

ENCLOSURE B-B

SJS 2591/213-00

4 August 1993

DISTRIBUTION B PLUS  
J-1(4), OCJCS/LA/LC(2)

SECRETARY, JOINT STAFF DIRECTIVE

on

REQUEST FOR RESPONSES TO QFR'S FROM 21 JULY 93 HEARING, HOUSE ARMED SERVICES COMMITTEE, ON THE PLAN TO LIFT THE BAN ON HOMOSEXUALS IN THE MILITARY -- CJCS WAS THE WITNESS

The attached is referred to J-1 for DJS reply in collaboration with OCJCS/LA and OCJCS/LC. Response should be forwarded to DJS with recommendation that DJS approve and forward to OCJCS/LA. The suspense date for this action is 10 August 1993, unless an extension is coordinated with the Secretary, Joint Staff.

Joint Secretariat

165 (04A-903)

## OCJCS LEGISLATIVE TESTIMONY REVIEW

Hearing Date 21 JUL 93 Witness GEN Powell Committee HOUSE ARMED SVCS

Subject PLAN TO LIFT THE BAN ON HOMOSEXUALS IN THE MILITARY

Point of Contact in Office of Legislative Affairs, Rm 2E037, x41777: (b)(6)

For Review By: JOINT STAFF

J-1 _____	J-7 _____	SOCOM _____	PACOM _____	NORAD _____
J-2 _____	J-8 _____	EUCOM _____	CENTCOM _____	_____
J-3 _____	CSG _____	SOUTHCOM _____	SAC _____	_____
J-4 _____	CJCS _____	SPACECOM _____	FORSCOM _____	_____
J-5 _____	VCJCS _____	SHAPE _____	LANTCOM _____	_____
J-6 _____	ScRv _____	TRANSCOM _____	CINCUNC _____	_____

\_\_\_\_\_ Please review for security, accuracy of data and correct policy. You may propose changes, corrections or improvements to the witness statement for the record. Make changes directly on your copy and return it to LA. In margin, provide name, office and phone of person making change and indicate whether change is suggested or mandatory. Be sure you have facts to support your change.

\_\_\_\_\_ Please edit transcript to correct factual and policy inaccuracies, and for proper security classification. Line through matters for which substitute words or figures are entered, and only use brackets for security classification. Please insert a "centerhead" prefacing subject changes in transcript. If witness stated additional information would be provided for the record, please submit it on DD Form 2136, following the instructions on the reverse of the form described for "Answer Only".

XXXX Please prepare responses to the attached questions for the record. Submit responses on DD Form 2136, stamping each page with appropriate classification and downgrading instructions. Also submit one photocopy of all DD form 2136s, bracketing classified information on the copies only. See attached example.

\_\_\_\_\_ Your concurrence will be assumed upon no response by suspense. Changes cannot be accepted after suspense.

\_\_\_\_\_ Other instructions:

Signature: (b)(6)

Routing Date: 4 Aug 93

Suspense: 11 AUG 93

~~1050/Hill/ban 50~~  
R. K. Dornan

July 21, 1993

Questions submitted for the Record by Congressman Robert K. Dornan

Housed Armed Services Hearing on Homosexual Policy to Gen. Powell  
and each Chief of each of the 4 services.

1.) Gentlemen, cost has been cited as a factor in favor of lifting the ban due to the funds used to investigate and dismiss homosexuals. However, according to the often cited GAO Report, "Basically, only the costs of recruiting and training the personnel needed to replace those discharged for homosexuality could be readily estimated." Would you agree that based upon this logic, we should keep the some 100,000 military personnel scheduled to be dismissed under the President's FY 94 defense cuts? <sup>estimated</sup> Also, what about the cost of retaining and treating those with a high chance of contracting the AIDs virus and other diseases? What is the cost of lifting the ban against homosexuals in these terms, especially during a time of scarce defense resources? ?

2.) Besides being military officers, many of you are also fathers, <sup>most of you and grandfathers</sup> In terms of future recruitment of high quality, highly motivated personnel, what will be the effect of lifting the ban? Based upon what you know about the forced intimacy found in the military, especially in the barracks or on board ship, would you still recommend to your sons or daughters <sup>not yet on active duty</sup> to volunteer for service? ?

3.) If, under the new policy, a junior commander learns from his troops that one of their comrades frequents "gay" <sup>homosexual bars or hot tub houses</sup> bars and attends "gay rights" homosexual, lesbian and bisexual marches, he or she will be unable to initiate an investigation on this individual <sup>on this <sup>evidence</sup> only</sup> even if their participation is televised. Are we really to believe that such reports, of themselves, will not cause great morale and discipline problems within the ranks of this unit? Don't you believe that local commanders must be given much more flexibility in preserving the good order, morale, and discipline of their units than provided by this new policy? ?

*Thank you for responses in writing.*

MR. MONTGOMERY

I understand that there may be a problem with the administrative aspects for the National Guard and Reserves. When an individual is identified for separation in the active components, separation boards are convened very quickly, the individuals have immediate access to an attorney and the process is completed in a very short time.

In the Guard and Reserves, it takes as much as 12 to 18 months to complete a board action. Since the military attorneys are drilling members just like the gay individual, they only have one weekend a month to work the case. The Board members likewise are only available during drill weekends causing the process to stretch-out.

Have you given any consideration in your policy and implementation instructions to addressing this issue and/or speeding this process up. The longer it takes to separate an individual will detract from training and readiness.



JOINT STAFF ACTION PROCESSING FORM

TO <i>DJS Reiv</i>	CLASSIFICATION UNCLASSIFIED	ACTION NUMBER J-1 2591/213-00
THRU		ORIG SUSPENSE
SUBJECT Request for Responses to QFR's From 21 July 93 Hearing, House Armed Services Committee, on the Plan to Lift the Ban on Homosexuals in the Military--CJCS Was Witness	ACTION	SJS SUSPENSE 10 AUGUST 93
	<input checked="" type="checkbox"/> APPROVAL	J SUSPENSE
	SIGNATURE INFORMATION	

ACTION SUMMARY

- Purpose.** To provide responses to HASC questions for the record\* in conjunction with CJCS testimony provided 21 July 1993.
- Discussion.** The majority of the proposed responses were extracted from the transcript of CJCS testimony to the HASC on 21 July, the GAO Report, 12 June 1992, "DOD's Policy on Homosexuality," and coordination with OSD.
- Recommendation.** DJS approve the proposed responses at the Tab for submission to the Congressional record.

Approve *R.B.P.* Disapprove \_\_\_\_\_ Other \_\_\_\_\_

Attachment

Reference:

\* SJS 2591/213-00

COORDINATION/APPROVAL

OFFICE	NAME & DATE	EXT	OFFICE	NAME & DATE	EXT
J-1	(b)(6)	76098	LC	(b)(6) AUG93	71137
			LA	/9AUG93	41777
			J-5	Copy Provided	
	<i>RADM, USN</i>		AASD/HA	E. Martin/9AUG93	57116

ACTION OFFICER/DIV/PHONE CDR Fraser/J-1, Pers Plns & Pol Div/46486

DATE PREPARED 10 August 1993	CLASSIFICATION UNCLASSIFIED	Classified by Declassify on
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ENCLOSURE B-B		INSERT FOR THE RECORD			
HOUSE SENATE	APPROPRIATIONS COMMIT	HOUSE SENATE	ARMED SVCS COMMITTEE	HOUSE SENATE	OTHER
HEARING DATE 21 JUL 93	TRANSCRIPT PG NO	LINE NO.	INSERT NO.	Dornan Q: 1	

Cost Factors

UNCLASSIFIED

Mr. Dornan: Gentlemen, cost has been cited as a factor in favor of lifting the ban due to the funds used to investigate and dismiss homosexuals. However, according to the often cited GAO Report: "Basically, only the costs of recruiting and training the personnel needed to replace those discharged for homosexuality could be readily estimated." Would you agree that based upon this logic, we should keep the some 100,000 military personnel scheduled to be dismissed under the President's FY 94 defense cuts? Also, what about the estimated cost of retaining and treating those with a high chance of contracting the AIDS virus and other diseases? What is the cost of lifting the ban against homosexuals in these terms, especially during a time of scarce defense resources?

General Powell: When GAO estimated the cost of separating Service members for homosexuality, they apparently assumed that none of those separated would have been lost through normal attrition. The Department of Defense separates about 300,000 men and women every year for various reasons--retirement, attrition, medical, or disciplinary infractions. Homosexuals make up less than one-third of 1 percent of that total. Moreover, due to the drawdown of our forces, if the approximately 1,000 personnel separated annually for homosexuality had not been discharged, we would have had to either discharge 1,000 other personnel or reduce accessions by 1,000. Due to this logic trail, there were no replacement costs during the period cited by the report.

As to the question of medical costs, treatment for active duty Service members who are HIV positive is regarded by the medical community much the same as any other long term, progressive disease, such as diabetes or cancer. The soldier, sailor, airman, or Marine is medically evaluated to determine his or her level of fitness. If the doctors decide that he or she is not physically able to perform in the military, he or she is separated or medically retired. As I understand it, DOD does not track costs of treating specific diseases, but it is significant to note that as of June 1993, there were only 1,500 active duty members--DOD-wide--who were HIV positive.

UNCLASSIFIED

OFFICE J-1/Personnel Plans and Policy Division					DATE PREPARED 6 AUG 93	
ACTION OFFICER/EXTENSION (b)(6) 46486						
COORDINATION						
OFFICE	LC	LA	J-5	AASD(HA)		
NAME	(b)(6)			Martin		
DATE	9AUG93	9AUG93	9AUG93	9AUG93		

ENCLOSURE B-B		INSERT FOR THE RECORD			
HOUSE SENATE	APPROPRIATIONS COMMIT	HOUSE SENATE	ARMED SVCS COMMITTEE	HOUSE SENATE	OTHER
HEARING DATE 21 JUL 93	TRANSCRIPT PG NO	LINE NO.	INSERT NO.	Dornan Q. 2	

Effect on Recruitment

UNCLASSIFIED

Mr. Dornan: Besides being military officers, many of you are also fathers and most of you are grandfathers. In terms of future recruitment of high quality, highly motivated personnel, what will be the effect of lifting the ban? Based upon what you know about the forced intimacy found in the military, especially in the barracks or on board ship, would you still recommend to your sons or daughters not yet on active duty to volunteer for service?

General Powell: Since the President's announcement concerning the new policy, we have seen tensions easing within the forces as our troops get on with the business of defending the nation without this detractor. I believe that if the policy is clearly explained and understood, if we show our support for the President's plan, and confirm that nothing has changed that will degrade the best fighting force in the world, the tensions within the American public--our recruiting pool--will also ease.

My 35 years in the Army have been full and rewarding. I don't believe that the pride and satisfaction I have felt and the friends I have been privileged to meet and serve with will ever be matched. I want my children, as I do all of our youth, to follow their own star and to live to their greatest potential. Yes, I would recommend this life to my children.

UNCLASSIFIED

OFFICE J-1/Personnel Plans and Policy Division				DATE PREPARED 5 AUG 93	
ACTION OFFICER/EXTENSION (b)(6) 46486					
COORDINATION					
OFFICE	LC	LA	J-5		
NAME	(b)(6)		Provided		
DATE	9AUG93	9AUG93	9AUG93		



ENCLOSURE B-B		INSERT FOR THE RECORD			
HOUSE SENATE	APPROPRIATIONS COMMIT	A HOUSE SENATE	ARMED SVCS COMMITTEE	HOUSE SENATE	OTHER
HEARING DATE 21 JUL 93	TRANSCRIPT PG NO	LINE NO.	INSERT NO.	Dornan Q. 3	

Investigation Policy

UNCLASSIFIED

Mr. Dornan: If, under the new policy, a junior commander learns from his troops that one of their comrades frequents "gay" homosexual bars or hot tub houses, homosexual, lesbian and bisexual marches, he or she will be unable to initiate an investigation on this individual on this evidence only, even if their participation is televised. Are we really to believe that such reports, of themselves, will not cause great morale and discipline problems within the ranks of this unit? Don't you believe that local commanders must be given much more flexibility in preserving the good order, morale, and discipline of their units than provided by this new policy?

General Powell: I have great faith in the ability of our commanders to bring adult, mature judgment to these very, very complex issues; just as they bring adult, mature judgment to all of the complex issues that they face in the orderly room and in the captain's cabin aboard a ship. We would expect that a commander will assemble all of the information available, to determine whether the events are benign or whether a pattern is occurring, to take into account the well-being of his or her unit—the morale and discipline within the ranks. There is nothing in the new policy that precludes a commander from doing this. We are placing this in the hands of experienced leaders who will decide, based on the collection of facts, whether further investigation is warranted.

UNCLASSIFIED

OFFICE J-1/Personnel Plans and Policy Division				DATE PREPARED 6 AUG 93	
ACTION OFFICER/EXTENSION (b)(6) 46485					
COORDINATION					
OFFICE	LC	LA	J-5		
NAME	(b)(6)		PROVIDED		
DATE	9AUG93	9AUG93	9AUG93		

ENCLOSURE B-B		INSERT FOR THE RECORD			
HOUSE SENATE	APPROPRIATIONS COMMIT	A HOUSE SENATE	ARMED SVCS COMMITTEE	HOUSE SENATE	OTHER
HEARING DATE 21 JUL 93	TRANSCRIPT PG NO	LINE NO.	INSERT NO.	Montgomery Q. 4	

Timely Separation Boards for the National Guard and Reserves

UNCLASSIFIED

Mr. Montgomery: I understand that there may be a problem with the administrative aspects for the National Guard and Reserves. When an individual is identified for separation in the active components, separation boards are convened very quickly, the individuals have immediate access to an attorney and the process is completed in a very short time. In the Guard and Reserves, it takes as much as 12 to 18 months to complete a board action. Since the military attorneys are drilling members just like the gay individual, they only have one weekend a month to work the case. The Board members likewise are only available during drill weekends causing the process to stretch-out. Have you given any consideration in your policy and implementation instructions to addressing this issue and/or speeding this process up? The longer it takes to separate an individual will detract from training and readiness.

General Powell: I will defer to the Service chiefs to provide specifics on your question, but, currently, we are working out the details necessary for implementing the policy. I will ensure that this issue is reviewed.

UNCLASSIFIED

OFFICE J-1/Personnel Plans and Policy Division				DATE PREPARED 6 AUG 93	
ACTION OFFICER/EXTENSION (b)(6) 45486					
COORDINATION					
OFFICE	LC	LA	J-5		
NAME	(b)(6)		PP/vid		
DATE	9AUG93	9AUG93	9AUG93		



**ROUTING & COORDINATION COVER SHEET**

CONTROL NUMBER

2591/213-00

DATE RECEIVED

10 August 1993

RETURN TO: ADMIN SUPPORT BRANCH, SJS, 2E929, THE PENTAGON (b)(6)

DOCUMENT IDENTIFICATION

DATE OF DOCUMENT

SUBJECT

Request for Responses to QFR's from 21 July 1993 Hearing, House Armed Services Committee, on the Plan to Lift the Ban on Homosexuals in the Military--CJCS Was Witness

DJS APVL

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	EXECUTIVE ASSISTANT	001	
	DEPUTY EXECUTIVE ASSISTANT	001A	
	VICE CHAIRMAN OF THE JCS	01	
	EXECUTIVE ASSISTANT TO VICE CHAIRMAN OF THE JCS	011	
	ASSISTANT TO THE CJCS	02	
	EXECUTIVE ASSISTANT	021	
	ACJCS SPECIAL ASSISTANTS		
	LEGAL COUNSEL	02E	
	LEGISLATIVE ASST	02F	
	PROTOCOL	003	
	CIVILIAN SPECIAL ASSISTANT	004	
	SPECIAL ASSISTANT PUBLIC AFFAIRS	005	
	COMMUNICATIONS ADVISOR	008	
3	DIRECTOR, JT STAFF	03	
	EA TO THE OJS	031	
2	VICE DIRECTOR, JT STAFF	04	2/8/10
	EA TO THE VDJS	041	25/10
1	SECRETARY, JT STAFF	05	1/28/10
	ADMINISTRATIVE SUPPORT BR	051	