

in consultation with military leaders—to develop the details and implementation of the new policy; and

3. That we all—the general public, the Congress, and the military—should be guided by the American tradition of a strong respect for diversity.

Thank you, gentlemen, for this opportunity to be with you today.

SOURCE REFERENCE

GAO Report
 Congressional Research Service report by David R. Burrelli
 News article by Jeffrey S. Davis, "Military Policy Toward Homosexuals"
 "Military Policies Regarding Homosexual Behavior: An International Survey," by Stanley E. Harris, M.D.
 "Report of the Human Rights and Equal Opportunity Commission on Australian Defence Force Policy on Homosexuality" prepared by the Australian Human Rights Commission
 Australian Defence Force Code of Unacceptable Sexual Behavior
 Canadian Forces Personnel Newsletter, Issue 6/92
 Frank D. Pond, long paper setting forth policies in each country utilizing media research.

Chairman NUNN. Thank you, Dr. Stiehm. General Waller.

**STATEMENT OF LT. GEN. CALVIN WALLER, U.S. ARMY
 (RETIRED)**

General WALLER. Mr. Chairman, other distinguished members of the committee, thank you for this opportunity to speak before you today.

As a Retired General Officer of the United States Army, who spent 32½ years on active duty, with the vast majority of those years in troop assignments, commanding soldiers from platoon through the corps level, as well as serving as second in command of all forces deployed to Operations Desert Shield and Storm, I do believe that I have a great appreciation for the issue that is before this committee: The rights of homosexuals to serve openly in the Armed Forces of the United States of America.

I have had four assignments in Germany, several assignments in Korea, served in Vietnam, and as I just mentioned, in the Persian Gulf War; and Vietnam and the Persian Gulf War were under combat conditions.

I am dismayed at some of the testimony that has taken place before this committee, about how other countries handle the issue of homosexual in their own forces, which, in essence, leads us what I call down a primrose path, in some cases. You have already heard testimony about Canada, just recently started that experiment in October 1992, and I would ask my distinguished colleague to remember that October 1992, when Canada started its policy, that was after Desert Storm; and we really do not know what those results are going to be.

We have heard the Dutch, we have heard the Danish, and other forces. The emphasis on individual rights, and not the readiness of their Armed Forces, is the key ingredient in what happens to the Dutch and the Danish. Additionally, the Dutch forces are unionized; gays have their own union. I dare say, this is something that we do not want to emulate in this great nation of ours. Now, my experience in Korea leads me to understand that their policy is no toleration of known homosexuals in their ranks.

And finally, in all my dealings with the many nations who provided military forces to Operations Desert Shield and Desert

Storm, the vast majority of those nations, as you have heard here today, did not allow known homosexuals to serve in their military units, who were part of the Persian Gulf forces. This is something that was not lost on this old soldier.

Gentlemen, when we allow comparisons of smaller countries to this great nation of ours, the comparison between these countries with their policies regarding known homosexuals serving in their country, it is my belief that we do a grave disservice to our fellow American citizens. As an example, we do not point out to our fellow citizens that most of the NATO countries' armed forces serve in their own country. Only a very few of these forces are deployed outside the boundaries of their nations.

Most of the forces do not even live in barracks, but can live, as you have heard from other testimony, they live at home. They can commute to their military units in a fashion very similar to what our factory workers do. Few NATO countries provide government quarters on their installations as we do for our forces.

Now, at least two members of this committee visited me in Germany, when I commanded a mechanized division of 18,000 soldiers that were scattered over 11 different communities throughout Germany. You were able to see firsthand how these soldiers lived, in the major training areas; how they lived in field environments, under simulated combat conditions.

Additionally, while I was a corps commander, I deployed several divisions to Korea on joint training exercises, for months at a time. No other country does this as we, in this great nation of ours, do it.

Gentlemen, soldiers, sailors, marines, airmen, they identify with their small units, the squad, the fire team, the tank crew, the section, the platoons, the companies, troops and batteries. These men and women want to be associated with individuals who they can trust under combat conditions; individuals they consider as a family, where teamwork has been forged and tested under the most adverse conditions, and that is simulated combat, or combat.

Most surveys indicate that this type of cohesion and teamwork cannot be attained with avowed homosexuals in their midst. As we downsize our armed forces, we must also consider how important it is to maintain our readiness and our deployability.

I often wonder what will happen in the future, if we are required to deploy large units to some trouble area in the world. And we ascertain that, for health reasons, we have 500 to 1,000 military persons who are nondeployable. I am equally concerned about the health care budget of our military forces.

Gentlemen, I want to emphasize that the military is not a democracy. The very nature of our armed services dictates that we discriminate against some of our greatest American citizens. Cohesion and discipline are the soul of a military organization. It is my opinion that homosexuals that are allowed total openness in our Armed Forces would cause less ready units, or units that would not nearly be as effective as the units we currently have.

It appears to me that a vast majority of the individuals who are in favor of lifting the ban on homosexuals in the Armed Forces fail to really understand or appreciate just how difficult such a decision

would be for commanders in the field, or those who are on the seas. How difficult it is to maintain good law and order.

There is a big difference between the normal workplace of 8-hour days, and a military unit, where units are routinely required to live in close and cramped quarters under the most adverse conditions. Having a casual encounter with an individual who is openly homosexual is one thing; on the other hand, having to be exposed to the same individual on a 24-hour basis, day in and day out, is a horse of another color.

The commanders already have enough to keep them busy 12 to 14 hours a day. And I heard that people have said, "This is a leadership problem. Why do we not just give it to them, and tell them to do it?" They are already working 12 to 14 hours a day; they are in the midst of one of the most difficult things that we have ever had to put upon them, that is to downsize this military, to bring it to where it needs to be. Yet we want to throw one more thing on their plate. Why, in the name of God, are we willing to tell those great young captains and lieutenants, or whoever is in command of those units, that this is your problem: You have to deal with it?

Mr. Chairman, and other distinguished members of this committee, I suppose the one thing that upsets me more than anything else about this issue is the comparison that so many individuals want to make between the integration of the Armed Forces of homosexuals, and the integration of African-Americans into our Armed Forces. I had no choice, in regarding my race, when I was delivered from my mother's womb. To compare my service in the America's Armed Forces, which I submit to you is not a deviant force, with the integration of avowed homosexuals, is personally offensive to me.

I am on record in *The Washington Post* of February 13, 1993, in an article written by Lynne Duke, whereby I stated that while I can sympathize with gays and what they are going through, I draw the line when openly gay personnel, or homosexuals, want to openly foist their lifestyles upon soldiers, sailors, airmen and marines.

In summary, there is no question that homosexuals have served, and are currently serving in the Armed Forces of this great Nation. In my humble opinion, the difference is: They did their job, and most did it well. They were not open, and not permitted to subject their way of life on the unit.

If the ultimate decision is to allow openly declared homosexuals to serve in the Armed Forces, I am confident that the military leadership, as well as military personnel, will salute and make the best of that situation. However, I do not believe that the American people want to have a second-rate Armed Forces. Therefore, I recommend we do not lift the ban on avowed homosexuals serving in our Armed Forces.

Thank you, Mr. Chairman.

[The prepared statement of General Waller follows:]

PREPARED STATEMENT BY LT. GEN. CALVIN A.H. WALLER, USA (RET.)

Mr. Chairman thank you for this opportunity to speak before your committee today.

As a Retired General Officer of the U.S. Army, who spent 32½ years on Active Duty, with the vast majority of those years in troop assignments; commanding soldiers from platoon through Corps, as well as serving as second in command of all

forces deployed in Operations Desert Shield and Storm, I do believe that I have a great appreciation for the issue that is before this committee . . . the rights of homosexuals to serve openly in the Armed Forces of the United States of America.

I have had four assignments in Germany, several assignments in Korea, served in Vietnam and in the Gulf war under combat conditions. I am dismayed at some of the testimony that has taken place before this committee about how other countries handle the issue of homosexuals in their armed forces:

Canada—Just recently started their experiment in October of 1992. We really don't know what their results will be.

Dutch and Danish—Emphasis on individual rights and not on readiness of their armed forces is the key ingredient to these two countries. Additionally, the Dutch forces are unionized, and gays have their own union. I dare say this is something we do not want to emulate.

Korea—The Korean forces do not tolerate known homosexuals in their ranks.

Finally, in all my dealings with the many nations who provided military forces to Operations Desert Shield and Storm, the vast majority of them, did not allow known homosexuals to serve in their military units. This is something that was not lost on this old soldier.

Gentlemen, when we allow comparisons of the smaller countries and what their policies are regarding known homosexuals service to their country, we do a grave disservice to our fellow American citizens. As an example, most of the NATO countries armed forces serve in their own country, only a very few are deployed outside of their boundaries. Most of their forces do not even live in barracks, but can live in their home towns and can commute to their military units in a fashion similar to our factory workers. Few NATO countries provide government quarters on their installations as we do for our forces. At least two members of this committee visited with me in Germany when I commanded a mechanized division of 18,000 soldiers scattered over 11 different communities throughout Germany. You were able to see first hand how these soldiers lived in the major training areas and in field environments under simulated combat conditions. Additionally, while I was a Corps commander I deployed several divisions to Korea on joint training exercises for months at a time. No other country does this, as we do.

Gentlemen, soldiers, sailors, marines and airmen identify with their small units (the squad, fire team, tank crew, section, platoons, companies, troops and batteries), these men and women want to be associated with individuals who they can trust under combat conditions, individuals they consider as a family where teamwork has been forged and tested under the most adverse conditions . . . simulated combat. Most surveys indicate that this type of cohesion and teamwork can not be attained with avowed homosexuals in their midst. As we downsize our Armed Forces we must also consider how important it is to maintain our readiness and deployability. I often wonder what will happen in the future if we are required to deploy large units to some troubled area and we ascertain that for health reasons we have 500-1000 military personnel who are non-deployable? I am equally concerned about the health care budget of our military forces.

Gentlemen, I want to emphasize that the military is not a democracy. The very nature of our armed services dictate that we discriminate against some of our greatest American citizens. Cohesion and discipline are the soul of a military organization, it is my opinion that homosexuals that are allowed total openness in our Armed Forces would cause less ready units or units that would not be nearly as effective as the units we currently have.

It appears to me that the vast majority of the individuals who are in favor of lifting the ban on homosexuals in the Armed Forces fail to really understand or appreciate just how difficult such a decision would be for commanders in the field or on the sea to maintain good law and order. There is a big difference between the normal workplace of 8 hour days and a military unit, where units are routinely required to live in close and cramped quarters or under the most adverse conditions. Having a casual encounter with an individual who is openly homosexual is one thing, on the other hand having to be exposed to the same individual on a 24 hour basis, day in and day out is "a horse of another color." The commanders already have enough to keep them busy 12 to 14 hours per day . . . why in the name of God are we willing to put something else on his or her plate?

Mr. Chairman and members of the committee, I suppose the one thing that upsets me more than anything else about this issue, is the comparison that so many individuals want to make between the integration into the Armed Forces of homosexuals and the integration of African Americans into our Armed Forces. I had no choice regarding my race, when I was delivered from my mother's womb. To compare my service in America's Armed Forces with the integration of avowed homosexuals is personally offensive to me. I am on record in the Washington Post of February 13,

1993; in an article written by Lynne Duke; whereby I stated that while I can sympathize with what gays are going through, I draw the line, when gays want to openly foist their lifestyle upon soldiers, sailors, airmen and marines.

In summary, there is no question that homosexuals have served and are currently serving in the Armed Forces of this great Nation. In my humble opinion the difference is, they did their job and most did it well, they were not open and not permitted to subject their way of life on the unit. If the ultimate decision is to allow openly declared homosexuals to serve in our Armed Forces, I am confident that the military leadership, as well as all military personnel will *Salute*, and make the best of the situation. However, I do not believe that the American people want to have second rate armed forces. Therefore, I recommend we do not lift the ban on avowed homosexuals serving in our Armed Forces.

Chairman NUNN. Thank you, General Waller.

General Waller, your last statement is a powerful one. As I understand it, what you are saying is that if the ban is lifted, then the military men and women, as they always do, will salute and obey the commander in chief and obey the laws of the country, is that correct?

General WALLER. That is my opinion, sir. It is.

Chairman NUNN. But you also believe it will substantially degrade the capability of our United States military forces.

General WALLER. I indeed do. I believe that we will become a second rate force.

Chairman NUNN. General Waller, Dr. Larry Korb testified that, "I find no convincing evidence that changing the current policy would undermine unit cohesion any more than any other social changes that society has asked the Armed Forces to make over the past 50 years. In fact, this change is likely to have less short term impact on cohesion." How would you react to that statement?

General WALLER. Mr. Chairman, I would react to that particular statement as not a very responsible statement, in the regards that if you are going to change the military unit to a force that must have openly homosexuals in it and permit them to do as they want, and so forth, then I think that you are going to have a severe impact on the kind of people that you attract to the military force.

Right now, we get some of the best young men and young women that I have ever seen in my life. And I would not have said that in the seventies. But I will tell you right now, when I left the military any of you would have been proud to have 90 percent of those young men and young women as your sons or daughters.

I think that if you allow this sort of thing to happen that you are going to see that the good young men and young women that we currently have will say I do not want to be a part of that kind of force. I have done a lot of surveys, not scientifically done, but in talking to young men and young women who say this is not something that I think we want to have in the Army, the Air Force, or the Navy that I joined.

So for those reasons, I think it would have a serious impact on recruitment, thus have a serious impact on readiness, thus put us in the second rate type of force.

Chairman NUNN. General Waller, we read all the time and we hear people say and we have had testimony before this committee that this is very similar to the civil rights movement and that those who oppose lifting the ban are in the same position of those who opposed having blacks in the military years ago. How do you react to those comparisons?

General WALLER. As I said in my statement, I think that there is a great deal of sympathy on the part of most blacks or African Americans with gays in how they are going through this particular phase. However, I do not see it as the same. I do not believe it is the same because we are talking about something that an African American has no control over. We are talking about the lifestyle or the sexuality of a person who wants to be open with their sexuality or with their lifestyle into a force or into the Armed Forces where I think that it is detrimental to readiness and to good law and order and discipline.

Chairman NUNN. So you disagree with that analysis?

General WALLER. I violently disagree with it. I am opposed to that. I do not like that analogy. I do not think it is the same in any respect.

Chairman NUNN. Dr. Moskos and Dr. Segal, I would like to ask you the same question and get your responses. I am not sure whether my time will permit, but I want all of you to respond to that basic statement by Dr. Korb where he says, again, "I find no convincing evidence that changing the current policy would undermine unit cohesion any more than any other social change that society has asked the Armed Forces to make over the past 50 years. In fact, this change is likely to have less short-term impact on cohesion." Having looked at the military over the years, how do you view that?

Dr. MOSKOS. I disagree with that statement. During that same session, of course, you had two leading experts on unit cohesion, Darryl Henderson and David Marlowe, who also disagreed with Dr. Korb on that question. I would certainly agree with Marlowe and Henderson, who argued this would be a factor working for less cohesion.

I might also say that as one goes out into troop units, contrary, I think, to popular impression, the further away you get from the Pentagon the more disturbance there is about this debate.

And I think it is also relevant—I may tag on just very briefly to the question you asked General Waller on the race analogy—it is a superficial analogy although there are obviously some points of similarity. Interestingly enough, we had test groups occurring in World War II in a sense. During times of great battle need, black units were incorporated into white units, generally with very favorable results. This was later used to argue for desegregation.

Many surveys were taken during the forties and during the fifties. Today, the Department of Defense, of course, has forbidden surveys on this question quite to the contrary to what happened during the 1940s and 1950s on race relations. Apparently, they do not want to hear what the troops have to say.

Chairman NUNN. I know you have done a survey and I have seen parts of it. I would like for you, if you would, to just summarize that for us. Tell us when you did it and so forth.

Dr. MOSKOS. The survey that in particular was an independent survey conducted in December last year at Fort Bliss and Fort Hood of 900 soldiers were surveyed 50-50 male-female, because we were also interested in women's issues. One other thing I wanted to mention about the racial analogy is that in a sense also it trivializes the black experience, the black struggle, an enslaved

people, is quite different, I think, from the gay/lesbian analogy. The New Republic even agrees with me on that, which of course generally takes a pro-gay viewpoint.

Chairman NUNN. My time has expired. Would the Committee prefer—

Dr. MOSKOS. Should I leave it go?

Chairman NUNN. Please go ahead, I think everybody is interested in the results of the survey.

Dr. MOSKOS. This is the only survey done besides *The LA Times* which did an off-base survey in January. 78 percent of the men disagree with the proposition that the ban should be lifted. That, by the way, was exactly the same number within a percent of the Los Angeles Times survey on the same issue. Only 47 percent of the women, by the way, disagree. That is, only 47 percent of the women want to maintain the ban. So there is a sex difference there of some note.

Chairman NUNN. What percentage of women would lift the ban?

Dr. MOSKOS. The percentage of women who would lift the ban would be 43 percent versus 17 percent of the men, if you turned it around that way. Seventeen percent of the men said they agree with the statement lesbians and gays should be allowed in the military versus 43 percent of the females.

The male disagreement with lifting the ban does contrast, by the way, when all white units on the eve of integration in the early 1950s during the Korean War were asked that same kind of question, 33 percent of the white soldiers opposed bringing blacks into their units. So in other words, men today are twice as opposed to lifting the ban for gays as compared to white soldiers to lifting the ban for blacks on the eve of the Korean War.

That was probably closely analogous to the times because things were moving in the direction towards racial integration and is kind of in a rough way comparable to today where things seem to be moving toward lifting the gay ban.

Senator KENNEDY. Was that prior to Brown versus Board of Education?

Dr. MOSKOS. This was prior, Senator Kennedy. It was 1951.

Another question: Do you personally know any men in your company who are gay? It is a sort of interesting difference here that women are more likely to know more gay men as well as lesbians than the men claim to know. Nine percent of the men, by the way, say they know of a gay in their company. Another 18 percent are not sure.

When you ask that same question in Israel, everybody sort of gets quizzical and says no. Based on an informal survey of 50 Israeli soldiers last December, only one said they ever ran into a gay during their military career. So again, we have that sort of irony where people say there are more gays in the American military where it is prohibited than in Israel where it is, quote, officially allowed.

Ninety percent of the men would be uncomfortable with sharing a room with a homosexual. This contrasts for the women of 64 percent. Again, a majority of the women would feel uncomfortable, but not nearly to the degree as a male would.

I do not think the numbers per se are always that significant, but you see how these ratios apply across different categories.

Curiously enough, when we switch the questions around and sort of make them pro-gay questions—some of these questions, by the way, were adopted from Dutch surveys to get comparative data, but I am not sure when the Dutch took them so I cannot compare them yet, because our survey was done obviously during a gay ban era.

Allowing openly gay soldiers in the Army would cause some problems that we could manage. That was kind of a question that said well, we could get through these hurdles. Here is—even when you switch it around to sort of make it hard to disagree with, the men switch, again, to a more hostile gay position. I am combining two categories here. 62 percent of the men disagree with that statement that we could manage even after confronting some hurdles. You try to put these questions in different formats and the pattern remains quite similar.

I think it is also very interesting to note, among the 9 percent who said they do know a gay in their unit, and you ask those who say they do not—I am leaving out the “not sures”—the differences between those who say they know gays and those who say they do not know gays is almost identical with regards to lifting the ban or feeling uncomfortable. There does not seem to be any evidence that those soldiers who do know gays are more tolerant than those soldiers who say they do not know any gays in their unit. As a matter of fact, there is a slight tendency in the opposite direction. Those who know gays are somewhat more pro-ban than those who say they do not know gays. But the real finding is there is really no difference.

Another finding I think of some note is because many people said this is a generation gap issue, the fact of the matter is that NCO's are more tolerant toward gays than our lower enlisted or junior officers. Now, we did not survey senior officers because you do not survey colonels and generals very easily. But if you look at Captains and below, and NCO's and lower ranking enlisted, it was very interesting.

By the way, the opposition among the males was pretty strong across the board, but for example, I feel uncomfortable sharing a room with a homosexual, 91 percent of the lower enlisted men agree with that statement versus 83 percent of the NCO's versus 91 percent of the officers. So the junior officers and the junior enlisted are very close.

Sergeants, by the way, probably feel, from qualitative data, they put up with a lot of stuff already, and this will be another problem down the road, but they handle a lot of other things. So curiously enough, the older NCO's are more open to this question though not by any sense a majority than are the younger soldiers.

The only other question that I might mention in very brief passing is if the current regulations were changed to allow openly gay men to serve, would you leave the service? And this is the proportion saying they would definitely not stay in the Army. Now, I do not think they would actually follow this behavior pattern, but nevertheless, it is interesting.

Among the enlisted ranks, 45 percent said they would definitely leave the Army if the ban is lifted.

Senator WARNER. Could you repeat that figure?

Dr. MOSKOS. Forty-five percent said they would definitely leave. Among NCO's, 25 percent said they would definitely leave. Twenty-three percent of the officers say they would definitely leave.

We also had the question if women were assigned to the combat role the same as men, an issue that is now also topical. The soldiers do not get nearly as exercised over that as they do over gays. That is an interesting kind of a finding.

For women, it is vice versa. Women are more alarmed over sending women into combat roles, but are not that concerned about letting lesbians into the Army.

Those are the highlights of the survey, Senator.

Chairman NUNN. You mentioned women are more concerned about sending women into combat roles. In what way? Are they for sending women into combat roles?

Dr. MOSKOS. There were two questions asked. Would you definitely leave the Army under current regulations? That is, nothing has changed. This is as of December where women were not in combat roles nor were gays allowed. And then the question was if women are assigned to combat roles the same as men, and the other question was if the ban on gays and lesbians is lifted, and among women, the way to get women out of the military is to assign them to combat roles the same as men. But if you let gays or lesbians in, that does not seem to cause that much turmoil for females.

For men it is the other way around. They really are very, very exercised over lifting the gay ban and not nearly as much over lifting the combat roles for women.

Chairman NUNN. But this survey was done in December before all of this debate was joined, is that right?

Dr. MOSKOS. Well, people were already—I mean, it was in the air. If it was not in the air we would not have asked these questions. So we already knew things were happening and it was beginning to—

Chairman NUNN. So they clearly focused on it?

Dr. MOSKOS. Yes.

Chairman NUNN. Senator Thurmond?

Senator THURMOND. Thank you, Mr. Chairman.

Dr. MoskOS, we have heard that there are wide differences between official policy and actual practice on homosexuals serving openly in most foreign countries. From your research and experience, can you help us understand why this dichotomy exists?

Dr. MOSKOS. The difference between official and actual policy, of course, exists in any institution, including the university world and perhaps even the United States Senate. But the point here is that it seems to be sort of a regression toward the mean. Those that are most tolerant officially and say gays are allowed, we draft them, and all that—Israel, The Netherlands, Germany—tend to be more restrictive in practice.

The restricted forces, the United Kingdom especially, as David Segal mentioned, and to some degree the United States, actually are a little bit more tolerant than the official policy allows. Cer-

tainly, before 1982 in the military that I served in, I might add, I had a gay company commander in the 9th Combat Engineers. We knew he was gay because he always hung around with the college educated enlisted men.

He was an effective commander, I might add, and only sort of made one vague approach to me, but when we changed the subject he never came back to it. On the other hand, I was not such a good looking guy and there was a very good looking guy who he was hitting on more often than myself. I am never sure whatever happened on that issue, but the point there was as long as it was in the closet you could fend off those kinds of overtures much more easily than if it were allowed.

I think that is the point I would like to underscore very much, Senator Thurmond. If there are some restrictions, in other words, whether it is do not tell, do not ask, or whether it is the complete ban, what have you, the very fact that these restrictions exist mean that you can fend these approaches off much easier than if it were allowed in the open.

It also appears, I might want to stress, that fighting armies seem in practice to be more restrictive than armies that do not have long overseas deployments or are likely to get into wars. I am thinking of Israel, I am thinking of France, the United Kingdom, and of course, our own United States military.

I guess one final point perhaps on that question might be relevant, too, about what does not apply across the board. The United States, of course, is an individualistic culture. We do have more recourse to legal rules. It is hard to imagine a gay movement marching down the Champs d'Elysee one million strong arguing to let gays be more open in the French military or doing the same thing in Bonn or on the Plien in Amsterdam even, for that matter. So we do have a different society, and we have to take that into consideration, as well.

Senator THURMOND. Dr. Segal, we have many anecdotes of homosexual service members, even in the most liberal countries, electing to remain anonymous. I believe even in your statement you said that in the Canadian forces no homosexuals had chosen to come out since the ban was reversed by the Federal court. Why do you think these homosexual service members decided to stay in the closet? Do you have any data on the numbers who declared their status versus those who chose not to disclose it?

Dr. SEGAL. That is a very good question, Senator, and indeed, the experience of Australia seems to have been the same as the experience of Canada. That is, since they have lifted their ban people have not come out. We do not have data, in part for that reason, in part for the reason that services choose not to keep records.

It is very difficult to get numbers. I spend a good deal of time talking to military personnel analysts in the European Nations, trying to get estimates of how many people come out in a given year. I cannot give you a hard number. I can give you an estimate in terms of number of digits in the country. And basically, my sense is that in no country in Western Europe have they had more than a two-digit number come out in any given year.

And over all of Western Europe that might add up to a number in the hundreds. This is the sum of the Western European Nations.

The reasons, I think, are the reasons I suggested in my testimony, Senator. First of all, the dominant norms in all of these societies are heterosexual norms, regardless of how tolerant they are of homosexuality. And people's behavior is driven primarily by norms. People do not flaunt their differences from other people regardless of what those differences are.

Second, one of the changes that I have seen in military forces generally, and indeed it occurs in other work places, is that people, whether they are heterosexual or homosexual, frankly talk less about their sexuality than they used to. I think that as part of the current sensitizing of Western populations to appropriate and inappropriate behavior in the workplace, people have regarded the sexual side of their lives as an increasingly private matter, and I think that the norm of heterosexuality and the norm of exclusion of sexuality from the workplace make contributions to their failure to come out of the closet as does a real fear of potential gay bashing, of potential discrimination, even in the face of tolerant policies.

Senator THURMOND. Thank you. Dr. Stiehm, from what we have heard, it seems to me that most of the official policies of our friends and allies, whether they actually follow them or not, reflect the views of their society. Perhaps we should delay any changes here until the American society is more accepting of open homosexuality. What does your research in this area show?

Dr. STIEHM. I would agree that our military needs to be in step with our society. I think that our society has been more and more open. University campuses are certainly very different today than they were 20 years ago.

Harvard has no problem recruiting superb students, because it has active gay and lesbian organizations on campus and faculty, and I would assume, although I do not know this for certain, offers courses on this subject. This is something which is happening on campuses. That is why I think that the very rigid, absolute, no-discretion ban which we have actually puts us out of step with the changes.

I agree with Doctor Segal that removal of the ban will probably not change behavior very much and that in general, privacy with regard to one's sexual behavior has become more of the norm. Probably, the presence of women made those kinds of discussions change over this 20-year period in the direction of privacy and that this would also be the case with regard to gays.

I think that we really have sort of painted ourselves into a corner when we made a decision in the early eighties to make our ban as very rigid as it is, and that permitting common sense, permitting people to work it out is really what we need to do, and I think common sense is a very important part of this.

Senator THURMOND. Mr. Chairman, my time is up.

Chairman NUNN. Thank you, Senator Thurmond. Senator Exon.

Senator EXON. Mr. Chairman, thank you very much. I certainly want to thank you, Mr. Chairman, for having these witnesses come here. They have been very helpful, very articulate, and I think we have learned a great deal here this morning.

Since I have limited time I am going to try and concentrate on one or two items up first—up front.

General, I want to congratulate you on your distinguished career. You have been before us before. And I listened very carefully to your remarks, and there is no question about where you stand on this issue.

Now, let me put it to you in this fashion: If you were on this side of the table rather than down there as a retired distinguished military leader, and if you were asked to come up with some kind of a compromise to settle this divisive issue, what would you suggest a compromise might be? Or would you first say things should be left exactly as they are not and no change should be made? Or do you think in the good of the service putting aside, changing social policy that I have resented as part of this effort, it seems to me, what would you come up with, a compromise?

Could you live, would you recommend, is it at all feasible that we have some kind of a compromise proposition that the question ought not to be asked, and so long as heterosexuals or homosexuals serve within the military code of justice that would be written and that homosexuals did not come out of the closet? Do you think that is a compromise or something along that line that might be workable? Or what is your attitude on that?

General WALLER. Thank you, Senator Exon. I think what we initially forged out of this committee along with the Defense Department and the President is probably as good as you will ever come up with.

As I said in my prepared statement, there is no question that homosexuals are in the military, that homosexuals had served, I mean, in absolute superb fashion. I would be less than candid if I sat here and told you otherwise, but if I were sitting where you are sitting, I would say that openly avowed homosexuals being allowed to serve as one thing as compared to saying do not ask the question, and then if something does happen, be prepared to handle that on a case-by-case basis.

Let me tell you how I handled those issues when I was a commander at every level from platoon all the way through corps, or even in Desert Shield or Desert Storm. I said, I am not going to go look in your bedroom window trying to figure out what you are doing.

Your private business is your business, but when your business becomes my business, where the military police are involved, or if you are caught in a compromising position, or someone says something, and I have to do something about it, then I am going to prosecute you to the fullest extent of the law. I did not go looking in windows to find out or try to figure out what people were doing.

So I say, as long as your private business is your business, that is one thing, but to allow openly avowed homosexuals I say is not what we ought to do.

Senator EXON. Then the key to your belief, as I understand it, is there is no way we can live and have the strong military that we all want in the future if we sanction open gay conduct in the military.

General WALLER. Senator Exon, let me put it to you this way. I do not want anyone in the sound of my voice to think that I have said that you are not going to have a military if you open it up to homosexuals, openly avowed homosexuals. That is not the case. We

can have a military, we will have a military, and as I said in my statement, the leadership that is currently on board will salute, and we will go on with it.

However, if you want the world's finest military as I think that we have right now, then by opening it up and to have openly avowed homosexuals serving, I do not think you are going to have that. I think you will have a second-rate force.

Now, if the American people want a second-rate force in my opinion, and they are satisfied with that, then I say, fine. Let us get on with it.

Senator EXON. Dr. Moskos, I was very much interested in yours along with the other testimony. We have heard it to some extent before the committee in official testimony. We have seen and heard it numerous times in the press the statement many of our military allies do not discriminate against gays.

The testimony that you gave us this morning seems to be in direct contradiction to that fact, and as I took your testimony, what you are saying is that certainly with the exception of two countries, I believe, there is, if not official discrimination against gays, certainly gays serving openly in the military. Is that an accurate reflection of what you have said?

Dr. MOSKOS. Yes. The media coverage on it has been very distorted. It is one of the few times I would say the sociologists have had the upper hand with regards to getting the truth over the press.

It is more than two countries, though. It would be the Scandinavian countries and Netherlands, looking at Europe, and now of course we have to also, as time proceeds, look at Australia and Canada as well as part of that roster and see what happens in the future, but for the major continental countries there is either de facto or de jure, plus Israel, differential treatment.

Interestingly enough, in the northwestern countries that I mentioned it is the opposite way around, that a heterosexual is at a disadvantage, because by saying, I am a heterosexual, it is not going to get you out of the draft, but it will allow a homosexual that kind of right.

So that is the case. I think there are varieties within those countries, and I think we have alluded to those, ranging across the board, but the central tendency certainly in armies that deploy is toward some kind of de jure and de facto differential treatment of gays and straights.

Senator EXON. Thank you. Mr. Chairman, thank you. My time is up. I hope I will have a second round.

Chairman NUNN. Thank you, Senator Exon. Senator Warner.

Senator WARNER. Mr. Chairman, I will be brief, since I had an opportunity to speak earlier, but I have two quick questions. First to General Waller. Indeed, I would like to comment on the whole panel. It was an excellent discussion this morning.

General Waller, surprisingly when you go out with the troops you learn things, and in my visits with the troops I learned quite a bit, but this was drawn to my attention very clearly, and basically human beings do not want to reject another human being for a variety of reasons. They want to be tolerant, and as troops sort

of characterize this problem, perhaps we can accept by day what we reject by night.

In other words, as the sun goes down there is a fork in the road, and the straights prefer to gather together in off-duty hours and the gays tend to gather together to the extent they can in off-duty hours.

But as you know, and those of us who have served in the military understand, a military job is 24-hours-a-day, and you may have formalized hours in which your squadron or your company drills and so forth, but the troops pointed out to me oftentimes off-duty hours are also very valuable as training because they get around without the presence of the senior officers, the NCO's, and discuss the day's activities of how they can do a better job.

In other words, there is a considerable professional exchange of views. For example, the pilots told me that when we get out from under the squadron CO and Exec we sit around and we talk about the day's missions and how we can do it better. Do you find that to be the case in your career, and would that not in effect have an impact on training and readiness—in other words, the inability of the two classes of sexuality to gather in off-hours and share common experiences and profit by them during the course of their careers?

General WALLER. Senator Warner, I would support what you have said 100 percent. There is no question that military units, those that are the most effective units spend a great deal of time in skull sessions, BS sessions, or bull sessions, whatever you want to call those, after normal duties hours discussing how to do a job, how to do it better, what was done that day, what consummates doing a superb piece of work as compared to a mediocre performance.

So yes, that is of the utmost importance for those kinds of sessions to happen. They happen routinely, and I would dare say it would have a tremendous impact on the effectiveness of whatever unit that is involved in it.

Senator WARNER. Thank you.

Dr. Moskos, all of us as we commenced this series of hearings have gotten calls from old buddies and people like that, and I got a call from an individual who I had known, and he served in World War II with distinction. He has no prejudice. He just told me of an experience that he had in the Pacific.

He went over as an enlisted man in the Marine Corps, participated in two invasions, and then was selected for Officers Training Course, and in 1944 was sent back to the United States for OCS school, and at the point of embarkation he was approached and said on the way home on this troop ship you will be an MP, and your detachment, the Guard, is 150 individuals—he pointed out, being a marine, they were all army—who had, on the eve of a combat engagement of their units had professed a sexuality, their homosexuality, and therefore immediately segregated and were shipped back home.

My question to you, are there records of experiences in World War II, particularly on the eve of combat, of large numbers of individuals professing homosexuality and then escaping their combat responsibilities?

Dr. MOSKOS. I cannot answer that. I can address Vietnam a little better on that same question. Yes, I would presume that that might have occurred in World War II.

Obviously, the strictures against open gay behavior were much heavier in those days, but as has been well-documented, many people from rural areas came together for the first time in the World War II military and got involved with the gay community.

But in Vietnam, I might add, where soldiers had long been jailed, some soldiers would perform sexual acts, homosexual acts on each other in front of witnesses and the military would not accept that as sufficient grounds for sending you home. They said, well, you are just doing that to get out, and do you had a record that you were doing that kind of a behavior back when you were a civilian.

Obviously there were different views. I think the difference today is without the odium that goes with it, as it was even in the sixties with Vietnam, or in the forties in World War II, you could probably expect more of that behavior to be—there would be more incidents of that kind of behavior in the nineties than there would have been 20 or 40 years ago.

So it would be an interesting question that one would have to address. Can homosexual behavior—leaving out orientation. That is easy to say. What if they actually did it in front of the MPs?

Senator WARNER. I am particularly interested, are there any records in existence that deal with this subject from the World War II era?

Dr. MOSKOS. You would have to ask a military historian that.

Senator WARNER. Mr. Chairman, I yield back my time, since I had the time earlier.

Chairman NUNN. Thank you, Senator Warner. Senator Kennedy.

Senator KENNEDY. Thank you very much, Mr. Chairman.

I look forward to the reports of the European policymakers and the report of Senator Warner. They will be very interesting if they are based on the concept equating homosexuality and lesbianism to substance abuse, criminal behavior and alcoholism. The reason that all of those qualities affect performance, and as General Waller himself indicated, we have seen instance after instance where gay or lesbian individuals performed admirably in the service.

We have in the audience today Greta Cammermeyer who served for 27 years and received a bronze star for her heroism in Vietnam. There is a whole list of individuals we could put in the record who are homosexual and have similarly distinguished service records. If they truly equate homosexuality with substance abuse and criminal behavior, I think it calls into question the fundamental concept on which they are developing their policies because obviously there is a great difference among them.

I had thought that the whole panel was going to be sociologists, or commentators upon how other countries handle the issue of homosexuality in the armed forces.

General WALLER. Sir, I am the one alien that is sitting on this panel.

Senator KENNEDY. Okay. I just want to mention to General Waller as someone who earlier raised the issue of race, no one is equating the two issues. What I indicated at the last hearing, the

attitudes of people that were in the service, the attitudes of servicemen at that time that said we are not going to take showers with blacks, we are not going to take orders from blacks, we are not going to go into a foxhole with a black. It was their attitude.

That is virtually identical in attitude—in attitude—toward what people are saying both in the military and outside the military about any kind of change of policy. That is the relevancy in terms of those that talk about attitudes in the past, at least it is for me.

Let me ask you, did you ever discharge anyone for homosexual behavior?

General WALLER. I sure did.

Senator KENNEDY. Have you—were you aware in the Gulf that there were any homosexuals or lesbians under your command?

General WALLER. Senator Kennedy, we had 450,000 souls.

Senator KENNEDY. Was it ever brought to your attention that there were?

General WALLER. That some homosexual act had taken place and we were going to get rid of them?

Senator KENNEDY. Yes.

General WALLER. As I reflect on that, I do not once recall any of my subordinates coming in and saying that in such-and-such a unit we have a homosexual act that took place.

Senator KENNEDY. Well, it was not, as I gather from your statement, an issue that was brought to your attention as being a matter that affected corps unity or efficiency, as I understand. Was it—in terms of any of the European countries that have a changed attitude, was it ever brought to General Schwarzkopf that some of our other rallies are out there, that some of those units are not performing well because they have gay or lesbians in their units?

General WALLER. Not that I am aware of. We talked daily, and he never once mentioned it to me.

Senator KENNEDY. Now, you indicated that you put a test as to whether individuals' behavior got to you, got to be your business, I think was the quote.

Now, did heterosexual behavior—was that so outrageous that it became your business?

General WALLER. Absolutely.

Senator KENNEDY. And you took action.

General WALLER. I took action.

Senator KENNEDY. And you should take action, should you not?

General WALLER. Absolutely.

Senator KENNEDY. So what you are saying is, if heterosexuals misbehave—and they have their business, and when it became your business you took action, but on the other side, if they were homosexuals and their business did not become your business, did you take action?

General WALLER. I never, ever took action against a homosexual to my remembrance or knowledge unless his business became my business or her business became my business. As I said before, I did not go looking.

Senator KENNEDY. Okay. So you take action when the heterosexual business becomes your business, and you take action when the homosexual business becomes your business.

General WALLER. Absolutely.

Senator KENNEDY. Okay. A good deal has been said about the bonding and the bringing together and the cohesiveness in times of conflict, obviously, is the key time, and I would be interested, General Waller, in these observations.

In 1945, just 2 years after the regulation dealing with banning homosexuals was adopted and during the height of the final European offensive against the Third Reich, Secretary of War Henry Stimson ordered a review of all K discharges in the previous 2 years with an eye towards reinducting gay men who had not committed any in-service homosexual acts.

At the same time, orders were to salvage homosexuals for the service whenever possible. In the late 1940's, the Navy meted out 1,100 undesirable discharges a year to gay sailors. In 1950, at the height of the Korean War, that number was down to 483, at the height of the Korean War.

In 1953, when the Armistice was signed at Panmunjon the Navy cracked down again with vigor, distributing 1,300 gay-related undesirables. At the height of the war they go down. Before the war and after the war, they go up.

Between 1963 and 1966, the Navy, which at the time was the only branch of the military to keep detailed statistics of gay discharges, operated between 1,600 and 1,700 enlisted members a year for homosexuality between 1966 and 1967, as the Vietnam build-up began in earnest, the number of gay discharges dropped from 1,700 to 1,000. In 1969, at the peak of the escalation, at the peak of the fighting, gay discharges dropped to 643. A year later, 461.

This indicated that at the intensity of the conflict in Vietnam, that the numbers of discharges, when it was the most important that you have cohesiveness, that those in military authority were the least willing to enforce the recommendation.

There is constant testimony about the Marine Corps Lieutenant Dillingham, assigned to lead a reconnaissance platoon knowing that he had gay soldiers, still said that they bonded well, they fought well, they were good soldiers.

It seems to me, and I will just conclude, that most gay or lesbians that go in the service want to be a soldier or a sailor or an air person. If they want to be a gay activist, they will not go in.

My question to you is, why do you believe that in the time of the principal conflicts that we have had, whether it was in the Gulf that these issues were brought to your attention, although 14 reservists were sent over to the Gulf at that time where they were being actually investigated, why at the height of conflict at the recent times, for these 50 years the prosecution of those cases has gone down if it has been so difficult for these forces to maintain their fighting ability and their fighting edge? What conclusion do you draw?

General WALLER. I draw the conclusion from that, Senator Kennedy, as follows. When you are in your most heated time of battle, probably those individuals who might have been homosexuals or lesbians did not do anything that brought themselves into the business of their commander. In other words, they were busy doing something else.

Senator KENNEDY. So they could fight well. Your conclusion is that under battle they could fight well.

General WALLER. I have already stated beyond any shadow of a doubt that they can do their jobs and do it well. My conflict is with the openness that you seem and others seem to want to foist upon the military forces.

Senator KENNEDY. My time is up, Mr. Chairman.

Chairman NUNN. Thank you, Senator Kennedy. Senator Cohen.

Senator COHEN. Thank you, Mr. Chairman.

Dr. Moskos, you recently wrote an article in which you pointed out that the disrespect for the President has become more palpable or more clear the further one gets away from Washington. You also pointed out that this disrespect that was shown, at least some of it toward the President during his visit to the Teddy Roosevelt, was just the tip of the iceberg in this regard.

Senator Warner takes a somewhat different view. He was there during that particular visit, and he has stated publicly during these proceedings that he did not find any greater disrespect shown toward President Clinton during that visit than any other prior president, but that aside, I want to examine what you indicated. You said that there is a palpable and growing disrespect for the commander-in-chief by those in the military, and you ascribe four factors for them.

Number 1 was the draft status of the President, the lack of service. Number 2, the statement about fine people being capable of loathing those in the military. Number 3, the lifting of the ban for gays, and then number 4, budget cuts within the military.

The question I have is, if a General Schwarzkopf, a General Powell, or a General Waller were to run for president and win, and then declare an end to the ban on gays in the military, would that make a difference?

Dr. MOSKOS. Yes, it would make a difference. I think even a George Washington would have difficulty trying to make a drawdown of this sort. The gay issue, of course, and then lack of respect that is sometimes felt to emanate from the halls of the White House, it is all for coming together, Senator Cohen, that make it difficult for President Clinton.

Any one of those is troublesome, but when you put them all four together, then we get into the situation—and I certainly respect Senator Warner's judgment. That same L.A. Times poll that I reported said that only 12 percent of the troops surveyed from all four services had a great deal of respect for the commander-in-chief, and so there is other kinds of—

Senator COHEN. Aside from that, what I am trying to get at is, is it because of perceptions?

Dr. MOSKOS. I wonder if a General Schwarzkopf or a General Waller—

Senator COHEN. I am not suggesting they would. I am asking you a hypothetical to try to get at the nub of the problem.

Dr. MOSKOS. It would be easier.

Senator COHEN. If you had someone who was a respected military officer who had served, who had as you described yourself, gotten mud on his boots, or as Senator Nunn described you, getting mud on your boots, or General Waller being out there in the field

who would come back and say we, or I propose lifting the ban, would that make a substantive difference in the debate or the perception on the part of those in the military? Or, is it something much further than just the popularity or the perception of the commander in chief?

Dr. MOSKOS. There would be—I think that kind of a commander in chief would reduce the amount, but I think the resentment—and this is strictly hypothetical—would still be very, very strong. I think it is a substantive question here as well as a policy leader question. I do not think it would in any sense diminish it to a great extent, but to some extent for sure.

Senator COHEN. General Waller, we were getting at some of the issues with Senator Kennedy about capability, and I think you made it very clear that gays and lesbians are equally capable warriors as any heterosexual.

That is not the issue that is being debated. However, if you were to take the components of capability as a warrior, number 1, and you take morale, readiness and unit cohesion as 2, 3, and 4, and then weight them together, so that would being an outstanding warrior be of higher value to you as a commander than if you had someone who was in any way diminishing the morale or unit cohesion? In other words, how do you separate out if someone who overtly displays or flaunts their sexuality has an impact on morale or readiness?

I assume you would say that, even though that person is a superior warrior, that person is a detriment to my unit, squad, etc., am I correct?

General WALLER. Senator Cohen, you are exactly correct. It would be no different from what you face on a daily basis. Some of your colleagues, you know, are the epitome of what we are looking for, and some you would probably have some questions about. We are looking for the sum, the whole person, not parts.

Senator COHEN. But is readiness, unit cohesion, and morale of greater importance than warrior capability, I guess is the way I am trying to phrase it?

General WALLER. Well, I cannot answer it probably in the way you want me to.

Senator COHEN. I am just trying to find out if what we are really talking about is morale and unit cohesion being the dispositive factors here, because we know that gays and lesbians can be just as effective warriors.

So, then the question becomes what is more important in a combat scenario? Is it unit cohesion, readiness, and morale or military capability as a warrior, be it in aircraft, a ship, or whatever?

General WALLER. Senator Cohen, you cannot separate those issues. If you are not ready, if you are not a fully ready unit then you cannot go to war. If you do not have warriors, if you have wimps, so to speak, who are not ready—

Senator COHEN. Well, I want to come back and look at that. Were there people under your command that you suspected of being homosexuals?

General WALLER. Absolutely.

Senator COHEN. Did that have any impact upon whether or influence your judgment about their capability and unit cohesion? If you

only suspected that they were homosexual or lesbian, did that have any impact upon your perception of their contribution to unit cohesion and readiness?

General WALLER. Yes, it did.

Senator COHEN. And so you found that to be detrimental even if they were only suspected. Because we are getting back to the debate, suppose we ask no questions and no one declares, but you have suspicions.

General WALLER. Could I give you a specific example? When I was a brigade commander in my legal section I suspected that I had a specialist in there who was probably the best specialist I had ever seen being homosexual. I did not go looking for him, but then he was found in a compromising position and I had to separate him.

What happened after that was that that section, who evidently had known all along that this was the case, became a much better organization once we got rid of that particular individual.

Senator COHEN. If I could just ask one more question, Mr. Chairman. Earlier this week was the announcement of the lifting of the ban on women in combat.

General WALLER. Yes.

Senator COHEN. I was wondering, from your position as a truly remarkable commander, or former commander, do you believe that allowing women in combat roles will reduce us to a second rate military capability?

General WALLER. Not if it is done correctly.

Senator COHEN. What do you mean by that?

General WALLER. Well, number one, I think that many women will be in position to do exactly as was announced, that they are going to fly those aircraft and do it extremely well. However, I think that if we allow women to be in the Marines and the Army and the forward combat units where they may have to put a bayonet through someone, that we will become a second rate entity.

Senator COHEN. I will come back to that, Mr. Chairman. Thank you very much.

Chairman NUNN. Thank you, Senator Cohen. Senator McCain?

Senator MCCAIN. Thank you, Mr. Chairman. Just to follow up, General Waller, on the line of questioning Senator Cohen was pursuing you would envision that women in air combat roles can do just fine? You view ground combat as significantly different. Is that what you were saying to Senator Cohen?

General WALLER. Far be it from me to try to tell a former Naval aviator what happens best in the cockpit of a fighter aircraft. However, in those cases where individuality is the watchword, where the female pilot is up there doing what she has to do, I think that that female will acquit herself extremely well. In other positions like that, where individuality is the watchword, I think there is no problem, that females will do extremely well.

However, when you integrate—if the decision ultimately would be made that we are going to put women in the infantry or in the armored units or in the assault elements of the Marines and so forth, then I think that you are going to have a real problem.

Senator MCCAIN. Is it not also true that, as opposed to the air combat roles, there are very few women, in fact none that I have

encountered, in the Army or the Marine Corps who are seeking ground combat roles?

General WALLER. There are a few. And I was asked this question once before, and if you permit me I would like to tell you what I said.

I was asked this question by a group of young people, high school students asked me that question. There is no question that there are some females who could do a better job in a tank than I could. There is no question that some females I have met could do a better job in an infantry battalion than some infantry soldiers that I have seen.

But those are the exceptions, and we should not rule our lives nor should we make decisions based on exceptions. We should do what is normal and what is best for the entire force. And I do not believe that women, integrated into the forward combat deployed or in the ground gaining arms would be what we would want to do as a nation or as a force.

Senator MCCAIN. Thank you, General. And thank you again for your outstanding service to the country. I noticed in your bio that you served as Senior military assistant to Mr. Korb while he was assistant Secretary of Defense for Manpower.

General WALLER. Yes, sir, I did.

Senator MCCAIN. As such, I think you would have been there when the Department of Defense implemented new directives prohibiting homosexuals from serving in the military, announced in the final days of the Carter administration.

Do you recall Mr. Korb ever indicating he thought the policy was wrong, or taking any action to oppose the policy at that time?

General WALLER. Senator McCain, I worked with Dr. Korb from the time that he was first being considered as assistant Secretary of Defense for Manpower, Reserve Affairs, and Logistics until I left there in the summer of 1981.

I have examined my conscience and looked back over that, and I do not recall during the period of time prior to my departure from working with Dr. Korb that he said to me or made it known to other individuals that he violently opposed that particular policy.

Senator MCCAIN. Do you recall him taking any action to have any defense agency or anyone conduct studies on the issue of this policy?

General WALLER. Yes, sir, I do. We were in the throws of having a section that came under Dr. Korb who at that particular time was headed by General Tice looking at certain issues with homosexuality and so forth.

Senator MCCAIN. Thank you, General, I had a group of homosexual and lesbian people and supporters in my office, and they kept coming back to the comparison between the integration of the military on racial lines and the open acceptance of homosexuals and lesbians into the military.

They view it, as Senator Kennedy was just saying, as an attitude problem comparable to the attitude problem prevalent as far as racial intolerance is concerned in the previous time, when President Truman ordered the military to fully integrate.

Could you respond to that again? And second, do you believe that a reasonable compromise would be no questions asked upon entrance into the military.

General WALLER. Senator, basically that is correct. If you do your job and you do it well and your business does not become my business I could live with that. But openly avowed homosexuality is where I draw the line.

Now, let me go back to the question that you asked about the comparison. It is offensive to me when individuals want to compare their openly lifestyle against what happened to me. I had no choice in being black. No matter what happens to me there was never anybody who could say, when I was born, that he is anything but a Negro at that particular time.

Now, to say that I could go into that back wall there, where I see nothing but Caucasian faces and I could sit there and I could be in the closet, so to speak, that someone is going to think that I am anything other than an African American—there is no way that anyone is going to say, that guy is in the closet. He is really an African American, but he is trying to pass as a Caucasian.

Now, for the homosexual to tell me that this issue is no different from when you were being integrated into the military services or your forefathers were integrating into the military forces is offensive because it is not the same. There is no analogy between race and homosexuality.

Senator MCCAIN. What about the argument that people who are homosexual and lesbian do not have any control over it, just as you do not have any control over the pigmentation of your skin.

General WALLER. That is a whole separate argument. I guess if it is ever proven beyond a shadow of a doubt that that particular entity will be proven, then I guess it is a separate issue about whether or not they have control and so forth over that. But we have a great deal of history that homosexuals have been in out of the closet, in the closet. They can hide what they want to do or go somewhere and go to a job.

As an example, you know, if you are a homosexual and you do not want to come out of the closet, you can reach the highest levels of any particular place if you are willing to subvert your lifestyle and so forth and live with that. If I wanted to go be chairman of General Motors, I do not care how much I try to hide it, there are going to be 99.9 percent of the people saying, hey, that is a black guy. A big difference. A big difference.

I cannot come in and out at my own free will to decide what it is that I want to be. Do I want to be African American today? Do I want to be a China man tomorrow, or do I want to be a Caucasian the next day? I cannot do that.

Senator MCCAIN. Thank you, General Waller. And again, I want to express my appreciation for your service to our Nation. And thank you, Mr. Chairman.

Chairman NUNN. Thank you, Senator McCain. Senator Lieberman?

Senator LIEBERMAN. Thank you, Mr. Chairman. I regret that I had to step out for a while, but I did get to hear and read the opening statements, and I appreciate very much the help that these witnesses have given this committee.

Some of you in describing the experience of other countries in dealing with this question of the service of homosexuals in the military have painted a picture that was described by somebody else, I borrow the terms, as a kind of a do not ask, do not flaunt policy. And I think several of you helpfully pointed out, there is often some discrepancy between what seems to be the official policy and what happens.

But one of the questions that I would want to ask you, and I think has been discussed and considered here, is whether combining an official do not ask policy with an unofficial hope or expectation that there will not be what has been described as flaunting—I presume that means not only a declaration of homosexuality but some kind of more active expression of that. That somehow that would be harder for our country to accept, and this is a sociological question, because we tend to put more of a premium on individuality, and we are inherently less homogeneous than other countries.

I would invite anybody's response. Dr. Moskos?

Dr. MOSKOS. Well, since that terminology has been associated with me—I believe I coined it.

Senator LIEBERMAN. I should have given you credit.

Dr. MOSKOS. That is all right, I do not know if I want credit for that. The idea there is that that is kind of the minimal, I think, with which some people in the military could live with. But of course the nub of it is what if somebody, a third party, says that fellow is homosexual, that fellow is gay, just what General Waller was saying about the specialist in that section, it gets a lot tougher.

I think it is a doable situation. I do not think the gay community, of course, will be happy with that. But, I might add, traditionalists are also very upset with that as well. I will view that as a kind of a middle road position.

And what happens is that the commander's discretion is going to have to become awfully important in that kind of situation. But the advantage of it is it does not get you down the road of all the second order consequences which open gayness leads to, of which there are no answers.

Should there be goals for gay promotion? Should gay sensitivity be a criteria for promoting a sergeant or officer? If a soldier said he is uncomfortable showering next to a gay should that soldier be reprimanded or discharged? Should there be a gay pride week in the military? All these kinds of questions. Should hetero and homosexual behavior be considered equivalent in the EM club and things of this sort?

Those are impossible questions to answer, and I think you have to ultimately answer them unless you sort of say, no declared statement of gayness is allowed. And if you are a sort of a quasi-outed, or whatever the situation is going to be, then I think the company commander has to sort of decide that at the local level.

But beyond that, there are just a bunch of downstream problems here to which there are no good answers. And therefore I think you would have to do that that way.

The reason it somewhat works in Europe, and I think France is pretty close to the do not ask, do not tell motto, and some of the other countries as well—it is different in the United States because

we are more litigious. We do have individual rights, a much more powerful gay political movement, and a gay movement which is also very interested in military and corporation. None of those things really operate to the same degree in Europe, and therefore that is where I think this do not ask, do not tell is where I think we are going to have to come down on.

Senator LIEBERMAN. Professor Segal, let me ask you for a brief answer, and then I want to go on to another question, if you would.

Dr. SEGAL. I will answer in somewhat different terms. In general, when military forces think about including previously excluded groups they weigh that exclusion against two criteria. One is the performance criteria, and if they believe that including that group will undermine performance, they will not accept that group.

That is an issue we faced with the integration of African Americans. It is an issue that we faced in the expansion of women's roles. And this is one area where there is some commonality in one dimension between the experiences of these groups.

We continue to exclude category 5 personnel, and nobody is claiming that they have the right to serve because it has been demonstrated that they are hard to train and they undermine military performance.

The second criterion that we tend to use in including excluded groups is their ability to adapt to the military lifestyle. We basically say, you can serve but we are not going to adapt to what you do, you had better live your life the way we live our life. If you eat Kosher food, you can come into the U.S. military, but we are not going to change the way we serve food in the dining halls. You are going to have to keep a foot locker full of tuna fish.

Similarly, at the other end of the dimension, we exclude Sikhs from the U.S. Army. They are excellent warriors, but they have lifestyle characteristics—the insistence on keeping their hair long and wearing a beard and wearing a turban and carrying a ceremonial dagger, that the military regards as inconsistent with the military.

Now, another way of saying do not flaunt is to say, as long as you can adapt your lifestyle to the military, you are not a problem. And that is same as we treat any other group. It is not a unique criterion applied to homosexuals. If you think we are going to change the nature of the military to conform to your lifestyle, we have excluded other groups because they had that expectation and we will exclude you as well.

Senator LIEBERMAN. I appreciate that. Let me go on to another question, a different kind of question. We have all heard the old expression that there are no atheists in the foxhole. Let me ask this question which is somewhat related to that.

Could not one argue that in the tension or pressures of—I think I would like to ask General Waller this first. In the pressures of a combat situation, that differences in a group that would normally reduce unit cohesion disappear because of a common, an obvious common purpose which is to survive or to achieve victory.

How does that work itself out in this particular case where admittedly there probably would be, feeling that tension, that pressure of combat, some concerns among some soldiers about having homosexuals in the service?

General WALLER. Sir, I think your question really is closely aligned with what Senator Kennedy mentioned earlier about why, when during combat times, we see the downturn in the number of cases. When the bullets are flying, as you mentioned in the euphemism about no atheists in the foxhole, people tend, in my opinion, to forget about what religion you are, what race you are, what you are up to or what you are doing, and it is a survival mode that takes over. Let us everybody pull together and do what is best to get out of this particular situation that we are in.

However, once the period of peril has passed, then you go back to what you consider your norms are. I mean, if you had prejudice before, then those prejudices come out, and I do not think that is ever going to change. And if you have time now to do something else that you want to do, you are going to go and do that where you did not have time to do it in times of great peril when you were fighting or trying to survive.

And it is no different from what happened in the bombing of the World Trade Center where everybody worked together and did their things, and everybody pulled together, helped each other, or any other. Take the great earthquake that happened during the World Series and so forth.

In those kinds of tremendous times of peril everybody will pull together, work together, and do what is best to survive. However, when the situation returns to normal, all of the normal prejudices return.

Senator LIEBERMAN. My time is up. Thank you.

Chairman NUNN. Thank you, Senator Lieberman. Senator Coats?

Senator COATS. Thank you, Mr. Chairman. Dr. Moskos, I wonder if you could talk to us a little bit about how military personnel view their privacy—I think you have done some research on this—and how changing the policy to one of open homosexuality would affect the attitudes and potentially the performance of those heterosexuals who would see this as an invasion of privacy.

Dr. MOSKOS. Thank you, Senator Coats, for that preface. Let me preface it by saying, by the way, that no matter what happens, if we follow the Dutch model, the sun will still rise. I mean, the military will still be there, and we are so far ahead of whatever is in second place, we probably do have a little margin for error.

But the main point, though, is there are two rights in collision here. The one right is the one right of—you might call civil rights or equal rights for gays and the other right is the right of sexual privacy and modesty for straights.

This sort of status versus conduct distinction that is frequently made I think is a misleading one. We do separate men and women in the military in intimate living conditions on the basis of status, not on the basis of behavior or conduct. It is not presumed that every male is going to be a predator, but we still do not allow them to shower with the women.

Senator COATS. But we conclude there is a rational basis for separating men and women based on our understanding of human sexuality.

Dr. MOSKOS. But sexuality is why we have those distinctions between men and women, and sexual orientation—the euphemism

these days is status—sexual orientation, obviously by the terminology itself implies sexuality.

I think the black/white analogy vis-a-vis gays/straights which General Waller has tossed out a couple of times really is the misleading one. It really is the male/female analogy.

The analogy would be to me, what if you put three heterosexual men living in a unit of say, 100 women, and say, by the way, if you misbehave we are going to do something, but as long as you can shower and do all the rest and change and have these intimate living conditions, that is the way it is going to be. That would be the analogy. Would somebody want that or not?

Most women would not like that situation. Say, well, even if you have the recourse, saying if that person misbehaves, we can do something. That is, I think, the much more correct analogy.

So violations of privacy on the part of straights, the civil rights on the part of gays are really two rights in collision. And ultimately it has to be determined by what is best for military effectiveness. I do not find this as a gay rights issue versus military effectiveness. I find two rights in collision which then has to be adjudicated by military effectiveness.

The argument, again, with—back to the real lesson for the race relations analogy, of course it was done to improve military effectiveness. And there was already data from—based on the World War II, Ardennes battle, that it did improve military effectiveness. Indeed, one could say if you wanted to follow that model, let us have a test group of a gay, mixed sexual orientation unit versus a nonmixed sexual orientation unit. Things of that sort. I do not think that is going to be acceptable for any side, either the conservative side or the liberal side.

So, getting back to your question, it will definitely have an effect, very analogous to the effect of mixing men and women together.

Senator COATS. Do you have any research that indicates the degree of concern among heterosexuals relative to the privacy question?

Dr. MOSKOS. Yes. When you were out of the room, I reported briefly on a survey that was taken in December, based on 900 interviews. And the survey showed that 90 percent of the men would be uncomfortable sharing a room—we did not even get to the shower question—sharing a room with a gay.

The number for women was much lower: it was about 50/50, one of the points being that women are less exercised over this than men. And I think the reason for that is that—it is a male thing. And we are probably more sexually insecure. That is the nature of the beast. And I think that is the reason you find males much more uptight over this question than you do women.

But the survey data is fairly clear, that there is among the troops—one can say, well, they can learn, you can change their attitudes. That is another kind of an issue. But at the present time, troops on the male side are very, very concerned over lifting the ban. And particularly on the issues of privacy, and those questions that you raised.

Senator COATS. You indicated there is a rational basis to conclude that mixing genders, heterosexual men and women would, despite the strictest code of conduct, create enormous difficulties.

Dr. MOSKOS. It is not behavior. It is a matter of sexual orientation in that case. Male sexual orientation.

Senator COATS. Can we make that same conclusion relative to homosexuals? Some have presented the thought that that is not a rational comparison that among homosexuals sexual interest could be controlled. They argue that it is altogether different than men and women and that a code of conduct would be sufficient to control sexual interest and activity.

Dr. MOSKOS. It could also be controlled in heterosexual relationships as well. We could put men and women in the same shower and say, if you misbehave, buddy—or her, if the case happens to be that way—you are out. We do not do that because we just know that it does violate modesty and privacy grounds. It is foolish to think that gays will not be attracted to some men sometime; it is just as foolish to say that all gays are always on the make. Nobody is arguing here that gays are always on the make; neither are heteros always on the make vis-a-vis women.

But obviously some of the time, with some people, people are going to be on the make. Hetero between men and women, and between gays and straights. But this does not mean people are predators, and I do not want to accuse male straights as being predators, either.

Senator COATS. But by definition, the homosexual's sexual desire or interest in someone of the same sex is at least equivalent to a heterosexual's desire—

Dr. MOSKOS. Most women do not like peeping toms, even if they do not know that a peeping tom is looking at them. That is the way it is.

Senator COATS. General Waller, in response to Senator Lieberman's question, you indicated that as long as you can adapt your personal lifestyle to the military's lifestyle, you can serve—you indicated under combat situations, lifestyle questions such as religion, sexual orientation, tend to take a secondary role to the actual task at hand, that of survival.

But is it not true that the critical element in combat effectiveness is the cohesion of the unit? And is it not also true that that cohesion is developed, not in combat, but in training?

General WALLER. Senator Coats, you are 100 percent correct. The reason why we train so hard is to make what happens in combat as rote. And, if you will recall, many of the young men and young women who served in Desert Storm said look, this was easier than the training that I had done prior to getting here.

And the reason for that was that was that we had emphasized and put into places in all of our services such rigid training criteria that it became a matter of course for them to do what was necessary to have such an overwhelming victory.

So that is absolutely true. It must be done in training.

Senator COATS. Our panel testifying on cohesion indicated that the critical elements that a commander seeks to achieve in developing that unit cohesiveness during training are trust, respect, and shared values of the small unit.

So, would you agree that allowing open homosexuality within the unit during the training cycle negatively impacts on that shared

value, trust, respect, those elements necessary to provide the cohesiveness?

General WALLER. I think it would have a detrimental impact on all of those items that were listed by the former members—cohesion and how that brings about—

Senator COATS. This is my last question, because I know my time has expired. But is it reasonable to conclude, then, that we would receive less than desired effectiveness from a unit in combat had we not developed that cohesiveness?

General WALLER. That is my opinion, that we would have second-rate forces if we do not have the type of cohesion that you and I have just finished discussing.

Senator COATS. Thank you. Thank you, Mr. Chairman.

Chairman NUNN. Thank you, Senator Coats. Senator Levin.

Senator LEVIN. Thank you, Mr. Chairman. First, on the question of the experience of other countries, I am wondering whether to date so far have Canada and Australia had problems after lifting their ban? Dr. Stiehm?

Dr. STIEHM. No. Of course, it has been a short period of time, but the particular fears, and one of the questions was about resignations—mass resignations—nothing of that kind has been reported.

Senator LEVIN. Okay. And Dr. Segal?

Dr. SEGAL. I think that is correct. My latest information, which is a week old, is that since the change in Canada, there has been no impact on recruitment, or on retention. There have been no incidents of gay-bashing and no gays have come out. And my sense is that that is the case from Australia as well.

Senator LEVIN. Dr. Moskos?

Dr. MOSKOS. I agree with that. I did get a communication from Australia the other day from Nick Vance, who said that there had been some gay-bashing of Australian soldiers in gay civilian bars, and they attributed it to the lifting of the ban.

Senator LEVIN. But have they had any recruitment problems? Do you know?

Dr. MOSKOS. It is too early to tell, I think, Senator. The early evidence is that there has been no major effect.

Senator LEVIN. Okay. General Waller, let me ask you about something that you have testified to. You have basically said that if someone who is gay does not impose their sexuality on others with the unit that you have no objection to them serving in the military, as I understand your position. It is just when they in some way impose that on others that you do. That sounds like a distinction between conduct and orientation, but it is not quite, because if somebody said that they were gay, that would constitute, as far as you are concerned, enough conduct so that you would remove that person from the military without any action beyond that. Is that correct?

General WALLER. Senator Levin, that sounds quite harsh. I mean, I would not just—if a person says, I am gay, I would not just go down and bash him over the head and summarily dismiss him or execute him and that sort of thing.

No, I would give them the full course and look into what happens, and then follow the rules and regulations by getting them out of service. I would not just summarily dismiss them.

Senator LEVIN. Well, I did not say "summarily." I am saying that the statement that a person is gay is sufficient to remove that person from the military, without any action beyond that statement on the part of that person?

General WALLER. Under the current policy, if—

Senator LEVIN. No. Under your—is it your position that that person should be removed from the military if all that has happened is that the person says that he or she is gay without any action on their part beyond that? Is that your position?

General WALLER. My position is not to say that if the person openly admits that they are homosexuals to then say, okay, we are going to eliminate you from the service. That is not—

Senator LEVIN. That is not your position?

General WALLER. That is not what I want to do.

Senator LEVIN. Okay.

General WALLER. And that is not what I would be willing to do.

Senator LEVIN. All right. Should that person be able to stay in the military if all that has happened is they have said they are gay?

General WALLER. If the person says—comes forward and admits to their commander or to me, if I am in the chain of command, I am gay. That is it. And then I will say, okay, what is the proof? What is the proof?

Let me tell you why I say that. Because there—when we had the draft on, there were many persons who would come up and say, I am gay. I want to get out. Because if they could use that as not being able and did not like the regimentation of military service, they felt that that was a good way to get out of Vietnam or to get out of being drafted, and so forth and so on.

So, now, what I am trying to say to you is, I just cannot give you a categorically—answer as to yes if you announce that I am gay that I am going to put you out.

If you come in and tell me, I am gay. I said okay. That is great. Now, do you have partners who can substantiate this? If the person says, yes, I do, then I say, all right, fine. We are going eliminate you from the service.

But just to walk in my office or to walk in the company commander's office and say, I do not like it here, this is tough work—

Senator LEVIN. No, that is not what I am saying. When the person simply says, I am gay. That is it. And you are saying that is not enough, a person acknowledging that he or she is gay is not enough in and of itself without further proof of some conduct to remove that person from the military?

General WALLER. I would not eliminate the person from military service just on the simple proclamation that they say—he or she says that they are gay.

Senator LEVIN. All right. You require some additional proof?

General WALLER. I would definitely require some additional looking into that.

Senator LEVIN. Okay. I would like to ask about the question of women in combat as it might relate to this issue. Dr. Moskos, it is my understanding that you are a member of the Presidential Commission on the Assignment of Women in the military, and that that commission—

Dr. MOSKOS. The ill-fated commission. Right.

Senator LEVIN. I am sorry?

Dr. MOSKOS. I said the ill-fated commission. Go ahead.

Senator LEVIN. Okay. That the commission determined that women—the presence of women in combat units would be disruptive to cohesion. Is that generally accurate?

Dr. MOSKOS. Well, the commission voted on different dimensions, Senator. And I do not know if those—if that exact terminology—there were minority reports and everything else. The commission certainly felt on the ground combat arms—and there was a close division on a lot of those issues—but not on the ground combat arms, where the commission, a large majority of which voted to keep more or less the status quo on the ground.

The aircraft and the ships were much more divisive.

Senator LEVIN. Did a majority of the commission determine that in combat aircraft that that would be disruptive to cohesion?

Dr. MOSKOS. I think the commission may have had—it voted not, by an 8 to 7 vote, not to allow women aboard combat aircraft. I do not know if following that was the cohesion statement as well.

Senator LEVIN. All right. Not to allow. But I presume that was based on the impact on cohesion. Is that fair?

Dr. MOSKOS. Yes—well, if you really want to know the truth, it is because the Air Force wanted it that way. That is the real reason.

Senator LEVIN. Was it not based on a cohesion argument?

Dr. MOSKOS. No. It was based on the Air Force's arguments.

Senator LEVIN. Did that relate to cohesion?

Dr. MOSKOS. Cohesion, effectiveness, deployability, and a variety of things.

Senator LEVIN. Yet despite those arguments, it has just been ordered that they be allowed on combat aircraft.

Dr. MOSKOS. Apparently so. I mean, as of yesterday's announcement.

Senator LEVIN. My time is up.

Chairman NUNN. Let me ask Dr. Stiehm a question. You mentioned, and you have written extensively on issues relating to women serving in the Armed Forces—I believe that you have said and I have heard others also, enough to believe that there is really a problem here, that the charge of homosexuality has been used against women as a form of basic follow through on sexual harassment. That is to say, women who turn down sexual advances from men sometimes in the military are labeled lesbians or accused of being lesbians. Is this a minor problem, or is it a serious problem that needs to be tackled in this context?

Dr. STIEHM. It is a frequent occurrence. And it is very difficult for women to handle because if they are lesbians, of course, they can be removed immediately. If they are not lesbians, they may not want to deny their sisters by offering proof that they are not. It is something that I think should be treated with a great deal more seriousness than it is. Inevitably when you have a very small number of women, most of the men around them are going to have their advances turned down, just because of the numbers. It is 10 to 1.

And if a guy is turned down, he would like to blame it on her. And if you blame it on her, it is either because she is indiscriminate or it is because she is a lesbian.

Chairman NUNN. It is easier to say that she is a lesbian than, she just did not want anything to do with me, right?

Dr. STIEHM. I think that is going to be hard to solve as long as we have the kind of ratio we have. As long as you have got a 10 to 1 ratio, most guys are going to get turned down.

Chairman NUNN. The ratio of men to women.

Dr. STIEHM. And I think that in some instances, the guys need to understand that when they say someone is a lesbian, which is often done casually and not necessarily with malice and not even necessarily as harassment. It is like saying somebody is a drug dealer, because they are accusing someone of being something which is illegal in the military situation.

Some education needs to be done. In addition, of course, such statements are also used for harassment.

But they can be made just to create pressure. And they can be made just to maintain one's own self-esteem. But they are used so casually, and I think often without malice, that people forget how they are experienced. They are experienced as a heavy duty experience by the person about whom the statements are made.

Chairman NUNN. Would you call that a significant problem that women now experience in the military?

Dr. STIEHM. I think sexual harassment in a wide range of ways is a very significant problem.

Chairman NUNN. Have you got some suggestions as to how to deal with both this problem and the overall sexual harassment problem that you would like to share with us this morning?

Dr. STIEHM. Well, earlier on, I referred to common sense. I think that sexual harassment is something that we can only remedy so far through regulation, regulation, regulation, that formal education can only go so far. When you had the women's corps, women got a lot of good advice from each other. They could sometimes work together and cooperate.

And so, to some degree, women have lost cohesion through gender integration. And knowing how to handle harassment informally, and getting commanders to take it seriously, is extremely important.

But as women become senior in the services, they seem to learn how to handle it. And so, perhaps some of the things we need to do is teach junior women some good self-defense techniques and probably some informal retribution, which is not women's style of handling things, but it (informal retaliation) might, in fact, be a very good way for them to handle it.

Chairman NUNN. Dr. Moskos, did you want to comment on this?

Dr. MOSKOS. Yes. Of course. It is an ongoing concern which parallels, but is somewhat independent, of the issue of gays and straights in the military. I think Judith here had some good ideas here about the informal retribution. As you know, on many college campuses the idea is now you write people's names down on walls and things of this sort.

But we do have a question, interestingly, you know. I would like to—actually, in another survey to operationalize the issue and see.

If it occurs at all, it is bad. But the level of the incidents would be interesting.

Chairman NUNN. Have the surveys now been shut down in the Pentagon?

Dr. MOSKOS. Only on gay issues. On women's issues, it is still okay to ask.

Chairman NUNN. So you can have surveys on—

Dr. MOSKOS. Maybe—I am sure if the Senator used a little clout, we could even ask some gay questions, too. But anyhow—we do have one question we did ask, which is, I think, germane to the issue you raised here. How would opening—and close to Senator Levin's remarks—how would opening combat roles to women affect the amount of sexual harassment in the military, because one argument has been raised that by opening up the combat arms, you will reduce sexual harassment, because then women will all be treated as equal citizens.

From the female perspective—we do not know, of course, what the future will hold—but from the female perspective, 61 percent think sexual harassment would increase; 28 percent think it would make little different; 2 percent think it would decrease. So from the female side, opening up the combat role is viewed not as a way to reduce sexual harassment, but a way to increase it.

Chairman NUNN. Let me ask both you and Dr. Stiehm this question, and I think this is one that is increasingly going to become important. And that is, the difference between the way women are going to be treated in terms of being permitted to go into combat, but not required to go into combat, whereas men, when they go in the military, as I understand the policies of the services, are all subject to being put into combat against their will in conditions, even if they are not in a combat job. If they are cooking or anything else, war starts, they can be put into a combat position, and they know that when they enter the military.

Dr. Stiehm, do you have any observations on that? Are we really going to set up a lawsuit at some point by men saying we are being denied equal protection, because women are not compelled to go into combat and we are?

And then, Dr. MoskOS, follow up on that. What are your surveys showing on that? Is there a difference between women wanting to be permitted to go into combat when you ask the question? And women, when you ask the question differently, are you willing to be required to go into combat like men?

Dr. Stiehm?

Dr. STIEHM. You know you will always get a lawsuit on everything in our society, because that is the way we test the boundaries. [Laughter.]

Chairman NUNN. I mean—

Dr. STIEHM. Yes. You are going to get a lawsuit.

Chairman NUNN. Successful lawsuit, I suppose I should say.

Dr. STIEHM. A policy which makes all men liable to serve in combat but permits women only to volunteer does represent a double standard. But there is already a double standard. It will, perhaps, be less of a double standard.

I think one of the things that will happen is that when women can go into combat arms, it will become more noticeable how many

of the men are not in the combat arms, and how many of them are not in the combat arms because they have avoided being there. And that probably those men will be more self-conscious about having made a noncombat choice, and being like some of the women, when some other women are actually in combat units.

Every time that there is a mobilization in any country, I can guarantee that you will see a photograph on the front page of the New York Times of women training with weapons. And I used to think that that was a demonstration of national cohesion, national commitment, national support, until I saw the ultimate picture, and this was from a Central American country—in which a young woman was marching along, she had her ammunition bandolier across her shoulder, she had her rifle—and she was nursing her baby. And it became absolutely clear to me that what these pictures are, in fact, are pictures used to shame men into going. It is not just a representation of the nation moving together.

And I think in some degree when women are in the combat arms it is going to affect the men who are not. And it is going to be a little hard on their ego.

Chairman NUNN. Dr. Moskos, my time has expired, but is there a definite difference between women's answer when saying do you want to be permitted to go into combat, and the question, are you willing to be exposed to the same thing that men are exposed to? That is, being compelled?

Dr. MOSKOS. Yes. I think the point for pilots, though, is quite separate. Remember, pilots are officers and double volunteers. I do not think the question of compulsion really enters there.

Chairman NUNN. It is more applicable in the ground forces?

Dr. MOSKOS. In the ground combat forces, and especially for enlisted women. Most enlisted women, if you give them the choice, clearly come out for what one might call the voluntary option, which is, if women want to volunteer for combat arms, let them do it. And then the caveat to this, "but not me."

When you give them the starker choice, which is would you volunteer for the combat arms or keep the status quo, then only a small number will volunteer for the combat arms.

But at least philosophically, most women are for a voluntary option. And when you point out that inconsistency, e.g., the men do not have that option, the usual response to that, by the way, is let the men choose, too. That means they really want to have an effective military.

So we are somewhat in a dilemma. I think it is going to have to be either/or. Either the women are treated like men, or the status quo will have to obtain for the ground combat arms.

Chairman NUNN. You see it as a big problem, then, if you move down the line? I believe you mentioned a little while ago that the Netherlands, or some Scandinavian countries, in terms of homosexual treatment, basically give them the option of serving or opting out, where they do not give straights that option.

And you are saying that is where we are moving?

Dr. MOSKOS. It could well be the same. But I do not think it would hold in the United States because of our litigation and things of that sort. I think it is either going to be the status quo or equal/equal.

Chairman NUNN. Do you see a difference between the ground forces and the—

Dr. MOSKOS. Pilots are quite different. I mean, these are volunteers. They are trained—any woman pilot who wants to go into that role knows what she is getting into.

Chairman NUNN. In other words, in the middle of a war you do not get someone who is not a pilot and say, "Go fly that plane!"? [Laughter.]

Dr. MOSKOS. No.

Chairman NUNN. Okay. Senator Robb?

Senator ROBB. Thank you, Mr. Chairman. I apologize. I was here for most of the first hour or so of the hearing, and then I had to go preside over the full Senate, so I missed part of the questioning. And I look forward to reviewing that.

I just have a couple of questions. I think I will restrict them to a single witness, General Waller, if I might ask a couple of questions of you, please, sir.

I listened very carefully to your testimony. And let me at the outset say I have enormous respect for you and the career and the record that you have accomplished, and I think most of the facts that you relate and the conclusions that you draw, or certainly the opinions, if not conclusions, are shared by the vast majority of the people that are currently serving.

And I would also say that I agree wholeheartedly with your assessment of the current armed services, that they are clearly the best and brightest and most highly motivated and most capable that we have ever had, and certainly no one wants to do anything that would lead to any deterioration of their morale, discipline, esprit, or capability of fulfilling their mission.

I had read your statement over before you gave it, just sitting here, and then I have—a couple of words were used, and I would like just to get a clarification, if I could.

On page 2 of your printed statement—and this is only part of even a sentence, but I will give enough of it so that you can get the context—you say "soldiers, sailors, Marines and airmen identify with their small units." And I certainly agree.

"The squad, fire team, tank crew, platoon, companies, troops, and batteries, section, and these men and women want to be associated with individuals who they can trust under combat conditions" and you continue on.

I am a little concerned about the potential implications of whether or not someone whose orientation alone, putting aside conduct or anything else, whose orientation alone would lead you or anyone else to believe that they could not or should not be trusted. Is that a fair interpretation of the statement? Or would you want to clarify that in any way?

General WALLER. No, Senator Robb. First of all, let me thank you for those kind words about my career and performance and so forth.

But in answer to your specific question about that particular section of my prepared statement, I am very sincere when I think that, from my experience with small units and soldiers, sailors, airmen, Marines and so forth, that they identify so closely. And I believe that Dr. Moskos, as well as Dr. Segal, will support this, that

these individuals identify with their smallest elements. They want those individuals in that tank crew or in that section, that platoon, that aircraft crew, to be the very best that there is, in whatever service that they are a part of.

If, for whatever reason—if the individual proves to be a liar, a thief, in my opinion, also, openly homosexual, then you are not going to have the same kind of trust, confidence and faith in that particular small section that you would have if everyone proves to be a member of the team.

Now, that is my opinion. And I realize it is not shared with a lot of people, but that is the way I feel about it, and that is the way I think most soldiers, sailors, airmen, and Marines feel about it.

Senator ROBB. I am not really quarreling with your interpretation. I think that is true, and I think to the extent that we find a way to resolve the difficulties that confront the country, as a matter of policy, and certainly the armed services, we are going to all have to find—or to attempt to deal with that question, and your concluding comment that you will salute and follow—if you are still on active duty, you would do that, and certainly the current commanders would do so, is, I think, very welcome.

Let me ask you—I have reservations in much the same way that you do about comparisons with race-based, to put people whose orientation alone—again, I am not putting conduct in that category, because I think there are situations where prohibited conduct, if it is engaged in, would lead to a diminution in trust—but for basic orientation reasons—let me ask you about one other statement, if I may—

General WALLER. Sure.

Senator ROBB. Because I went back and I looked in your statement when I heard this, too. I think it would be enough to say—you were quoting from a statement that you had made in the Washington Post in an article, whereby you stated that, "While I can sympathize with what gays are going through, I draw the line when gays want to openly foist their lifestyle upon soldiers, sailors, airmen and Marines."

I think that certainly that view would be shared by many if it was a matter of foisting a lifestyle. But if it was simply a matter of allowing those individuals who do not attempt to foist a lifestyle, but who simply may at some point acknowledge an orientation, would you have the same view with respect to less intrusive behavior, i.e., behavior that would otherwise be acceptable for all members of any particular unit, whatever it might be?

General WALLER. Senator Robb, you know, we could split hairs, and we could sit here and, I guess, debate for the next week about in which way we are going to have the openly avowed homosexuals to do certain things in the military.

But in trying to answer your question succinctly—and let me just say it this way. If you watched the platforms of what I believe are allegedly the platforms of some of our gay activists and individuals who come up with various platforms and so forth, and if you watch anything that happened over last weekend, then I believe—and I could be wrong—but it is my opinion that many of these individuals, when they say open up the military to openly avowed homo-

sexuals, that it is not just that I want to serve, but I want to convert you to the same kind of belief that I have.

Now, when—I would say to you, and I do not know what religion you are—but when the individual, whether he is Baptist, Catholic, Jewish or whatever—starts getting up on his high horse and saying you are going to be damned for the rest of your life unless you believe in my particular religion, then we cannot have that kind of nonsense in the military forces.

And that is where I draw the analogy for people saying, I want to be able to do this, and if you knew what was right, and if you had an open mind, and if you were not so downtrodden, and if you were enlightened as I am enlightened, you would believe the way I believe.

Senator ROBB. General, let me just say that—and my time has expired—I react exactly the same way you do to that type of treatment by anyone. And it can be in the realm of religion or lifestyle or whatever the case may be. And I think that most Americans certainly are not comfortable, to say the least, and would react negatively to anyone who attempted to force them to accept their particular views, whether it be with regard to religion, whatever the case may be.

I am really just asking the question here so that we can concentrate on the real issues involved. And I recognize they are extremely difficult, and I think that the sentiments that you express do indeed track with the majority opinion throughout most of the uniformed service today, and indeed, much of the country.

But I am trying to see if we can find a way to differentiate and if—the only question I am asking, again, is if someone does not attempt to “foist”—using your word—or does not attempt to force or otherwise intimidate you into accepting a lifestyle that you and I may not understand or agree with or relate to in any way, shape or form, but they simply may at some point have been acknowledged to have a particular orientation, that they did not attempt to foist on you.

Would you then feel that the individual could serve honorably, and might not otherwise detract from good order and discipline?

General WALLER. I could not sit here and tell you that they could not, because, as you well know, there are individuals, probably that you served with when you were on active duty, who were homosexual, and did a superb job. And they did not try to foist their lifestyles on you.

So, yes. They could probably serve, and serve very well. My only quarrel with this whole issue, Senator Robb, is openly avowed homosexuals.

Senator ROBB. Again, without extending the debate, I understand there are lots of proponents and opponents of important political views that are frequently their own worst enemies, and I need not go beyond that, to suggest.

What we are trying to do here is to see if we can find a rational, supportable place to draw the line, and I think your distinctions here are important. And I appreciate it.

Mr. Chairman, thank you. My time has expired.

Chairman NUNN. Thank you, Senator Robb. I believe Senator Cohen is next.

Senator COHEN. Thank you, Mr. Chairman. General Waller, you indicated you are not interested in splitting hairs. Unfortunately, there are a lot of complexities with which we have to contend, and we are trying to probe and examine whether or not there are any rational bases for drawing these kinds of distinctions. Senator Levin asked you a question about one declaring himself to be a homosexual, and I pointed out before that we have an unusual situation in this country, where the Supreme Court declares that you can burn a flag and that is the equivalent of speech, which is protected under the Constitution. However, if you declare a sexual preference, that is considered to be an act, because it implies that you will take some action in the future, even though it is unrealized. So that is one of the many paradoxes we face in trying to resolve these issues.

As I listened to you respond to Senator Levin, the question came to my mind, would it make a difference if a soldier declared to his comrades that he was gay? Would you, as a military commander, then take action to dismiss him from the unit?

General WALLER. I would.

Senator COHEN. Would it make a difference if a group of soldiers came to you and they said we believe him to be a homosexual, or we suspect he is homosexual. Would you bring that individual forward, at that point?

General WALLER. I indeed would. I would tell him the allegations that have been made about him, and then I would give him his full judicial due.

Senator COHEN. Okay. Now, during the course of that particular interview, suppose he simply says, "Yes, I am, but I have taken no action. I do not have any friends, lovers, et cetera, within the unit. That is who I am, but I am repressing that. It is latent. I have taken no action." Does the mere declaration on the part of others that they believe or suspect that someone is a homosexual, does that disqualify that person automatically?

General WALLER. No, it does not disqualify them automatically. I would not dismiss a soldier, male or female based on an alleged allegation. I would investigate that, or have it investigated, to see if I could get something more concrete—

Senator COHEN. What I am asking is not—the allegation is not simply that he is, or she is. In other words, the group of soldiers who come to you say, we believe he is gay. And you bring that individual before you, and you say, well, are you? And he said, "Well, yes. That is who I am. I have taken no action. I do not participate in any sexual activity."

In other words, does the mere allegation that someone is—I am trying to really explore your response to Senator Levin, because he asked you if someone comes in and says to you, I am gay, would you take action, you would say, well, I want some corroboration.

But I want to put it in a different way. Namely, he says to his colleagues, I am gay. Well, that is one situation. Or they come to you and say, he is gay. What does that present you with, in terms of a decision at that time? Is the mere declaration on the part of others that someone has a sexual orientation enough to disqualify that person under your command in those circumstances?

General WALLER. It would not disqualify that person if his colleagues came to me and said he was gay. He or she, if the allegation is made, and they said, we think he is gay, and you know, I said, what is the proof? If they cannot provide me with proof, then I would take no action against that individual until I had—

Senator COHEN. But then he says, I am sexually—

General WALLER. If the person then comes in to me, I call him in—let us say his name is Cohen.

Senator COHEN. Let us not say his name is Cohen. [Laughter.]

General WALLER. Let us say his name is Nunn. [Laughter.]

Let us say his name is Fudpucker. [Laughter.]

So Fudpucker comes in, he says, General, yes. My colleagues told you that I am gay. And I am gay. But I have not taken any action against anybody in this unit. I have confined all of my sexual response outside of this unit. I have not done anything wrong.

I would say, Fudpucker, I am going to initiate proceedings against you to get you out of the military. Because if he has said that he is gay, under the current rules and regulations, then I would say he is a known homosexual and we are going to get the homosexual out of the Army.

Senator LEVIN. Would you yield for one second?

Senator COHEN. Let me finish.

Senator LEVIN. I think that is a very different answer than we had before.

Chairman NUNN. Senator Levin, I disagree with you. I think you and General Waller were talking past each other awhile ago. I noted right here when you all were talking that he was answering one and you were on the other—I think it is exactly what he was saying.

Senator LEVIN. He wanted proof before. Not just a statement.

Chairman NUNN. The proof is when somebody says, yes, I am gay.

General WALLER. That is right.

Senator COATS. This is a critical question. We ought to settle this.

General WALLER. You did not ask me if the individual announced he was gay and corroborated by other people. I said, if you just come in, I want proof. Not just because you may want to get out of the service. I want to have some kind of proof.

Senator LEVIN. The record will speak for itself.

Senator COHEN. I guess the point is, if you are gay but do not act gay, you are still out, right?

General WALLER. If you are gay and you do not act gay, and people know—

Senator COHEN. No overt action. You are still out? Period. It is who you are, not what you do.

General WALLER. Correct.

Senator COHEN. Okay. Now, Senator Lieberman indicated that there were no atheists or—

Chairman NUNN. Senator Cohen, I am informed we are going to miss the vote if we do not break up right now. We will give our witnesses a much deserved 10 or 15 minute break, and we will be right back. I congratulate all of you on your fortitude and courage

in sitting here this long. If you have any specific needs at this point that come to mind, the staff will show you where they are. [Recess.]

Chairman NUNN. Let me start. I will recognize Senator Cohen, but first, I would like to recognize General Waller, who would like to clarify a point.

General WALLER. Thank you very much, Mr. Chairman. During the break, a gentleman came up to me and said that I had made a slur against individuals, which I would like to clarify. Evidently, when I used the pseudonym Floyd Fudpucker, which I have used for over 20 years in the military, the gentleman, and I guess other people, thought I said something else.

I had no—and I say again—absolutely no intention of giving anybody or making any kind of slur against anybody by using the pseudonym Floyd Fudpucker.

Chairman NUNN. Do you want to spell it, General, so nobody has any problem?

General WALLER. F-l-o-y-d F-u-d-p-u-c-k-e-r.

Chairman NUNN. That is what I heard.

General WALLER. Thank you very much.

Chairman NUNN. Senator Cohen.

Senator COHEN. General, you could have avoided all of this if you had said Senator Nunn.

General WALLER. I wish I had now said his name was Nunn. [Laughter.]

Senator COHEN. Let me come back to the issue we were discussing, because nothing in this particular business is simple, without its complexities.

The reason I was following that line of questioning was because it is not enough for us to pick up the evolving consensus that we are going to have a policy of do not ask, do not flaunt. Because you may very well have a situation where someone does not flaunt it, but you his colleagues or comrades say, "We suspect, or we think." You call him forward, and he says to you, "General,"—using your own words—"Well, wait a minute. Didn't you say to me that if you don't get into my business, I don't get into yours?"

And I am going to say the same thing to you, General. I am not into your business, do not get into mine. I do not have to answer that question. That is one option.

Or, number two, he could say, "I believe that I am, but I have never taken any action to carry out that particular preference. So I have not flaunted it. I have not acted upon it. I would like to stay in the military. I am a good soldier."

What do you do? There has been no flaunting. He has not come forward voluntarily to declare it. You called him forward because somebody else said, "We think this guy is not quite straight with us, and we do not like him, and we think he is undermining morale. We cannot point our fingers to anything that he has done wrong."

What do you do under those circumstances? That is the kind of issue we are going to have to deal with. It is not enough to say do not ask; do not flaunt.

General WALLER. Senator Cohen, that is a fair question. And let me try to answer that as I best could.

If the individual comes in to me and confirms, as you earlier stated, that "Yes, I am gay, but I have not done anything within this unit." To me he has just established conduct. What he is. He admits that he has done homosexual acts, but not in the unit.

Senator COHEN. No. No, no. He does not do that at all. He just says—

General WALLER. No—

Senator COHEN. "I think I am oriented that way."

General WALLER. Okay. Now, if the person says I think I may be, and I have never consummated any kind of sexual activity or act with anyone, then I am going to say to him, you are treading on dangerous ground. If and when you cross over the line you can be eliminated from the service, at the present time. I just want to put you on notice that if you are going to keep this orientation and do not consummate the act, then fine. You are not homosexual. And you can go back and serve as long as you want to.

Senator COHEN. So it pertains to acting rather than being.

General WALLER. Absolutely.

Chairman NUNN. Let me throw out one suggestion without having thought through it in any kind of depth. And I do not throw it out as any definitive answer, but this is obviously a very tough question. When an individual is in the military, they perform well, they have done their job, then they are accused by others of being a homosexual. This could happen for many reasons.

Dr. Stiehm has already given us one reason it could happen in the case of females. They may have been turned down by a male advance and then accused of being a lesbian, and someone turns them in for being a homosexual. This is a real challenge.

Charlie Moskos, and Dr. Segal will probably know the answer to this, and General Waller would. Maybe all of you would. But as I understand it now, if, General Waller, someone came in and said to you, Senator Cohen or Bill Cohen has violated the Uniform Code of Military Justice Act on sodomy, now that is a criminal violation. At that stage—

Senator COHEN. Let us correct that hypothetical. [Laughter.]

Chairman NUNN. The last correction did not work. I am not going to try. [Laughter.]

At that stage, they have the right to say to you, General Waller, if you ask them that question, I have certain rights under the Uniform Code of Military Justice, not to give an answer to that because it might—it is my Fifth Amendment rights or equivalent. They have the right.

General WALLER. Absolutely.

Chairman NUNN. Now if we did go to this policy, which is the temporary policy—do not ask; do not tell; do not flaunt, and so forth. If we went to that policy, I do not see any reason we could not put that question, since it has serious consequences, in the same category as an accusation of a violation of the Uniform Code. So that General Waller could ask the question, but he would also say, you have certain rights not to be incriminated.

At that stage, the judicial system comes into play in the military, just like it would on a criminal violation. I do not know why you could not do that, which would protect people from just being ac-