSITION
GRE	_____	_____	_____
COBSON	_____	_____	_____
POWELL	_____	_____	_____
SURGEANT	<u>1</u>	<u>8/14</u>	<u>[Signature]</u>
BRADY	_____	_____	_____
RUDMAN	<u>2</u>	<u>10/15</u>	<u>noted</u>
STEINBERG	<u>3 (H man)</u> <u>Monday</u>	<u>[Signature]</u>	_____
BERGER	<u>4</u>	_____	_____
SITUATION ROOM	_____	_____	_____
WEST WING DESK	<u>4</u>	_____	<u>N</u>
RECORDS MGMT.	<u>5</u>	_____	<u>N</u>

A = ACTION I = INFORMATION D = DISPATCH R = RETAIN N = NO FURTHER ACTION

00 JUN 14 PM 5:52

CC:

COMMENTS: Update on "Don't Ask,
 Don't Tell" Policy Implementation

EXEC SEC OFFICE HAS DISKETTE yes

THE WHITE HOUSE

WASHINGTON

January 17, 2000

INFORMATION

00 JAN 17 11:27

MEMORANDUM FOR THE PRESIDENT

FROM: SAMUEL BERGER *SB* 1-18-00

SUBJECT: Update on the "Don't Ask, Don't Tell" (DADT)
Policy Implementation

The second trial in the Fort Campbell killing of Private Winchell was completed on January 8th. Specialist Fisher, roommate of Winchell and instigator of the attack, pleaded guilty to obstruction of justice, making false official statements and providing alcohol to a minor as part of a pre-trial agreement that ensured his testimony in the killer's trial. Fisher was sentenced to 12½ years in prison. As part of the sentencing hearing, a psychologist noted Fisher's drinking problem, struggles with sexual identity, abusive father figures, and previous experience with a transvestite. Winchell's family is upset with the pre-trial agreement and told the press they intend to sue the Army.

Secretary Caldera ordered the Army IG to investigate all alleged violations of the DADT policy that were raised in the Winchell trials and to conduct an overall assessment of the command climate at Fort Campbell. In addition, the Army IG will assess the overall implementation of the DADT policy throughout the Army. All Army IG investigations will be completed by May 1st.

The DOD IG climate assessments ordered by Bill on December 13th and should be completed by March 13th.

Rudy DeLeon, Defense Undersecretary for Manpower and Personnel and nominee for Deputy Secretary, has agreed to head an informal working group to monitor implementation of the DADT policy and to identify non-legislative ways to improve the policy. The White House Counsel and NSC will be represented on that working group.

Bill's team is being briefed on the Service's individual plans to improve implementation of the DADT policy, in response to a directive he issued. A public statement will be made at DOD once the implementation improvement plans from the Services are approved by Bill.

cc: Vice President
Chief of Staff

NATIONAL SECURITY COUNCIL
WASHINGTON, D.C. 20504

0279

January 14, 2000

ACTION

MEMORANDUM FOR SAMUEL BERGER

THROUGH: HANS BINNENDIJK *HB*

FROM: BRIAN PETERMAN *B*

SUBJECT: Update on "Don't Ask, Don't Tell" (DADT) Policy
Implementation

As requested, the memorandum to the President providing an
update on DADT policy implementation is at Tab I.

Concurrence by: Mary DeRosa, Matt Gobush, Miles Lackey

RECOMMENDATION

all in draft

That you sign the memorandum at Tab I.

Attachment

Tab I Memorandum to the President

THE WHITE HOUSE
WASHINGTON

INFORMATION

MEMORANDUM FOR THE PRESIDENT

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cc: Vice President
Chief of Staff

THE WHITE HOUSE
WASHINGTON

INFORMATION

MEMORANDUM FOR THE PRESIDENT

FROM: SAMUEL BERGER

SUBJECT: Update on the "Don't Ask, Don't Tell" (DADT)
Policy Implementation

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Bill's team is being briefed on the Service's individual plans to improve implementation of the DADT policy, and he expects to make a public statement on Wednesday, January 19th, initiating a new "don't harass" initiative.

Implementation improvement
on the reports Bill received from the Services

Rudy

cc: Vice President
Chief of Staff

THE WHITE HOUSE
WASHINGTON

INFORMATION

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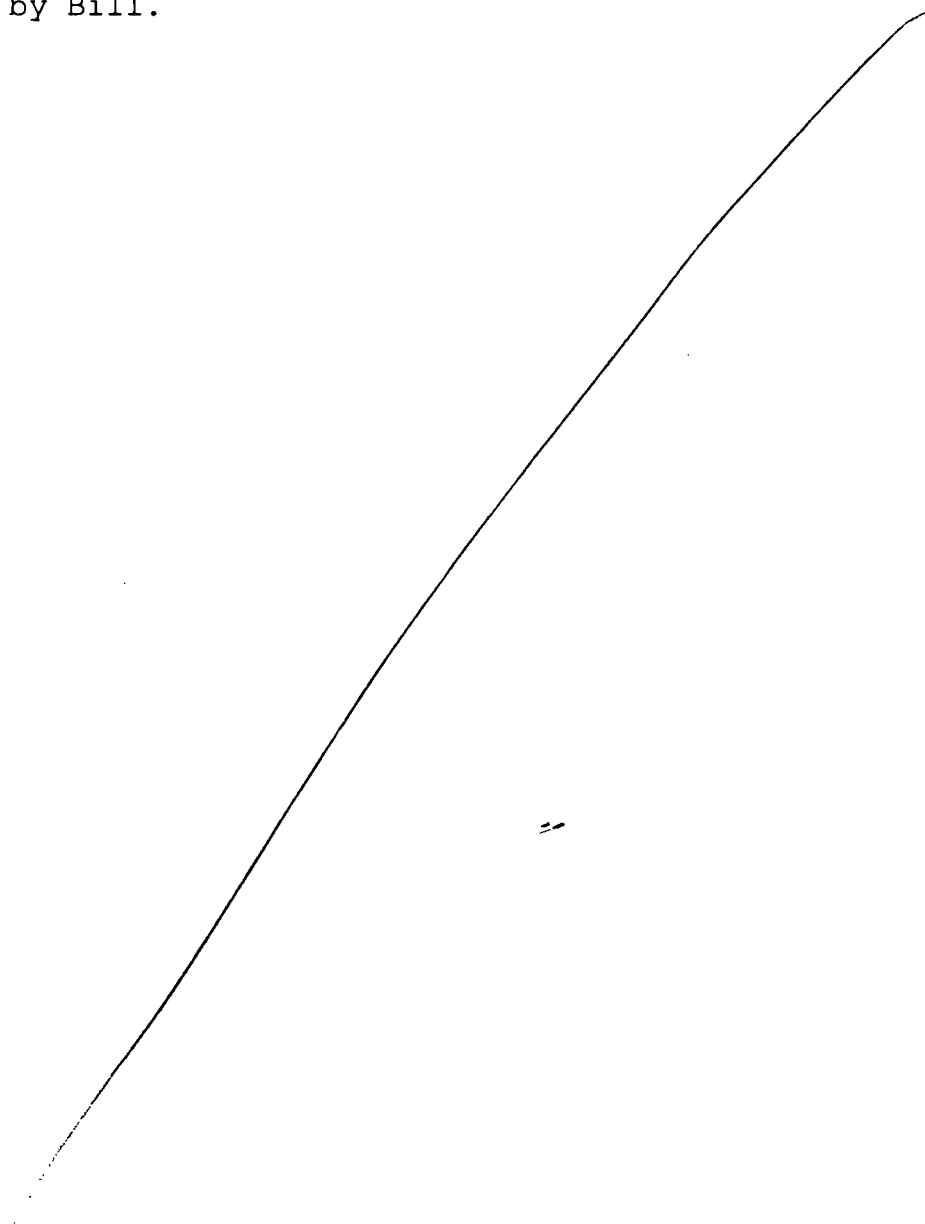
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Chief of Staff

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New York Times
December 17, 1999

Playing Politics At The Military's Expense

By Carl E. Mundy

WASHINGTON -- Once again, the question of homosexuals in the military has come into the public view, resulting in President Clinton's assertion that the so-called "don't ask, don't tell" policy is flawed. His statement to that effect came on the heels of Hillary Rodham Clinton's recent campaign speech, in which she asserted that the policy does not work and proposed that gays be allowed to serve openly. Other candidates for office, including Senator Bill Bradley and Vice President Al Gore, have taken the same position.

Shades of 1993. This question was last politicized and widely debated when President Clinton attempted to implement a campaign promise to end the ban on avowed homosexuals serving in the armed forces.

Since the moment the issue was resolved with the establishment of the "don't ask, don't tell" policy, it has received only occasional notice in the public eye. What the electorate at large might not realize, however, is that the policy has been at work in our armed forces, with military commanders striving to comply with both the spirit and the intent of the order.

I served as commandant of the Marine Corps when this matter was initially raised as an issue, and I participated in crafting the "don't ask, don't tell" rule. Having monitored its implementation during my remaining years of active service, and watching it in the four years since, I feel compelled to comment. I strongly disagree with claims that the policy does not work and that it has been misused by the military to conduct so-called "witch hunts" for the purpose of rooting out homosexuals. Such claims reflect a poor understanding of the facts.

The policy euphemistically dubbed "don't ask, don't tell" was designed as a compromise to accommodate President Clinton's direction that gays and lesbians be able to serve in the armed forces under a plan that meets the special requirements of military service.

The policy has been remarkably successful in maintaining that balance, for the goal was quite challenging because -- like it or not -- it is a simple fact that the presence of avowed homosexuals in a military organization is fundamentally incompatible with good order and discipline.

Why? First, because the young Americans who join our military services bring with them the values of our society, and that society has not, to date, fully recognized the social acceptability of the homosexual lifestyle. Witness, for example, the failure of gay rights groups to garner sufficient support in state legislatures for the enactment of laws permitting same-sex marriages. When we recruit from a society whose people express in this way that gays and lesbians are beyond the mainstream of American culture, why should we expect our servicemen and servicewomen to believe differently?

Second, the military is unlike most other institutions. Its purpose is not to turn a profit, like a business, nor to provide an environment for individuality or self-expression like a university. The military exists to protect the nation by fighting and winning wars. Victory in combat requires far more technical skill; it calls for a unique combination of cohesion, selflessness and teamwork.

Conduct that is widely rejected by a majority of Americans can undermine the trust that is essential to creating and maintaining the sense of unity that is critical to the success of a military organization operating under the very different and difficult demands of combat. It would be unconscionable to tolerate increased risk to our men and women in uniform simply for the sake of satisfying the desires of one special interest group.

Let me address claims that military commanders have twisted the "don't ask, don't tell" policy into an instrument for anti-gay activities. There is a continuing drumbeat by activists alleging injustice and violation of the policy on the part of military officers.

Regrettably, President Clinton recently expressed this view. I hope that as commander in chief, he is basing judgment in this critical issue on factual advice from his uniformed military advisers, and not exclusively on inexperienced interpretations and advice from those with a political agenda, or on speculative accounts and opinions in the press.

Consider the facts. Over the past five years, the Marine Corps, to cite one example, has effected 387 discharges under the policy. Of this number, 289 -- 75 percent of the total -- were based upon voluntary admission of homosexuality. These individuals were neither sought out nor pursued. They openly purported themselves to be homosexuals, in contravention of the policy's proscription against acknowledging homosexual persuasion.

Further, 191 discharges, or 49 percent of the total, occurred within the first six months of service, a very demanding period during which it is not uncommon for those who are not equal to the challenge of military life to seek opportunities for release from the service. A claim to be homosexual, whether factual or not, provides such an opportunity. A final note. In 1993, I received a great number of communications from a broad spectrum of Americans. Parents wrote to say that if the policy of open homosexuality were put into effect, they wanted their sons and daughters discharged. The mother of a recruit awaiting orders to active duty sent me her son's enlistment contract to be torn up because "he's not going."

Former Marines wrote in numbers to demand that I resign in protest if open homosexuals were allowed to serve. The decorated, upward-bound marine officer who stopped an Israeli tank with his cocked .45 pistol during the tense days of the 1980's in Lebanon resigned his commission in protest over Mr. Clinton's stance. Three general officers and several senior noncommissioned officers communicated their gut-wrenching decision to step down should an unqualified policy be put in place.

Noting that the armed services today are under extreme pressures to find adequate numbers of recruits, if the lessons of 1993 are instructive, an aggressive change in policy could have impactive consequences on their ability to maintain adequate strength.

There are many who believed in 1993, and do today, that "don't ask, don't tell" is already a compromise that strains to achieve its goal of mutual compatibility where experience and reason dictate that such compatibility cannot exist. My judgment is that the cat can't be walked back, and that the policy is an acceptable compromise that's working acceptably. It should not be tampered with to meet a political agenda.

Carl E. Mundy served as the commandant of the Marine Corps from 1991 to 1995.

Detroit News
January 17, 2000

Allowing Gays In Military Weakens Morale, Security

By Chris Stewart and David Forsmark

nce again, the Clinton administration is going to war without consulting Congress; and as usual, social justice is the excuse, promoting the Clintons' domestic political interests is the real aim, and the national interest is the first casualty.

This time, it is the administration's own policy of "Don't ask, don't tell" that is the target of Clinton broadsides and a possible executive order. The battle began with Hillary Clinton calling the policy a failure while currying favor with New York homosexual activists. This led to Al Gore, Bill Bradley and now even the president to criticize his own policy.

Bill Clinton's spin is that the foot- or knuckle-dragging military brass have not made it work. The policy was sold as a compromise — as a way to stop supposedly rampant witch hunts for homosexuals in every closet. But Clinton has attacked the policy because it has not made it easy enough for homosexuals to secretly serve.

The policy is blatantly unfair and unworkable, both to homosexual soldiers and the units to which they are assigned. The admitted failure now leaves only two options: prohibition or integration.

The problem is that "Don't ask, don't tell" is a policy that diminishes military readiness, eats at morale, contradicts the core values of military service, makes it more difficult for the services to recruit qualified personnel, and distracts military units from accomplishing their mission.

Many on the left claim a "right" to serve. But since the Revolution, certain behaviors have always precluded individuals from military service. Such exclusions are necessary to ensure our national defense. A citizen has no more right to serve in the military than a right to be a member of Congress.

To those who are unable to see a connection between readiness and homosexual behavior, consider the following examples:

Under a new policy of gay integration, every social function would be analyzed to see if it is geared to exclude gay — or straight — personnel. What about Gay Pride demonstrations, or even transvestite or transsexuals? Don't they have the same rights as less flamboyant homosexuals? Base housing assignments will pose a huge problem: Should gay and lesbian soldiers be required to live in separate accommodations or forbidden to? Should chaplains be prohibited from preaching the Biblical principle that homosexual unions are inherently sinful? How does that square with the First Amendment?

These situations illustrate the distractions and divisions that military units would be forced to deal with. But the destructive nature of adding sexual tensions and jealousies to a situation in which unit cohesion can be the difference between life and death is the most compelling reason for preserving the ban.

The awkwardness that comes with expressing romantic feelings and having them rejected is bad

enough. Now imagine that you not only have to deal with a person whom you have rejected on a daily professional basis, but shower and bunk with him or her as well.

There is little privacy granted to those in the military. However, for the most part, sexual modesty, which is a natural and healthy convention (not a function of ideology or bigotry), remains largely unviolated.

And what about the possibilities of jealousy and sexual intimidation? The far less culturally inflammatory sexual integration of the military has already led to enough problems in this area. Are we prepared to risk having this atmosphere aboard a nuclear submarine?

"Don't ask, don't tell" has already caused damage to military readiness and morale. The inability of the services to recruit what has historically been the backbone of the military (suburban and rural middle-class young men, a group that rarely identifies with the gay rights agenda) is only one indication of this damage.

The Clinton administration is ill-equipped to handle this question. Our commander-in-chief has testified under oath that a good share of the activity that is in question is not really sex. So it should be no surprise that he is having trouble deciding on the propriety of sexual relations within a federal workplace.

Chris Stewart is a former U.S. Air Force bomber pilot, and David Forsmark is a Flushing, Mich.-based free-lance writer and consultant.

Detroit News
January 17, 2000
Pg. 7

Change Law That Breeds Intolerant Military

By Deb Price, The Detroit News Washington Bureau

Army Pvt. Barry Winchell was asleep in a barracks hallway, protecting his unit's canine mascot, when a fellow soldier smashed his skull with a baseball bat. Winchell's murderer, a teenage soldier drunk with anti-gay hatred and beer, had been goaded into the attack by Army Spc. Justin Fisher, court-martial testimony shows.

On Jan. 8, Fisher, who had wiped blood from the murder weapon, was sentenced to 12 years in prison on a reduced charge of obstructing justice. Tearfully, Fisher cried out in court to his dead comrade:

"Barry ... I'm sorry for the part I played in this. I hope you know that if I could go back to the morning it happened, I would have changed it all."

It was as though Fisher were pleading with the American people to do something about the lethally anti-gay climate inside the military, a climate worsened by the ban on gay Americans serving openly. Because of an atmosphere that pits soldier against soldier, practically begging them to prove their manhood by proving their homophobia, Winchell is dead. Pvt. Calvin Glover, 18 at the time of the murder, is serving a life sentence. And, at 26, Fisher's life is ruined. He'll be forever haunted by his role in a horrible, senseless death.

"The Army tolerated and encouraged an atmosphere of hatred and harassment that led to Barry's death," his grieving parents, Pat and Wally Kutteles, said in a statement after Fisher's sentencing.

For the parents, who still proudly mention their machine-gunner son's military decorations, the horror of Barry's murder was compounded by the discovery that he'd been the nonstop target of anti-gay slurs and harassment. Even now, the couple has learned, soldiers at Fort Campbell, where their 21-year-old son served, make sick, menacing jokes about "faggots" and baseball bats.

"We knew Barry could face danger overseas fighting for our freedom. We never dreamed he would be killed by a policy whose foundation is hate," the parents said.

Their son's murder has helped reignite national debate over the "Don't Ask, Don't Tell" law that stokes anti-gay prejudice and endangers the lives of gay soldiers.

Both Democratic presidential candidates are courageously pledging to free our nation from this fatally flawed law, if elected. Because both viable Republican contenders -- George W. Bush and John McCain -- support the law, the 2000 election will give voters a clear choice. Our votes will determine whether we soon get a military that lives up to the American ideals of equal opportunity and equal justice.

Our military leaders train young warriors to kill. Unfortunately, they're failing to teach that gay Americans are not the enemy. Instead, all too many are fostering a climate of hate and intolerance. One drill sergeant, for example, marched his troops across Fort Campbell shouting "Faggot, faggot,

down the street! Shoot him, shoot him, 'til he retreats," 15 members of Congress recently informed Defense Secretary William Cohen.

As President Bill Clinton, who originally sought to let gay people serve openly, has pointed out, Winchell's killer, Glover, "wasn't born hating that way. Somebody had to teach him to do that." Glover and Fisher had no shortage of tutors.

Today, our military coddles bigots. Twenty-six percent of rising senior officers say they'd quit rather than be in a gay-friendly military, according to the Triangle Institute for Security Studies. Officers with that unAmerican "can't do" attitude should be shown the door. They'll find vocal homophobia makes them virtually unemployable in a civilian work world that values diversity.

"Momentum is on the side of fairness," says watchdog Michelle Benecke of the Servicemembers Legal Defense Network, noting Britain's move last week to join most North Atlantic Treaty Organization countries in allowing openly gay soldiers. "The only question is how many more lives are going to be ground up between now and when this law is taken off the books."

Like Army Spc. Fisher, we can't change the past. We can change the law that breeds violently intolerant attitudes in our military. We can -- and we must.

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Washington Times
November 1, 1999

Gaps, Real And Imagined

American society vs. military culture

By Mackubin Thomas Owens

In his remarkable 1997 book, "Making the Corps," Thomas Ricks raised the specter of a growing gap between the U.S. military and the society it is sworn to protect. Mr. Ricks claimed that the U.S. military was increasingly alienated from American society and that the officer corps, once apolitical, was growing both more conservative and politically active than ever before.

Concern about this alleged gap has evolved into a staple of recent debate over the status of civil-military relations in the post-Cold War era. Following Mr. Ricks' lead, both academics and policy-makers have warned of the dire consequences for liberal democracy of a "nearly unbridgeable divide" between the military and American society. Indeed, Mr. Ricks' 1997 claim generated two major scholarly studies devoted to examining this issue, the first conducted by the Triangle Institute for Security Studies (TISS) in North Carolina, the second by the Center for Strategic and International Studies (CSIS).

The results of the TISS study have now been released. The study concludes that over the last two decades, a substantial gap concerning politics and values has opened between the nation's increasingly conservative military elite and prominent civilians without military service. The TISS study notwithstanding, there is hardly unanimity among scholars regarding even the existence of a growing "gap" between American civil society and those sworn to protect it, much less the potential danger that such a gap might pose to the Republic if it does exist.

On the one side are those who fear that current trends will result in a large, semiautonomous military so different and estranged from society that it will become unaccountable to those whom it serves. Those who advance this view fear the expansion of the military's influence and are concerned that the result will be a military contemptuous of American society and unresponsive to civilian authorities.

On the other side are those who argue that such concerns discount the degree to which the military profession in this country is committed without reservation to the principle that the military is subordinate to civilian authority. But while acknowledging that the military must remain subordinate to civilian authority, they contend that it must also meet the hard requirements of the battlefield. Success in war is the military's functional imperative. To fulfill its functional imperative, the military must govern itself according to principles different from those of liberal society. Those who have experienced combat or at least have seen "Saving Private Ryan" can understand why.

Those who hold this view argue that the real danger to the Republic does not arise from any militaristic threat to American society, but from the reverse. They are concerned about the "civilianization" of U.S. military culture as the civilian elite seeks to subordinate the military's functional imperative to a societal one.

In order to fulfill its functional imperative, the military has adopted a culture that constitutes an evolutionary response to the nature of war. To maximize the chances of battlefield success, the military places a premium on such factors as unit cohesion and morale. It stresses such martial virtues

as courage, both physical and moral, a sense of honor and duty, discipline, a professional code of conduct, and loyalty. These characteristics are dictated by the requirements of a workplace foreign to most civilians.

All too often, the American civilian elite sees military culture not as something that contributes to military effectiveness, but as a problem to be eradicated in the name of multiculturalism, sexual politics, and the politics of "sexual orientation." The assault on the military ethos by the American civilian elite undergirds the ongoing process of softening military discipline and reducing training standards within the U.S. military. The decision last year by Secretary of Defense William Cohen to reject, on the advice of the chiefs of the Army, Navy and Air Force, his own hand-picked panel's recommendation to separate basic training by "gender" is a case in point.

In October 1997, the Los Angeles Times published an article titled "Boot Camp Kicks Its Harsh Image," describing how "the military is stripping away the sharp edges and hard knocks from this fabled test of manhood." As an example of today's "kinder, gentler" training, the article described the Navy's approach at its Great Lakes Training Center, where a trainee who needs extra motivation is "offered emotional support, instructed on deep breathing and stress reduction, and given a chance to explore his feelings by pasting cut-out magazine photos on a piece of cardboard." Only one-half of the U.S. Army's men (and only one-third of its women) believe that the mission of the Army is to fight and win in combat.

A liberal democracy such as the United States faces a dilemma when it comes to its military: if it is to fulfill its functional imperative, that military cannot govern itself by the liberal principles it ultimately defends. As T.R. Fehrenbach wrote, "By the very nature of its missions, the military must maintain a hard and illiberal view of life and the world. Society's purpose is to live; the military's is to stand ready, if need be, to die." If we cannot count on the military to prepare itself for that eventuality, it will fail. And if it does, the liberal American society that the military protects will go down with it.

Mackubin Thomas Owens is professor of strategy and force planning at the Naval War College.

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Chicago Tribune
November 1, 1999

The Civilian-Military Culture Gap

Since the threat of nuclear Armageddon receded after the Cold War, a widening and alarming gap has emerged between the general attitudes of American civilians and the nation's military elite. Moreover, absent the kind of pro-defense consensus once cemented by the Soviet threat, average Americans have grown more complacent and ill-informed, even apathetic, about the U.S. military.

This is not a crisis--not yet, anyway--but it's worrisome. A growing distrust in civilian-military relations is, at the very least, unhealthy in a democracy. At worst, it could eventually undermine the confidence of officers in civilian leadership, and ultimately, the military effectiveness of the world's sole superpower.

Secretary of Defense William Cohen has identified the problem as one of the Pentagon's priority challenges, but the Clinton administration has done little to bridge the gap. Nor did President Clinton win confidence from the military with his own avoidance of service, policies on gays in the military, fickle foreign policy and trims in defense budgets--while escalating U.S. intervention abroad.

Pentagon downsizing had bipartisan support and was justified in the post-Cold War era, but it came mostly on Clinton's watch. So, too, has alienation. But recent studies have illuminated the civilian-military culture gap and ought to help promote a necessary public debate aimed at formulating policies to deal with it. Last week, researchers presented new findings of a project done for the Triangle Institute for Security Studies in North Carolina. Among the findings:

- Top military officers tend to be more conservative than the civilian society they serve and pessimistic about its moral health. They feel society would be more moral, and better off, if civilians followed their lead. Abandoning their more apolitical past, officers have become more partisan as well--64 percent surveyed profess to be Republicans, 8 percent Democrats--perhaps a legacy of the Vietnam experience. Nearly two-thirds surveyed said their political leaders were lacking in knowledge of the military.

- Despite professed respect for the military, civilians surveyed also seemed alienated from it, a result of a declining number of people who have served. Doubtless, this is also due to the shrinking all-volunteer force and the aging of the World War II and Korea generations. But it has policy implications, because the number of veterans in the House, Senate and other political offices has also steadily declined. Historically, the more veterans there are in national political leadership, the less likely the U.S. has been to make the first use of force around the globe.

To be sure, a civilian-military culture gap is not new. Fears of an army with different values from society predate the American revolution, fostering the prudent tradition of civilian control of the military.

Still, today's military--competing with better-paying civilian jobs in a peacetime boom--is struggling to meet recruitment and retention goals. The trend, like the culture gap, calls into question the whole idea of an all-volunteer force. But a return to the military draft is not politically viable at this time.

This and future administrations ought to focus on how to reconnect Americans with their military. Civilian leaders could start by consulting more with Pentagon brass and providing better oversight.

Time and again, history has shown American military might is the best guarantee of our freedom.

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Omaha World-Herald
January 13, 2000

Policies On Gays In World's Military

By Associated Press

Policies on Gays in World's Military -- Britain's decision Wednesday to lift its ban on gays in the military brings it into line with most of the rest of the Western world.

United States: Washington has not yet completely conceded the issue, following what it calls a "don't ask, don't tell" policy that allows homosexuals to serve in the military as long as they keep their sexual orientation private.

Canada: Gays are full-fledged members of the Canadian armed forces. There are no special arrangements or considerations for them.

Israel: Gays were accepted into the armed forces since a 1993 decision banning restrictions on recruiting them. There are occasional charges of discrimination, however, such as the dismissal last fall of a gay officer who had sex with a soldier at an army base.

Netherlands: Discrimination because of sexual orientation is prohibited by the constitution, and homosexuals serve in the armed forces.

France: France has no official policy, but discrimination because of sexual orientation is prohibited by law.

Greece: Homosexuality is banned among officers in the Greek armed forces. If officers are found to be homosexual, they are forced to resign their commission. Conscripts may be exempted if they are gay, although they may insist on serving.

Hungary: There are no restrictions in the Hungarian armed forces.

Norway: There are no restrictions on homosexuals serving in the Norwegian military.

Denmark: Homosexuals were denied the right to serve until 1954. From 1955 until 1978, they were allowed to serve only in the Home Guard. In 1978, the Defense Ministry ruled that sexuality was not the government's business.

Italy: There is no official policy on gays in the Italian military, but gay men are often allowed exemption from Italy's compulsory 10-month military service if they admit they are homosexual and say they fear discrimination.

Finland: Military service is compulsory, but men may be excused on the grounds of homosexuality.

Sweden: There is no specific policy on gays in the military, and a Defense Ministry spokeswoman says it is not an issue in Sweden, which is generally liberal about homosexuality and gives legal recognition to gay partnership.

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Defense Daily
January 14, 2000
Pg. 7

AF Plans 'Significant' Boost To Science, Technology Budget

By Frank Wolfe

Air Force science and technology (S&T) funding may get a significant boost in the Pentagon's FY '01 budget request.

"We are striving hard to reverse the declining S&T budget and anticipate a significant real increase for S&T in fiscal year '01," Air Force Lt. Gen. Stephen Plummer, principal deputy assistant secretary of the Air Force for acquisition, said in a statement. "We are working hard to raise it further in the years beyond that."

S&T involves basic research on systems through the technology demonstration phase. Plummer was responding to a report released this month by the Air Force Association: "Shortchanging the Future: Air Force Research and Development Demands Investment."

AFA's Science and Technology Committee found that the U.S. may be unable to meet future threats because of declining S&T investment by the Air Force and the military in general.

In constant FY '00 dollars, Air Force S&T funding has dropped from nearly \$1.8 billion in FY '90 to a projected level of almost \$1.2 billion in FY '00. The S&T budget has fallen from 2.3 percent of the service's total obligational authority in FY '93 to 1.8 percent in FY '00 and may decline further to about 1.7 percent by FY '05, according to the report.

"The Air Force is not alone. The Department of Defense as a whole has also consciously reduced S&T funding in the mistaken belief that industry would fill in the gap," the report says.

The Air Force's high technology focus has been pre-eminent since the service's founding in 1947. S&T investment in the 1960s, 1970s and 1980s paved the way for advanced systems, like the Boeing [BA] E-3 Airborne Warning and Control System aircraft, the Northrop Grumman [NOC] Joint Surveillance Target Attack Radar System aircraft, the Raytheon [RTNA/RTNB] Advanced Medium Range Air-to-Air Missile and the Lockheed Martin [LMT] F-117 stealth fighter.

But, if S&T budgets stay constant, the service will be unable to stay ahead of likely enemies, the report says.

"Given a decade of declining S&T budgets, the most promising technologies, such as directed energy, miniaturized munitions, new electronics countermeasures techniques, unmanned combat aerial vehicles and improved materials for space power, may not be ready to be incorporated into Air Force systems to be fielded through 2020," according to the report.

The Air Force said in the statement that it "agrees that the decline in Air Force S&T spending must be reversed. Further, an increased overall budget would be the single most important factor in accelerating the strengthening of the Air Force S&T program."

One of the factors complicating the S&T budget for all the services is the emphasis on fielding current systems. Defense Technical Objectives for 1998, which identify technological areas for development or demonstration, did not include space, but the Air Force insisted on their inclusion in the 1999 objectives, according to the report. Space is to comprise 20 percent more of the service's ToA over the next 20 years at the expense of other programs, the report says.

The AFA study decried the move by the service to return the Space Based Laser and Discoverer II space radar programs to the S&T budget line from engineering manufacturing and development and requiring the S&T budget to absorb the cost--\$94 million in FY '00 and \$131 million in FY '01 and more in the other years of the Future Years Defense Plan (FYDP).

"Many existing S&T programs--including other space projects--were badly damaged while nearly \$3 billion was freed up for non-R&D expenses over the coming FYDP period," according to the report.

The Air Force said it is to start a study this month, with participation from AFA and the service's Scientific Advisory Board, on how to create and firm up budget processes to make S&T investment decisions.



Elizabeth J. Potter
01/14/2000 07:06:14
PM

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British Embassy Press Release

Statement by the British Secretary of State for Defence, Mr Geoffrey Hoon,
House of Commons, London, 12 January 2000. Check against delivery.

GAYS IN THE MILITARY: NEW CODE OF CONDUCT FOR ALL ARMED FORCES PERSONNEL

Defence Secretary Geoffrey Hoon today announced a new Code of Social Conduct covering all personal relationships involving Service personnel.

Speaking in the House Of Commons earlier today, Mr Hoon said. "With permission, Madam Speaker, I wish to make a statement on the outcome of our review of the implications of a judgement by the European Court of Human Rights as it affects the Armed Forces.

The House will recall that, on 27 September, the European Court of Human Rights delivered its judgement in a case brought by four ex-Service personnel of the United Kingdom Armed Forces who had each been discharged on the grounds of their homosexuality.

My predecessor issued a statement at the time making clear that the Government accepted the judgement of the Court - as British Governments have always complied with such rulings - and that we would be carefully studying the implications of the decision. He also announced that those cases already in the system - that is, personnel in the process of being discharged on grounds of homosexuality - would be put on hold. In the light of the Court's decisions, it was clear that the existing policy was not legally sustainable. We accordingly asked the Chief of the Defence Staff to set in hand an urgent review of policy in this area. That review has now been completed, and I am able to announce the outcome today.

Our starting point has been to develop a revised policy that preserves the operational effectiveness of our Armed Forces, respects the rights of the individual, and takes full account of the Court ruling.

The Chiefs of Staff accept the need to change the existing policy and have been fully involved in the process of developing a revised policy. I have discussed the subject with them on a number of occasions. They have endorsed the outcome of the review.

We have drawn on the experience of other countries - in particular Australia - and have taken account of the last formal study of this subject in the United Kingdom, undertaken in 1995. Moreover, we have reflected the Court's conclusion that legally we are obliged to adopt an approach which

regards sexual orientation as essentially a private matter for the individual.

There is, of course, no doubt that the Armed Forces are a unique institution and occupy a unique place in our society.

We expect a lot of them. They cannot choose the people they work and live with, often in difficult, cramped conditions and for sustained periods.

Operational effectiveness depends on team cohesion and the maintenance of trust and loyalty. As a result, standards of behaviour are imposed on members of the Armed Forces that can be more demanding than those required by society at large. That is why we need a code of conduct to govern the attitude and approach to the personal relationships of those serving in the Armed Forces. This code will apply across the Forces, regardless of Service, rank, gender or sexual orientation. It will provide a clear framework within which people in the Services can live and work. And it will complement existing policies, such as zero tolerance towards harassment, discrimination and bullying. I would emphasise that we are not tightening up the rules on heterosexual relationships. The Code is not an abstract legal document full of rules and regulations. It has been developed by Service experts who understand fully the operational needs and day-to-day practicalities of the Armed Forces. Personal relationships > do not ever lend themselves to precise prescription and the Code recognises explicitly that:

- "It is not practicable to list every type of conduct which might constitute social misbehaviour".

Therefore, we have placed at the heart of the Code what we call the Service Test, set out in the following terms:

- "Have the actions or behaviour of an individual adversely impacted or are they likely to impact on the efficiency or operational effectiveness of the Service?"

In using the Code, commanders will have to apply this Service Test through the exercise of their good judgement, discretion and common sense - the essence of command and the effective management of people. I am arranging for copies of the Code to be placed in the library of the House. The European Court of Human Rights ruling makes very clear that the existing policy in relation to homosexuality must change. As all personal behaviour will be regulated by the Code of Conduct with the object of maintaining the operational effectiveness of the three Services, there is no longer a reason to deny homosexuals the opportunity of a career in the Armed Forces. Accordingly, we have decided that it is right that the existing ban should be lifted. As no primary or secondary legislation is required, with effect from today, homosexuality will no longer be a bar to service in Britain > ' > s Armed Forces.

A range of briefing material is being issued to Commanding Officers to explain the Code of Conduct and to give them detailed guidance on how it should be implemented. This makes clear that the Chiefs of Staff commend the principles of the new policy and are committed to ensuring that it works.

Madam Speaker, I recognise that there may be some concerns within the Armed Forces and elsewhere over this new policy. But I believe that the changes I have described offer the best way forward in terms of providing an approach which maintains operational effectiveness, is within the law, and recognises the rights of the individual.

Implementing these changes successfully will be a challenge for leadership

at all levels in the Armed Forces but such challenges are not new, and all three Services will be equal to the task. With the commitment which is in place from the very highest levels of the chain of command, I am confident that our Armed Forces will adapt to this change in the professional manner for which they are rightly held in the very highest regard. There will be those who would have preferred to continue to exclude homosexuals but the law is the law. We cannot pick and choose the decisions we implement. The status quo is simply not an option.

This code centres on the paramount need to maintain the operational effectiveness of the Armed Forces.

I have no doubt it is the best way forward."

The new Code of Social Conduct comes into force immediately.

Notes for Editors

1. The Armed Forces will no longer require people to disclose their sexual orientation either at the recruitment stage, or during their service in the Forces. If people declare themselves to be homosexuals, then that is a matter for them. No special arrangements will be made for anyone who has made such a declaration.
2. The new Code of Social Conduct applies to all personnel regardless of whether they are male or female, heterosexual or homosexual, and regardless of their colour or racial or religious background. It applies to the Reserves in the same way as regular Forces.-
3. The Code has been drawn up in close consultation with Service Chiefs.
4. Those who have in the past been discharged for being homosexual, may rejoin the Forces as long as they continue to meet the usual entry requirements for personnel seeking reinstatement and have the up-to-date skills we need.
5. Implementation should be achieved with the minimum of fuss and disruption to unit life, and should be viewed as a process of adaptation rather than dramatic change. This process will be sustained by imaginative and firm leadership and the sensitive exercise of discretion rather than by over-regulation and confrontation. The key to successful adaptation rests firmly with commanders at all levels, and specifically with Commanding Officers.
6. Commanding Officers are to be guided by the following principles:
 - * Sexual orientation is regarded as a private matter for the individual-
 - * Knowledge of an individual's sexual orientation is not a basis for discrimination.
 - * Incidents which involve the possible commission of civil or military offences, or which come to a Commanding Officer's attention through a formal complaint, should be investigated and dealt with in accordance with Service disciplinary or administrative procedures.
 - * The Service Test contained in the Code of Social Conduct should be applied when there is any doubt about the impact on operational effectiveness of any particular incident.
 - * The Armed Forces value the unique contribution which every individual makes to operational effectiveness, regardless of their sexual orientation.
 - * The Armed Forces respect the right to individual privacy of every Serviceman and woman and will only intervene in the private lives of individuals where it is necessary in the interests of preserving operational effectiveness.
 - * The new policy makes no moral judgements about an individual's sexual

orientation.

- * There is no place in the Armed Forces for harassment, bullying or victimisation.

- * Commanders have a duty of care towards all those under their command.

For further information contact Robin Banerji at the Defence Press Office on 0171 218 3257 or see <http://www.mod.uk/policy/homosexuality> on the Internet.

The MoD's home page on the Internet can be found at <http://www.mod.uk>. Alternatively you may contact the MoD Press Office by e-mail at press@dgics.mod-uk.

THE ARMED FORCES CODE OF SOCIAL CONDUCT POLICY STATEMENT

This Code of Social Conduct explains the Armed Forces' revised policy on personal relationships involving Service personnel. It applies to all members of the Armed Forces regardless of their gender, sexual orientation, rank or status. The provisions apply equally to members of the Regular and the Reserve Forces.

2. In the area of personal relationships, the overriding operational imperative to sustain team cohesion and to maintain trust and loyalty between commanders and those they command imposes a need for standards of social behaviour which are more demanding than those required by society at large. Such demands are equally necessary during peacetime and on operations. Examples of behaviour which can undermine such trust and cohesion, and therefore damage the morale or discipline of a unit (and hence its operational effectiveness) include: unwelcome sexual attention in the form of physical or verbal conduct; over-familiarity with the spouses or partners of other Service personnel; displays of affection which might cause offence to others; behaviour which damages or hazards the marriage or personal relationships of Service personnel or civilian colleagues within the wider defence community; and taking sexual advantage of subordinates. It is important to acknowledge in the tightly knit

knit military community a need for mutual respect and a requirement to avoid conduct which offends others. Each case will be judged on its merits.

3. It is not practicable to list every type of conduct that may constitute social misbehaviour. The seriousness with which misconduct will be regarded will depend on the individual circumstances and the potential for adversely affecting operational effectiveness. Nevertheless, misconduct involving abuse of position, trust or rank, or taking advantage of an individual's separation, will be viewed as being particularly serious.

4. Unacceptable social conduct requires prompt and positive action to prevent damage. Timely advice and informal action can often prevent a situation developing to the point where it could impair the effectiveness of a Service unit. However, if the misconduct is particularly serious, it may be appropriate to proceed directly to formal administrative or to disciplinary action. Such action is always to be proportionate to the seriousness of the misconduct. It may constitute a formal warning, official censure, the posting of one or more of the parties involved or disciplinary action. In particularly serious cases, or where an individual persists with, or has a history of acts of social misconduct, formal disciplinary or administrative action may be taken, which might lead to termination of service.

5. The Service Test. When considering possible cases of social misconduct, and in determining whether the Service has a duty to intervene in the personal lives of its personnel, Commanding Officers at every level must consider each case against the following Service Test:

"Have the actions or behaviour of an individual adversely impacted or are they likely to impact on the efficiency or operational effectiveness of the Service?"

In assessing whether to take action, Commanding Officers will consider a series of key criteria. This will establish the seriousness of the misconduct and its impact on operational effectiveness and thus the appropriate and proportionate level of sanction.

January 2000

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We need to prepare additional Q/A on NATO member countries policy on Gay's in the Military. The recent announcement of Britain to allow gays to serve in the military puts the US in an unlikely alliance with Turkey as the only two NATO members that do not allow gays to serve in the military.

John Podesta will be on "Meet the Press" this weekend and we need guidance on the following: **We need something by 1:00 pm today.**

NEW QUESTIONS

1.) What do you think of Britain's Department of Defense's new code of social conduct?

(This code lifts the ban on gays in the military and replaces it with a code of conduct that applies across the forces regardless of service, rank, gender or sexual orientation. It will complement existing policies such as zero tolerance towards harassment, discrimination and bullying.)

2.) What do you think of the European Court of Human Rights ruling, (which led to Britain's change in policy) that the ban on gays in the military is a ban on human rights?

The European Court's opinion is consistent with what the President pressed for in 1992-93....

Britain's policy is essentially what the President first proposed, Congress however, enacted into law the DADT policy, which includes mandatory discharges.

Our judicial and legislative process here in the US is very different, ultimately, DADT is a law which Congress will have to change.

3.) Is there a possibility that the US Supreme Court will overturn the DADT law as a ban on human rights similar to the European Court?

Although cases have been brought before the lower courts....EDDIE

4.) Britain now joins Norway, Finland, Israel, Germany, France, Canada, Australia, New Zealand, ...? etc.(NSC please fill in) In fact, the US and Turkey are the only NATO countries to ban homosexuals from serving.

Will joint NATO maneuvers be threatened because of the DOD's fear of military unit cohesion with NATO forces who allow gays in the military?

• Good order & discipline

JCS legal can't to Chou

Netherlands
France

5.) What do you think of DOD's response to the trial at Ft. Campbell.?

We believe that harassment is a serious problem, DOD has announced....(I will incorporate some of the questions from earlier this week) Need tight synopsis of DOD response.

NATIONAL SECURITY COUNCIL
WASHINGTON, D.C. 20504

Brian Info
0279

January 14, 2000

ACTION

MEMORANDUM FOR SAMUEL BERGER

THROUGH: HANS BINNENDIJK *HB*

FROM: BRIAN PETERMAN *B*

SUBJECT: Update on "Don't Ask, Don't Tell" (DADT) Policy
Implementation

As requested, the memorandum to the President providing an
update on DADT policy implementation is at Tab I.

Concurrence by: Mary DeRosa, Matt Gobush, Miles Lackey

all in draft

RECOMMENDATION

That you sign the memorandum at Tab I.

Attachment

Tab I Memorandum to the President

THE WHITE HOUSE

WASHINGTON

INFORMATION

MEMORANDUM FOR THE PRESIDENT

FROM: SAMUEL BERGER

SUBJECT: Update on the "Don't Ask, Don't Tell" (DADT)
Policy Implementation

The second trial in the Fort Campbell killing of Private Winchell, a gay soldier, was completed on January 8th. Specialist Fisher, roommate of Winchell and instigator of the attack, pleaded guilty to obstruction of justice, making false official statements and providing alcohol to a minor as part of a pre-trial agreement that ensured his testimony in the killer's trial. Fisher was sentenced to 12 ½ years in prison. As part of the sentencing hearing, a psychologist noted that Fisher had a drinking problem, struggled with his own sexual identity, was a cross-dresser since he was 14, had three abusive father figures and had a previous experience with a transvestite. The family of the victim is upset with the pre-trial agreement and told the press they intend to sue the Army.

Secretary Caldera ordered the Army IG to investigate all alleged violations of the DADT policy that were raised in the Winchell trials and to conduct an overall assessment of the command climate at Fort Campbell. In addition, the Army IG will assess the overall implementation of the DADT policy throughout the Army. All Army IG investigations will be completed by May 1st.

The DoD IG climate assessments ordered by Bill on December 13th are on track and should be completed by March 13th.

Rudy DeLeon has agreed to head an informal work group to monitor implementation of the DADT policy and to identify non-legislative ways to improve the policy. The White House Counsel and NSC will be represented on that working group.

Bill's team is being briefed on the Service's individual plans to improve implementation of the DADT policy and he expects to make a public statement on Wednesday, January 19th, initiating a new "don't harass" initiative.

cc: Vice President
Chief of Staff

January 18, 2000

Tuesday

January 2000

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February 2000

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PRESS GUIDANCE

1/14/2000

"Don't Ask, Don't Tell"

Jointly prepared by White House Counsel, NSC and OPL

Section A: Britain and NATO

1.) What do you think of the fact that the UK is going to allow gays and lesbians to serve openly in their armed forces?

- That is the position the President advocated for the U.S. military in 1993. It's consistent with the policy that the President pressed for in 1992-93. A future Congress should consider where Europe is headed.

2.) What do you think of Britain's Department of Defense's new code of social conduct affecting gays in the military?

- As I understand it, the code sets standards for proper social interaction between the diverse mix of individuals serving in the military. These standards, much like we have in our own military, will help commanders maintain good order and discipline within their units.

3.) What do you think of the European Court of Human Rights ruling (which led to Britain's change in policy) that the ban on gays serving openly in the military violated the fundamental human right to privacy?

- The European Court's opinion is setting out a standard of equality and human rights that is something we should study and learn from. It's consistent with the policy that the President pressed for in 1992-93. A future Congress should consider where Europe is headed.

4.) Is there a possibility that the US Supreme Court will overturn the DADT law as a ban on human rights similar to the European Court?

- I'm not sure what the Supreme Court would do, but I don't think this is primarily a legal matter. Here in the United States, It's a question of what makes sense for military readiness and what is fair to gays and lesbians who have served honorably in the military services for a long time.

5.) Most NATO countries now allow homosexuals to serve openly in their militaries. Will the effectiveness of joint NATO maneuvers be threatened because of DOD's fear of diminished military unit cohesion with NATO forces who allow gays in the military?

- I am confident that different policies on this issue will not hinder joint NATO maneuvers or any other NATO action.

SECTION B: ON THE BARRY WINCHELL TRIAL AND DOD'S RESPONSE

Background: The trial of Army Specialist Justin R. Fisher concluded this weekend at Fort Campbell. This is the second court martial stemming from the death of Private First Class Barry Winchell, who was allegedly killed because of his homosexuality. Private Calvin Glover was convicted of murder in a previous court martial. Specialist Fisher was the roommate of Private Winchell and was convicted of obstructing justice, making false statements, and providing alcohol to a minor.

1.) What do you think of DOD's response to the trial at Ft. Campbell.?

- I'm not going to comment about the verdict or sentence in any particular case. This case is in the military justice system, and the legal process is ongoing.
- As a general matter, both the President and the Secretary of Defense have said in the clearest terms that harassment of people based on sexual orientation -- or race and gender for that matter -- is strictly prohibited.
- The Department of Defense is taking a number of actions to review implementation of this policy. The Inspector General of the Department of Defense is conducting an investigation of compliance with our Don't Ask/Don't Tell/Don't Harass policy, and the Army IG is conducting a separate one at Fort Campbell. We are determined to prevent service members from being harassed."

2.) This case raises questions about the safety of servicemen and women on U.S. bases. At Ft. Campbell, for example, underage drinking allegedly contributed to the violence that claimed Private Winchell's life. Are you concerned? If so, what are you willing to do to improve safety?

- Of course, the safety and security of our servicemen and women on our military installations is a paramount concern.

- The Army has committed to review compliance with policies and procedures that protect the health, safety, and security of its soldiers at Ft. Campbell.
- Specifically, the commanding general at Fort Campbell has asked the Army Inspector General to review whether there were violations of the Department of Defense Homosexual Conduct Policy in the events at Fort Campbell.
- Beyond reviewing the Homosexual Conduct Policy, Fort Campbell will also undertake a review of compliance with applicable policies, procedures and regulations.
- I strongly support any measures that improve the safety of our soldiers.

3.) Doesn't this verdict further demonstrate that your "don't ask, don't tell" policy regarding gays in the military does not work?

- As I have said before, our policy has not had a chance to work because it has not been fully implemented. I am committed to improving implementation of the existing policy rather than changing the statute passed by Congress in 1993.
- Secretary Cohen has already taken a number of steps to improve policy implementation, to include a DOD Inspector General review of the environment at military bases as it relates to the homosexual policy and specific tasking to the services on updated training programs. I refer you to DOD for details.

Section C: Presidential Primary

Background: The Human Rights Campaign, a national Gay and Lesbian equal rights group, is going to air an ad campaign starting this Sunday as a response to the Republican ads against the VP's earlier statements.

1.) What do you think of Vice President Gore's statement on the role of the Joint Chiefs?

- He's made clear that he would want the candid advice of Members of the Joint Chiefs, but that he would expect them to support the policy that the Commander in Chief decided. That is the traditional and appropriate relationship between the President and the Joint Chiefs and certainly the one that this President has followed.



Elizabeth J. Potter
01/11/2000 01:20:08
PM

Record Type: Record

To: See the distribution list at the bottom of this message

cc:

Subject: SLDN call to action

SLDN Action Alert:

The Servicemembers Legal Defense Network (SLDN) asks you to contact President Clinton and military leaders to:

- (1) call for the resignation of Major General Clarke, Commanding General of the 101st Airborne Division at Ft. Campbell, KY for permitting a climate of harassment and violence at the base that continues even after the murder of Private First Class Barry Winchell, and
- (2) to protest the light sentence the Army has given to Specialist Justin Fisher, the second defendant in the murder of Private First Class Barry Winchell at Fort Campbell.

1. Resignation of Major General Clarke. Barry Winchell was harassed daily for more than 4 months prior to being murdered. Soldiers report that anti-gay harassment has continued in force at Fort Campbell even after Winchell's murder. In some cases, soldiers have even mocked Winchell's murder, making references to "faggots" and baseball bats, as a way to intimidate others. Soldiers have left Ft. Campbell recently (SLDN has assisted 2 soldiers) because they feared for their safety due to the continuing harassment at the base. SLDN has asked the Army and Department of Defense to take steps to stop the harassment, but nothing has been done.

Major General Clarke is the commander responsible for setting this command climate. Had he set the proper command climate, PFC Winchell might be alive today. Other soldiers would not have been forced to leave or face potential violence against them.

Major General Clarke is the commander responsible for the lack of supervision, lack of leadership and excessive drinking in the barracks that, with anti-gay harassment, created the conditions in which Private Calvin Glover could murder PFC Winchell.

2. Lenient Plea Agreement. Major General Clarke is the commander responsible for granting a lenient plea agreement to SPC Fisher that does not hold him accountable for his role in goading PVT Glover to attack Barry Winchell. The plea agreement is a travesty.

PFC Winchell faced 4 months of rumors, verbal gay-bashing and even being assaulted by SPC Fisher. On one occasion, SPC Fisher assaulted Winchell with a dust pan, opening a wound that required Winchell to receive stitches and that spattered blood on their barracks room door, which Fisher left as a "reminder." Instead of stopping the harassment, unit leaders launched an illegal investigation into Winchell's sexual orientation and directly questioned him about his sexual orientation.

According to testimony at PVT Glover's court-martial, Fisher played a primary role in Barry's murder including: giving PVT Glover the baseball bat; washing the blood off the bat; planning how to cover up the crime; being the primary soldier who taunted Barry about being gay and spread rumors about Barry; and prompting PVT Glover to kill Barry.

Today, SPC Fisher was sentenced to 12.5 years in prison for his role in PFC Winchell's murder. SPC Fisher plead guilty to two counts of obstructing justice (including washing blood off the murder weapon), three counts of false swearing and providing alcohol to a minor. The maximum sentence for these charges is 20 years in prison. The military judge, Colonel Pangburn, sentenced SPC Fisher to 14 years, but the sentence was capped at 12.5 years by the plea bargain agreement.

SPC Fisher originally faced additional charges including being a principal to premeditated murder by allegedly encouraging PVT Glover, to strike Winchell and acting as an accessory after the fact. In exchange for pleading guilty to the lesser charges against him, SPC Fisher agreed to testify against Glover, who was convicted on December 9, 1999, of premeditated murder for beating PFC Winchell to death with a baseball bat while Winchell slept on a cot outside his room. PVT Glover is currently serving a sentence of life in prison with a possibility of parole in 10 years.

WHAT YOU CAN DO TO HELP:

Ask President Clinton, the Secretary of Defense, the Secretary of the Army and the Army Chief of Staff for Major General Clark's resignation because he allowed an anti-gay climate to grow unchecked at the base and tell them that you are concerned that a soldier who was heavily involved in a brutal murder got such a lenient sentence.

President William Jefferson Clinton
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Call: 202.456.1111
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The Honorable William S. Cohen
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Comment via the Army's web site:
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<http://www.defenselink.mil/faq/comment.html>

The Honorable Louis Caldera
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<http://www.dtic.mil/armylink/comment.html>
<http://www.defenselink.mil/faq/comment.html>

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<http://www.defenselink.mil/faq/comment.html>

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