

# Military Culture Coalition

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Washington, D.C. 20036

General Carter F. Ham, USA  
Jeh Johnson, General Counsel, Department of Defense  
Co-Chairs, Comprehensive Review Working Group (CRWG)  
The Pentagon, Room 2B546A  
Washington, D.C. 20301

October 1, 2010

**Re: Comprehensive Review Working Group (CRWG) Report to Congress**

Dear General Ham and Mr. Johnson,

Thank you for the opportunity to submit this letter and accompanying documents to the Comprehensive Review Working Group. They update the issues and concerns that we raised during the first meeting that you hosted with the Military Culture Coalition (MCC) on March 4, 2010, and our most recent meeting on September 16. We appreciate your interest and willingness to consider our concerns.

As we discussed last week, in March we gave to you several documents, including a January 2010 Center for Military Readiness Policy Analysis that illustrated with schematic charts the many issues that should be included in your final report to Congress. The charts were a partial representation of a wide range of issues and concerns that are complicated and consequential.

We do not have an outline of the topics that you plan to address in your report, but this letter and the accompanying documents covers a list of topics outlined in the CRWG Terms of Reference and the report that Congress is expecting. We hope that this format, accompanied by an index of the topics referenced, is useful to you and your staff in writing that report.

CMR and other MCC-affiliated organizations and individuals have sent to you numerous policy analyses, reports, articles, and documents—many of which are listed in the attached bibliography of relevant writings. We also gave you a copy of the statement of the Flag and General Officers for the Military, which was presented to President Obama and senior members of Congress in March, 2009.

As you know, 1,167 distinguished retired generals and admirals, including 51 who had achieved four-star rank, have personally signed this statement of support for

the current law. It is an unprecedented and authentic statement that reflects actual military experience in recent and previous wars, not just theory and ideology alone.

Much has been made of academic “experts” who use “empirical” information and opinion purporting to carry superior weight. Scientists—social and otherwise—often use that term to describe conclusions that are derived from observation and are verifiable by means of statistical analysis or experimentation. But the scientists mean “verifiable” by methods of controlled studies employing various techniques of statistical analysis to reach credible conclusions. Social experiments with real people preparing for or fighting a war are not possible, verifiable, or justifiable in terms of military necessity.

In recent weeks several groups advocating repeal of the 1993 law have issued reports claiming that full implementation of an LGBT law or policy for the military would be “easy.” Misguided predictions of certain success for an unprecedented social experiment in the American military are based on theories that disregard decades of military experience and what we know about human imperfections.

It would be unwise to implement unrealistic theories and the assumptions of civilian experts who disregard the natural and powerful force of sexuality in environments unique to the armed forces. Misguided claims such as this are tantamount to a 1950s-era “expert” predicting that it would be “easy” to put men on the moon despite the natural and powerful force of earth’s gravity. The noble, difficult effort that achieved that goal in space, despite high costs and life-threatening risk, was justified in terms of the national interest. In contrast, a costly and problematic social experiment with a small number of LGBT personnel in our military cannot be justified in terms of military necessity.

The cumulative burden of predictable issues and problems requiring identification and “mitigation,” should current law be repealed, would be complicated and problematic for military commanders and personnel at all levels. In any report described as “comprehensive,” all of these issues need to be addressed. They reflect what the Flag & General Officers for the Military summarized in their unequivocal statement of support for current law.

The American Heritage College dictionary also defines “empirical” as “*guided by practical experience and not theory...*” We respectfully request that as the CRWG considers voluminous information from all sides, greater weight be assigned to the statements of leaders and individuals whose opinions are indeed “*guided by practical experience and not theory.*” These include leaders and individuals with extensive experience in combat (defined as deliberate offensive action against the enemy), or long deployments in military communities (such as infantry battalions, Navy SEALs, and submarines), which offer little or no privacy.

In these forces and communities “cohesion” is properly defined not as liking one another, but as mutual trust and dependence for survival in combat. Experienced

personnel in these forces and communities would be most difficult to replace should they decide to leave the military in mid-career, or avoid enlistment in the first place.

Under the U.S. Constitution, Congress has the authority and responsibility to raise and support the armed forces, and to write the laws that govern the land and naval forces. Members who represent their constituents are not bound by academic theories or the administration's political promises when deciding the best way to meet these responsibilities. For this reason we ask that you present all relevant information to Congress with an even hand, correcting for an apparent bias resulting from the assumption that the 1993 law will be repealed.

Several leading advocates of repeal have expressed the belief that the CRWG report will be presented as an endorsement of their own goals and opinions. We trust that the CRWG will discourage that interpretation, which would not meet the expectations of Congress. Objectivity and neutrality is even more important in view of the fact that Defense Department surveys and meetings with active-duty personnel have omitted many important questions, including inquiries measuring support for retaining the current law.

As we said during our recent meeting, we do not expect plans or recommendations for all of the issues listed, but at a minimum your report due on December 1 should address all of the topics listed with a balanced perspective, so that members of Congress can decide. If the CRWG has not formulated plans or recommendations for each of the issues listed, that should be indicated as well.

Finally, those of us who have met or talked with you have done so in good faith. We have tried to be helpful in providing to you and to Congress the information and analysis needed to make informed decisions. As we have stated before, however, nothing in this communication or other interactions between organizations affiliated with the Military Culture Coalition and the CRWG should be construed as an endorsement of or an agreement with any decision to repeal or undermine enforcement of Section 654, Title 10, U.S.C, and its fifteen findings of fact.

This letter and attached documents will be posted on the Military Culture Coalition website [www.militaryculturecoalition.com](http://www.militaryculturecoalition.com), and will be made available to members of Congress. If you require more information, please let us know.

Sincerely,

Undersigned Supporters of the Military Culture Coalition (Partial List)



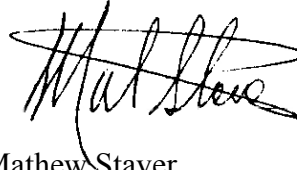
Elaine Donnelly  
President, Center for Military Readiness



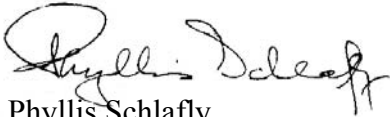
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President, Center for Security Policy



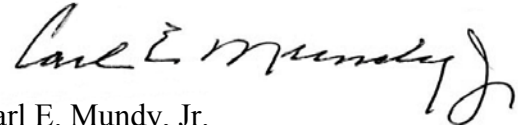
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Phyllis Schlafly  
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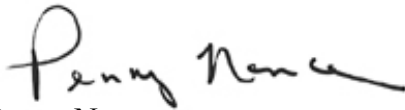
Carl E. Mundy, Jr.  
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Penny Nance  
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Senior Vice Pres., Alliance Defense Fund

CC: Military Culture Coalition

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