

Family**Research Council**

Gary L. Bauer, President

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Family Policy Council

A delegate to the Virginia Legislature has introduced a bill to maintain the ban on homosexuals in the Virginia National Guard. I now view it likely that Bill Clinton will (fulfill his promise) succumb to the pressure of Gay groups and drop the military ban on homosexuals, possibly as one of his very first acts. This action could come very soon.

FRC has obtained a copy of Virginia Delegate James K. O'Brien's draft legislation, which is attached. It has been faxed to Assemblyman David Knowles in California and William Smith of the Indiana Family Institute. Simply by introducing this legislation, we show our genuine concern for military families and force our adversaries to expend resources. The enclosed articles should remove any doubts about the devastating consequences of so unwise a move by Clinton.

The O'Brien bill should be introduced in a majority of state legislatures. The media and the political system would be forced to confront this divisive issue squarely.

We also need to continue building a network of pro-family legislators, and to pass this information along in a timely fashion. FRC is working with military groups and at the state and federal levels. The pro-family movement has never had more allies than we have on this issue.

Thank you for your continuing support and prayers. I look forward to hearing from you soon.

Sincerely yours,

Gary L. Bauer

Family Research Council

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subsection b.1., that: (a) If the disqualification is based on

(1) The prior homosexual conduct was a departure from the applicant's usual and customary behavior; and

(2) Such conduct is unlikely to recur because it is shown, for example, that the act occurred because of immaturity, intoxication, coercion, or a desire to avoid military service; and

(3) Such conduct was not accomplished by use of force, coercion, or intimidation by the applicant; and

(4) The applicant's service in the Virginia National Guard, the Virginia State Defense Force, or the Virginia Naval Militia is in the interest of morale, good order and discipline; and

(5) The applicant does not desire to engage in or intend to engage in homosexual acts.

subsection b.2., that: (b) If the disqualification is based on bisexual. The applicant is not a homosexual or

2. The Adjutant General may grant the waiver applied for if the preponderance of the evidence establishes each element of the respective waiver test provided above, as well as such other requirements as shall be determined by the Adjutant General.

3. A waiver shall not be granted to any applicant who has married or attempted to marry a person known to be of the same biological sex (as evidenced by the external anatomy of the persons involved).

2. Title 44, Article 2 shall be amended to add:

Section 44-24.3. Separation from the Virginia National Guard, the Virginia State Defense Force or the Virginia Naval Militia. --

a. Under such regulations as shall be promulgated by the Adjutant General, any commissioned or warrant officer, or enlisted person, in the Virginia National Guard, the Virginia State Defense Force or the Virginia Naval Militia shall be separated from the Virginia National Guard, the Virginia State Defense Force or the Virginia Naval Militia, respectively, under the terms of this section if the following findings are made:

6. "Virginia Naval Militia" means that class of militia of this Commonwealth established under Title 44 of the Code of Virginia, including without limitation Secs. 44-1, 44-3 and 44-55 at seq., as the naval militia of the Commonwealth.

7. "Applicant" means any person seeking (a) to enlist in (including a warrant officer), (b) to be commissioned in, or (c) to transfer from an armed force of the United States or another state or commonwealth to, the Virginia National Guard, the Virginia State Defense Force or the Virginia Naval Militia.

b. Disqualification of Homosexuals and Bisexuals:

Any applicant who:

1. has engaged in, attempted to engage in, or solicited another to engage in a homosexual act, or

2. has stated he or she is a homosexual or bisexual, or

3. has married or attempted to marry a person known to be of the same biological sex (as evidenced by the external anatomy of the persons involved),

shall be disqualified from service in the Virginia National Guard, the Virginia State Defense Force and/or the Virginia Naval Militia. No contract of enlistment, commission or transfer, in or to, the Virginia National Guard, the Virginia State Defense Force and/or the Virginia Naval Militia shall be approved by the respective approval authority if the applicant has been disqualified by the terms of this section.

c. Waiver:

1. Notwithstanding the disqualification imposed in subsection b of this section, an applicant who is disqualified as provided in subsection b because the applicant has engaged in, attempted to engage in, or solicited another to engage in a homosexual act, or has stated he or she is a homosexual or bisexual, may obtain a waiver of that disqualification, provided the applicant applies for a waiver as provided for herein, and such waiver is approved by the Adjutant General or his designee. An application for waiver shall be made under such regulations as established by the Adjutant General, which regulations shall require, at a minimum, representations by the applicant and evidence establishing:

1. The Adjutant General, or his designee, finds that the individual has engaged in, attempted to engage in, or solicited another to engage in a homosexual act or acts, unless there are further findings that:

(a) The prior homosexual conduct was a departure from the individual's usual and customary behavior; and

(b) Such conduct is unlikely to recur because it is shown, for example, that the act occurred because of immaturity, intoxication, coercion, or a desire to avoid military service; and

(c) Such conduct was not accomplished by use of force, coercion, or intimidation by the individual; and

(d) The individual's continued service in the Virginia National Guard, the Virginia State Defense Force, or the Virginia Naval Militia is in the interest of morale, good order and discipline; and

(e) The individual does not desire to engage in or intend to engage in homosexual acts.

2. The individual has stated that he or she is a homosexual or bisexual, unless there is a further finding that the individual is not a homosexual or bisexual.

3. The individual has married or attempted to marry a person known to be of the same biological sex (as evidenced by the external anatomy of the persons involved), unless there are further findings that the individual is not homosexual or bisexual, and the marriage or attempted marriage occurred because of immaturity, intoxication, coercion, or a desire to avoid military service.

b. The definitions set forth in Va. Code Sec. 44-24.2 shall apply to this section.

c. A discharge under the provisions of this section shall reflect the character of the individual's service, except that a discharge under other than honorable circumstances shall be issued if there is a finding that during the current term of service the individual attempted, solicited or committed a homosexual act:

or

1. By using force, coercion or intimidation,

2. With a person under 16 years of age, or

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Clinton Aides Urge Quick End to Military Ban on Gays

■ Pentagon: Proposal would leave questions about standards of conduct to be decided by defense officials.

By MELISSA HEALY
TIMES STAFF WRITER

WASHINGTON—President-elect Bill Clinton's top advisers are recommending that he sweep away the nation's longstanding prohibition against gays in the military by issuing an immediate and unequivocal ban on discrimination instead of finessing the explosive issue by ordering further study, knowledgeable sources have told The Times.

That recommendation, if accepted, would cap a debate that has raged for weeks over whether Clinton should end such discrimination "with the stroke of a pen" or compromise by yielding to military concerns and ordering further study before acting.

Aides said consultations with the military are continuing and that a formal recommendation is expected to go to Clinton next week, allowing him to issue his directive within the first two weeks of his presidency.

The directive would be issued in a "memorandum of instruction" to the secretary of defense. It would require the military to halt investigations and disciplinary actions against gays and to stop asking service members and enlistees about their sexual orientation.

But it would leave unresolved standards of conduct that would apply to gay and lesbian service members. While openly gay and

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lesbian military personnel no longer could be discharged on the basis of sexual preference alone, military officials probably would be permitted to define the limits of acceptable behavior by homosexuals while on military installations and while performing their duties.

Under a memorandum of instruction, the new defense secretary—Clinton has nominated Rep. Les Aspin (D-Wis.)—would oversee decisions concerning whether the military should extend dependent benefits to the homosexual partners of service members and whether gay social clubs should be permitted to function on U.S. bases.

Other issues left to the defense secretary and military leaders would include whether homosexual personnel should be permitted to express their sexual preferences openly under circumstances that could be regarded as disruptive and whether gay or lesbian service members would be permitted to live together in base housing.

The military has strict regulations about sexual behavior among its members who work together. Clinton has said those rules would continue to apply to homosexuals and heterosexuals alike.

For Clinton, adoption of the recommendation would represent a compromise between military leaders, who have protested lifting the ban, and gay and lesbian activists. Those activists are hoping that Clinton will lift the ban by issuing an executive order—the vehicle presidents traditionally use for bold, historic action. President Harry S. Truman, for instance, issued an executive order to racially integrate the military services.

Clinton advisers, however, favor using a new, less symbolic mechanism to lift the ban. A "memorandum of understanding" has the same

legal force as an executive order, they said, but does not carry with it the same historic significance.

They view the distinction as important because they believe that the action will bring strong opposition from military leaders, which they hope to mute to some extent by avoiding use of an executive order.

Transition aides also hope to shield Clinton from military and congressional reaction by using language in the memorandum that would specifically direct Aspin to carry out the task of lifting the ban, rather than simply proclaiming the President's order to lift it.

Clinton understands there are two issues here. He can't waffle and he doesn't want to expend a lot of political goodwill upfront on this issue," said one adviser to the Clinton transition team. "What they're trying to do is find the best mechanism to achieve the commitment and not hurt him."

Knowledgeable sources said using a memorandum of instruction to lift the ban is the dreamchild of Clinton friend John Holum, a Washington attorney who was asked to review the President-elect's options on the matter.

Holum and Aspin are expected to discuss the proposal in the next several days, along with several other options that Holum considers less advisable politically. One of those lesser options, sources said, would be for Clinton to issue an executive order.

A memorandum of instruction, the sources said, would definitively rule out establishing a commission to study the issue, a step that many gay and lesbian activists oppose as a stalling tactic. Many senior military leaders have informally suggested creating such a commission.

Other Clinton advisers said the memo is a way to move swiftly to change the policy without excluding the possibility of an executive order later, after civilian defense officials and military

leaders had reviewed the matter.

"The policy will be lifted early, and I don't think Bill Clinton... is backing off one bit," said one activist working with a gay and lesbian interest group. "I feel very good about where things are right now."

"I think the military is preparing for this change right now," the activist said. "People throughout the Defense Department are talking. People are getting ready. It's coming, and I have every reason to have faith in Clinton's commitment."

But some gay activists said anything short of an executive order will be regarded as waffling by Clinton. They said they plan to press Clinton to reject Holum's proposal but acknowledged that he probably will accept it, given his penchant for political compromise and his wariness about generating significant military resistance early in his Administration.

Whatever option Clinton chooses, activists have told him that he must act quickly before opposition solidifies.

"First we have to stop the witch hunts," said Robert Bray, spokesman for the National Gay and Lesbian Task Force. "One thing we're not willing to compromise on is yet another study. There have been several already, and they have all concluded that gays can and should be allowed to serve in the military."

During his first day of confirmation hearings on Thursday, Aspin told senators that Clinton will move quickly to lift the ban.

"With Bill Clinton's election and his pledge during the campaign to take this issue head on... we are going to take it head on," Aspin told the Senate Armed Services Committee.

"I think that there's no way to avoid the issue or slide around it, or try and patch up the whole issue and let it go away," he said. "We want this issue to be dealt with very, very carefully, but we want it to be dealt with very, very deliberately."

Gays in the Military? A Cautionary Tale

By KEVIN M. McCRAVE

Bill Clinton's desire to lift the ban on homosexuals in the military brings to mind a troubling incident from my own military experience more than a generation ago.

When I turned 18 late in 1945 I discovered that I had missed the war but not the draft. After five weeks of boot camp, I was shipped to San Francisco's Treasure Island, the Navy base where new recruits waited to receive their orders.

It was dark and raw as only San Francisco can be in January when five of us mustered on a pier to await a ship's boat from the USS Warrick. The new recruits were told the Warrick was an Attack Cargo Auxiliary, which sounded promising. We soon discovered this was a fancy name for a cargo carrier. Even so, we were excited at the prospect of shipping out. Lugging our bags, we arrived on board late at night. We unhooked our berths from their vertical positions and settled down to sleep.

The awakening was sudden, panic-filled. A hand was caressing my leg, running up the inside of my thigh. A dim figure ducked away as I lashed out, kicking, swinging a fist and striking air. There was no more sleep that night.

Our voyage began the next day, our destination Honolulu. But the excitement was gone, at least for me. At the end of a long day riding the sea's rolling swells, I took a 12-inch box-end wrench from the engine room and retreated to my berth. Hanging on to the wrench under my pillow, I slept.

My sense of unease did not go away even when the seasickness passed. On the fourth day at sea I visited the ship's post

office. The second-class petty officer manning the tiny cubicle greeted me warmly. Grinning broadly, he stepped back from the counter, dropped his dungarees, fondled himself and made an obscene invitation. I walked away.

Whom do you tell? I chose a third-class petty officer on my watch. He laughed at what I told him. "You're on a French cruiser, kid." He told me to watch out.

It was in the open now, a subject for discussion among the new recruits. Each of us had been accosted, patted, propositioned. Though we were in different divisions, we flocked together for meals, averting our eyes when one of "them" leered in our direction.

There were five such aggressive homosexuals that we knew of on board this ship with almost 250 men. They were all petty officers. Their actions were enough to poison the atmosphere on the Warrick. Meals, showers, attendance at the movies, decisions about where you went on the ship alone — all became part of a worried calculation of risk.

After two weeks at sea, I received the whispered news that the smallest and most vulnerable of our "team" had been sodomized in the paint locker. When I looked at the bearer of this news, I saw that there were tears in his eyes. "Why are they doing this to us?" he asked.

It was a good question. The comments of some petty officers suggested that the rapid discharge of so many veterans at the end of the war had brought with it a slackening of discipline. On board the Warrick this disciplinary neglect had loosened the restraints on homosexual

behavior — the threat of discharge was the surest of these — and created an atmosphere where exhibitionism and lewd action were commonplace.

All homosexuals aren't rapists. But in this closed male society, with its enforced communal living, unchecked homosexual appetites wrought havoc. The atmosphere on the USS Warrick in January of 1946 does have a present-day parallel — the atmosphere of fear that rules in today's prisons.

Is there a lesson here for Mr. Clinton? I think so. The U.S. Navy certainly won't turn into a collection of horror ships like the Warrick if he succeeds in ending the ban on homosexuals in the military. But my experience does suggest that military officials are right to worry that "good order and discipline of the services will be impaired" if the ban is lifted.

A postscript: When the Warrick reached Pearl Harbor in that long-ago winter, a new executive officer reported aboard. On the sixth day in port the PA system blared a summons "for all those personnel being transferred to assemble at the quarterdeck."

I joined the rush topside to see who was going ashore. The ship's rail was lined with crewmen cheering as five petty officers debarked into a P-boat.

I went below decks and ran back up. When the P-boat cleared the side, I dropped my box-end wrench into the blue waters of Pearl Harbor.

Mr. McCrave is a retired businessman living in New Jersey.

Disband the Marine Corps

by Maj Arthur J. Corbett

would be better to disband the Corps than see it distorted and its virtues and values destroyed.

It is a striking and unexpected fact that it happens to a person of a certain nature to deprecate that which he reveres in order to gain attention for himself. That the vandals who did not mean that he could not be a stroke of a hammer. Indeed, it is a human nature, and such is the nature of individuals, institutions, and all sometimes will to tragedy through no fault of their own.

It is not inevitable, but the tendency of political opportunism, of narrowness, and moral malaise to dominate and subvert American life have ripened the opportunity for political leadership to do what has been done in 37 years—silly

the reputation and honor of our proud Corps. While homosexuality is a tragic reality, and those who indulge in its indignities deserve prayerful compassion, they are not fit to lead men in battle. Culture vandals may debate this issue, but as Marines we know this intellectually, morally, and vocally. For the civilian, this may be but one of many irreverences that he has endured as a member of a declining culture, but for the Marine it is a violation of a sacred trust. We have always perceived that the threats to our honor were external to our borders and could be countered with courage, zeal, and competence. We never suspected that the threat to our ethos would come from within our Nation and be sanctioned, however indirectly, by the American people. The sorry fact is that this will not be a gross betrayal by a dark and sinister force—rather it will

the consensus of the Armed Forces probably runs against the grain of a great many, perhaps even a majority of civilians. Of course, it is swiftness, particularly the new civilian hierarchy of a new Clinton administration that we must persuade. We do not need to convince each other.

Accordingly, we must develop and pursue the voice of calm reason, based upon fact-based evidence and the national interest to persuade those civilian authorities who may yet remain open-minded. Strident accusatory letters and columns will not be persuasive. Language of hate and polemic argument will offend to Mr. Clinton and his supporters, and those who support the continuation of gay exclusion from the military are unduly and unnecessarily biased. Let's follow Col Greenwood's and George F. Will's (Washington Post, 6/26/82) example and demonstrate the clear wisdom of existing policy.

Col Eric L. Chase, USMC

be a culmination of banal evils from a progression of noxious ideologies. The result will be the same, only the method is more benign.

Ayn Rand made this trenchant observation on the subversion of virtue within a culture:

When men reduce their virtues to the approximate, then evil acquires the force of an absolute, which loyalty to an underlying purpose is dropped by the virtues, it's picked up by the scoundrels—and you get the inescapable spectacle of a cheating, bargaining, rational good and a self-righteously uncomprehending evil.

And so we find ourselves at a crossroads as an institution. Though prayer and reason might yet triumph, it is clearly time to fight and prepare. For such an undeserved indignity to be heaped upon such a noble institution, with but a whisper of protest, would betray the untold thousands who bought with their blood the honor we enjoy. Yet we are constrained in our efforts by the very nature of the political system that they fought to defend, and we recognize that, while this tragedy should not happen, it is ultimately not our decision to make.

America will get both the Government and the Military Establishment that it deserves. God has blessed us richly in the past with remarkable strength in both institutions, but now we choose to go it alone. We have displaced faith in Providence with confidence in technology. We enjoy a wide, but inevitably temporary, advantage over potential adversaries in our technological capability, and so we grow both proud of our position and fearful of the very virtues that enabled our success. Like all civilizations that have preceded us, we are passing through the culminating point of culture and starting down the precipitous slope that lies beyond.

Soon, we must again answer an important question that has frequently been asked in the past: Do we really need a Marine Corps? As we know, Lt Gen Victor H. Kaulik answered that question in his book *From 1000 Fighting Men to 100,000*. A Marine Corps—the other Services could manage an adequate defense without us—

but American wants a Marine Corps, because it feels safe knowing that there is a band of warriors always ready to respond rapidly against unknown odds, to any national emergency. America felt good knowing that men of character, who shared a warrior ethos, stood ready to do its will. But some of America has changed its mind and now seems to regard virtues as a vestigial encumbrance upon a society that prefers dissolute equality over honest distinction.

Marine Corps history is replete with examples of uncommon valor and successes that Marines have achieved in battle have earned for our Corps a reputation that is the envy of every other Service and that is unequalled in modern history. Our customs are steeped in tradition, and our traditions have been respected and honored by successive generations of Marines. We are esteemed by our countrymen and feared by our enemies. Our dead are venerated, and those who once wore our uniform, are forever entitled to claim the title "Marine." We are indeed a unique and proud brotherhood of warriors.

Perhaps now is the time to recognize that although America might, for the first time, actually need a Marine Corps, it no longer wants one. It is true that the future portends many financial conflicts to which a Marine Corps should respond, but the other Services will adapt. They will certainly adapt better to amphibious warfare than the Marine Corps will adapt to remaining sexual deviates. Marines are an invaluable asset by nature, and brutally honest in their observations and decisions. The young officers who attempt to explain how homosexuality is an

"alternate" instead of a deviate lifestyle, will quickly lose the respect of their Marines and a bit of their own honor in the process. Sanitized terms like "sexual orientation" may serve to obfuscate the gross realities of a perverse lifestyle to a jaded public, but Marines living in a barracks will fully question leadership that discredits by association the sacrifices they are willing to make. The party line will be that homosexuals are Marines, just like you. The cognitive dissonance that this simple, yet official, lie must engender will tug at the credibility and ultimately rend the integrity of our Corps.

Critics claim that homosexuals already lurk in our ranks. The salient difference between the current reality and the proposed policy is that now the homosexuals lie to the Marine Corps. Soon we will find that to accommodate homosexuals, the Marine Corps must lie to Marines, and they in turn to one another. Institutions like the Marine Corps are not built upon deceit.

We dare not tarnish the reputation of our Corps. Too many valiant men have fallen in honor for us to allow the term "Marine" to be degraded in a futile attempt to lend dignity to practitioners of unnatural acts. It is time to cease the hostile colors and ask Congress to disband our Marine Corps. The Army has long sought the Marine Corps as its own, and in many of the world's navies there are naval corps. We can preserve our reputation, and that of those who have preceded us, by not compromising our values as a Corps. We should transfer our personnel to another Service and don their uniform. It is better to wear proudly the uniform of another Service than to

see the Globe and Anchor proudly displayed. As we know, the Marine Corps is not essential for national defense, it is an expression of pride and competence by a strong people, America is our home and the home of our families. There is still much here that is worth defending. By disbanding now we preserve more than a tradition of honor and service—we preserve a remnant of hope for a future generation.

There will be time in the future, as there has always been in the past, when America will be threatened. Survival may become a dim prospect, and ancient virtues and values will be recalled from such a crucible may emerge a neophyte warrior who remembers that his grandfather, or perhaps his great-grandfather, had been a sergeant major of Marines. If he is confident in his fellow warriors, loyal to his country, resolved on victory, uncompromising in integrity, and dedicated to both innovation and tradition, then he may have the audacity to claim the title "Marine." Once again, America will want an elite corps of honorable men to do the difficult today and the near impossible tomorrow. Old battle colors, dusty but venerated, will be unfurled, and proud men will commit their lives to God, Corps, and Company. They will inherit an unbroken tradition, and what will provide the continuity between our Corps and theirs will be a common motto: *Semper Paratus!* It will be the intervening years, when there wasn't a Marine Corps, which will validate for all time the motto itself.

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Col Greenwood's call to action (CG, Dec/82, p. 2) is an eloquent allegory to the professional military, urging the Presidential campaign.

Overseer Clinton vowed to eliminate homosexual preference as a bar to military service. After the election, Clinton-elect Clinton reiterated the promise, but seemed to back off by saying that he might not change the policy regarding behavior, i.e. sodomy. Separately, Senate Armed Services Committee Chairman Sam Nunn and others have persuaded Mr. Clinton to allow a more lenient policy on military personnel comparable to that of the other Services. The real question is whether an "open-door" policy would be detrimental to combat effectiveness and, ultimately, to national security. In my opinion, a host of behavioral and sociological factors make a strong case to continue the exclusion. Nevertheless, we must all confront the reality that