



Center for Military Readiness



Promoting high standards and sound priorities for our military men and women.

For Immediate Release

December 19, 2010

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Congress Ignores Troops in Lame-Duck Repeal of Gays-in-Military Law

Full Hearings and Informed Oversight Would Have Halted Controversial Bill

*In response to yesterday's vote leading to repeal of the 1993 law regarding homosexuals in the military, **Elaine Donnelly**, President of the **Center for Military Readiness**, issued the following statement:*

"Yesterday the United States Senate voted for legislation that will impose heavy, unnecessary burdens on the backs of military men and women. They are the ones who will pay a very high price for Congress' reckless decision to help **President Barack Obama** deliver on political campaign promises to **LGBT** (lesbian, gay, bisexual, transgender) activists.

"Sixty-five senators voted for the no-amendments-allowed bill in a lame-duck session. History will note that the outgoing 111th Congress acted with needless haste allowing no time for substantive hearings to examine findings and controversial recommendations in the Pentagon's **Comprehensive Review Working Group Report**. Liberals in Congress knew that the report could not withstand informed scrutiny, so **Sen. Susan Collins** (R-ME) persuaded others to join her in breaking their word on legislative priorities—a betrayal that belied previous statements calling for full and open debate.

"Adding insult to grievous and possibly irreversible injury, **Sen. Joe Lieberman** (I-CT) celebrated 'victory' for his legislation by praising the results of First Amendment rights enjoyed by well-funded, mostly-civilian **LGBT Left** groups. The remark was a thoughtless affront to concerned combat troops who tried to express support for the current law through the Pentagon's Working Group process, only to find that their opinions were deliberately ignored.

"Without providing quantitative data on the results of focus groups nationwide and overseas, the Working Group conceded, '**Our sense is that the majority of views expressed were against repeal.**' (p. 49) Not only were these opinions disrespected, Adm. Mike Mullen has already stated more than once that anyone who disagrees with the LGBT law no longer will be welcome to serve.

"In addition to involuntary personnel losses due to Adm. Mullen's 'zero tolerance' of dissent, cross-tabbed data displayed on the **2010 DADT Survey** website indicate that among **Army** combat arms personnel, **21.4%** would leave sooner than planned, and **14.6%** would think about leaving--a total potential loss of more than a third (**36%**) of those valuable troops. ([DADT Survey Appendix J](#), p. 53)

"**Marine** combat arms would be weakened even more, with **32%** of Marines saying they would leave sooner than planned, and **16.2%** considering an early end to their careers, totaling almost

half. ([DADT Survey Appendix L](#), p. 47) The gradual loss of so many combat troops and what the report described as “**only 12%**” of families likely to decline re-enlistment could put remaining troops in greater danger, and *break* the All-Volunteer Force. (CRWG Report, p. 4)

“Such findings should make it impossible for President **Barack Obama**, Defense Secretary **Robert Gates** and Joint Chiefs Chairman **Adm. Mike Mullen** to ‘certify’ that no harm will be done by implementation of their own plans for repeal. The president’s political promise to LGBT Left groups has been assigned highest priority, at the expense of Army and Marine combat troops whose voices were heard but ignored.

“**Senator Jim Webb** (D-VA), who [rationalized his vote](#) by relying on such a promise from Secretary Gates, has played the same role that **Rep. Bart Stupak** (D-MI) did when he accepted worthless assurances from the administration in exchange for his vote on the health care bill.

“Some media commentators are asking—belatedly—what repeal of the 1993 law would mean. All should consider the self-inflicted problems presaged in the [CRWG Report](#), and proposed “mitigation” strategies advocated in the [Support Plan for Implementation](#). To mention only a few, they include:

- A mandate to “*prohibit the creation of separate bathroom and shower facilities based on sexual orientation.*” (p. 18) Such a policy, tantamount to forced cohabitation of men with military women, would disregard normal dynamics of human sexuality. Local commanders dealing with unprecedented problems would be, essentially, on their own.
- Mandatory “three-tiered” education program, focusing on resistant combat troops, to change attitudes and opinions on LGBT issues. (pp. 25-26) The plan does not suggest ways to get personnel accustomed to routine personal exposure to others who may be sexually attracted to them, in conditions of “forced intimacy” offering little or no privacy.
- Punishments for “*resistance;*” i.e., zero tolerance of anyone who disagrees for any reason, including “*moral or religious beliefs.*” (pp. 50-51) Senate testimony confirmed that an undetermined number of chaplains having moral conflicts with LGBT policies would be lost to the service. The report concedes that on the issue of religious freedom for chaplains, “*boundaries are not always clearly defined.*” (p. 16 and p. 80) Litigation is guaranteed, but Congress has surrendered decision-making power to unelected bureaucrats or federal courts.
- Repeal of certain personal conduct provisions in the UCMJ, eliminating or lowering some standards to accommodate consensual homosexual conduct. (p. 18) Congress has just voted to repeal statutory findings that rules of conduct apply both on- and off-base.
- Unresolved issues involving marital status, including disparities in benefits and access to family medical care in states that do not recognize same-sex marriages, plus access to military family housing for opposite- and same-sex unmarried couples. (pp. 19-21) Again, the courts will likely decide, at the behest of administration who will cite LGBT Law in the military to accomplish repeal of the DOMA.
- Unresolved questions about morale and costs related to the retention of HIV+ personnel, who must be retained in non-deployable status under current regulations. (p. 22)

“A thorough reading of the entire report and its recommendations reveals not a single point or argument showing consequences that would *benefit* the All-Volunteer Force. Instead, the

document recommends “mitigation” of expected problems, and downplays risks by making the absurd claim that all will go smoothly if the Working Group’s recommendations are followed, no matter how unrealistic or potentially harmful they are.

“The elitism and arrogance behind these flawed recommendations will cause years of harmful consequences, which our troops did nothing to deserve. History will hold accountable every legislator who voted to make it happen.”

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The Center for Military Readiness is an independent, non-partisan public policy organization that specializes in military social issues. In January 2010 CMR organized the Military Culture Coalition, which has posted abundant information on this subject at www.militaryculturecoalition.com