

False “National Security” Argument for Gays in the Military

Small Number of Discharges Do Not Justify Repeal of 1993 Law

The ongoing campaign for homosexuals in the military has repeatedly claimed that personnel losses due to homosexuality pose what some activists call a “threat to national security.” Focusing constantly on almost 13,000 discharges for homosexuality that have occurred since 1994, activists imply that such losses—over a period of 15 years—have nearly crippled the All-Volunteer Force. Under closer examination, the argument falls apart.

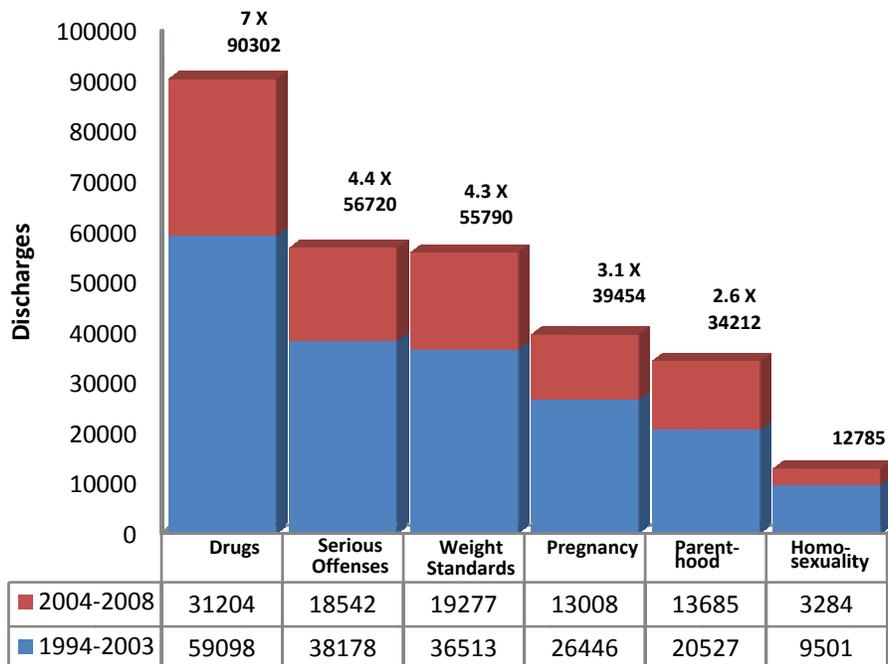
Newly released Defense Department figures documenting military discharges in the past five fiscal years show the same pattern evident in the previous decade: Discharges due to homosexuality affect a minuscule number of troops, and represent less than one percent of personnel losses that occur for other legitimate reasons.

The tables below highlight discharges in the years 2004-2008. ¹ According to these numbers, provided to the Congressional Research Service by the Defense Department, discharges due to homosexuality, averaged over five years, accounted for only 0.32 percent of all losses; only 0.73 percent if departures due to retirement or completion of service are excluded. *

	Discharges				Discharges		
	For Homosexuality	All Other	Homosexuality As % of All Discharges		For Homosexuality	Unplanned (*)	Homosexuality As % of Unplanned Discharges
2004	669	212,405	0.314%	2004	669	90,001	0.743%
2005	728	217,695	0.333%	2005	728	94,688	0.769%
2006	618	201,338	0.306%	2006	618	84,289	0.733%
2007	635	211,569	0.299%	2007	635	93,566	0.679%
2008	634	187,331	0.337%	2008	634	85,713	0.740%

The Department of Defense first put the issue into perspective in 2005, when the Under Secretary for Personnel & Readiness provided figures on discharges for homosexuality, compared to losses in general, for the years 1994-2003. The average percentage of discharges due to homosexuality during those ten years, as calculated by the Department of Defense, was 0.37. ²

In 2005 the Department of Defense also provided figures comparing discharges for six reasons, including homosexuality, for ten years, 1994-2003. Highlighting the same categories for the subsequent five years, 2004-2008, it is easy to see that proportionate losses for the six reasons noted have not changed significantly.

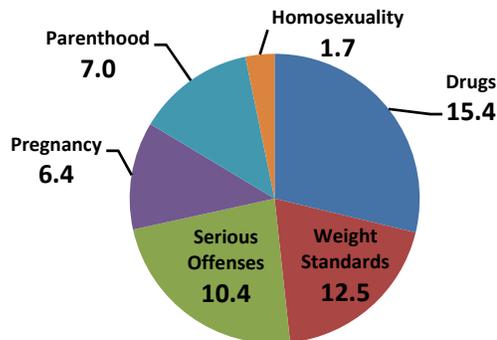


Discharges 1993-2008: Homosexuality Compared to Other Reasons

The current campaign to repeal the 1993 Eligibility Law, Section 654, Title 10, U.S.C., keeps complaining that two homosexuals are discharged each day. The estimate, however, is highly misleading. Viewing the figures for FY 2008 and putting them into context, it is clear that although two servicemen per day (actually 1.7) become ineligible due to homosexuality, four times as many (7) were lost due to parenthood. In the same way, almost four times as many (6.4) left due to pregnancy.

Weight standard violations ended the careers of seven times as many (12.5), and nine times as many (15.4) were discharged due to drug abuse problems. Discharges occur every day, but losses primarily due to admissions of homosexuality—which could have been avoided if the law were properly understood and implemented—do not pose a threat to national security.

Reason	Discharges	
	FY 2008	Per Day
Drugs	5627	15.4
Serious Offenses	3817	10.4
Weight Standards	4555	12.5
Pregnancy	2353	6.4
Parenthood	2574	7.0
Homosexuality	634	1.7
	19560	



Approximate Personnel Losses per Day – FY 2008

Numbers published by the Congressional Research Service (CRS) on August 14, 2009, confirm that the small numbers and percentages of discharges for homosexuality never have threatened military readiness.³ A table in that report showing both the numbers and percentages of homosexual discharges compared to the Total Active Force over a period of 28 years (1980-2008) indicate that losses ranged between 0.095 in 1982 to 0.038 in 1994, with the average being 0.063%. (pp. 9-10)

The CRS Report also refutes the notion that discharges declined during the 1991 Persian Gulf War due to “stop loss” orders that retained gays, lesbians and bisexuals during that war: “*Such a pattern is not evident in these data.*” As in a February 2005 report, CRS notes that personnel not subject to stop-loss orders include “*soldiers eligible for disability retirement or separation, dependency, hardship, pregnancy, misconduct, punitive actions, unsatisfactory performance and homosexuality.*”

Some activists who complain about too many discharges nevertheless claim that there are too few, due to alleged suspension of regulations regarding homosexuals when units are deployed in the current war.⁴ On the contrary, the CRS has confirmed that if a person claims to be homosexual just prior to deployment, an investigation taking as long as eight weeks still must take place. During that time he may be deployed, but if his claim is confirmed, he is returned home and honorably discharged. These rules discourage the possibility of “*false claim[s] of same sex behavior being used as a means of avoiding a mobilization.*” CRS adds that retention of individuals who are not eligible for service is a “*violation of federal law.*”

On page 6 of its 2009 analysis, CRS quotes an April 1998 Department of Defense report that confirmed that most losses due to homosexuality occur among “*junior personnel with very little time in the military...[and] ... The number of cases involving career service members is relatively small.*” Furthermore, “*...the great majority of discharges for homosexual conduct are uncontested and processed administratively...more than 98% [in FY 1997] received honorable discharges.*”

The Secretary of Defense could reduce these numbers to near-zero by complying with language in the 1993 law directing that all personnel receive required briefings on the meaning and effect of the law. The Secretary also could rescind the administrative “Don’t Ask, Don’t Tell” policy/regulations that former President Bill Clinton imposed on the military in December 1993, and exercise his legally-authorized option to restore “the question” about homosexuality that used to appear on induction forms. Homosexual can serve our country in many ways, but they are not eligible to serve in the military. ■

¹ Obtained from the Department of Defense by House Armed Services Personnel Subcommittee Ranking Member John Kline (R-MN).

² Letter from Dr. David Chu, Under Secretary of Defense for Personnel & Readiness, Feb. 7, 2005, published in the GAO Report “Military Personnel Financial Cost and Loss of Critical Skills Due to DoD’s Homosexual Conduct Policy Cannot be Completely Estimated,” GAO-05-299, Feb. 2005, pp. 42-43.

³ David F. Burrelli, “Don’t Ask, Don’t Tell: The Law and Military Policy on Same-Sex Behavior,” Congressional Research Service, Aug. 14, 2009, 7-5700, R40782, pp. 5-10.

⁴ Michael D. Palm Center, “Researchers Locate Army Document Ordering Commanders Not to Fire Gays,” Sept. 13, 2005, and “Pentagon Acknowledges Sending Openly Gay Service Members to War,” Sept. 23, 2005. The Palm Center claimed to have found an Army handbook from FORSCOM, Fort McPherson, GA, stating that homosexuals could be retained during deployments.